
WELSH STATUTORY INSTRUMENTS

2021 No. 356

The Local Government and Elections (Wales)
Act 2021 (Consequential Amendments and
Miscellaneous Provisions) Regulations 2021

PART 3

Amendments to secondary legislation

Gambling Act 2005 (Proceedings of Licensing Committees and Sub-Committees) (Premises Licences and Provisional Statements) (England and Wales) Regulations 2007

9.—(1) The Gambling Act 2005 (Proceedings of Licensing Committees and Sub-Committees) (Premises Licences and Provisional Statements) (England and Wales) Regulations 2007(1) are amended as follows.

(2) In regulation 2 (interpretation), after paragraph (1) insert—

“(1A) In these Regulations, a reference to a hearing of a relevant committee in Wales held through remote means is to a hearing held by means of any equipment or other facility which enables persons who are not in the same place to speak and be heard by each other (whether or not the equipment or facility enables those persons to see or be seen by each other).”

(3) In regulation 5 (notice of hearing)—

(a) in paragraph (2), in the words before sub-paragraph (a), after “committee” insert “in England”;

(b) after paragraph (2) insert—

“(3) A relevant committee in Wales must ensure that the notice referred to in paragraph (1)—

(a) where the hearing is held through remote means only, gives details of the date and time of the hearing and how to access it;

(b) where the hearing is held partly through remote means or is not held through remote means, gives details of the date, time and place of the hearing and how to access it;

(c) states that the relevant committee will make available the documents listed in the relevant entry in column 3 of the table in the Schedule to the following persons if those persons request them—

(i) any person who has made representations (unless the relevant committee considers that the representations are vexatious, frivolous or will certainly not influence the determination of the application), and

(1) [S.I. 2007/173](#). Section 50(4) of the 2021 Act provides that Regulations under that section may amend, modify, repeal or revoke any enactment. The definition of “relevant committee” was substituted for “licensing committee” by regulation 16 of the Welsh Language (Gambling and Licence Forms) Regulations 2010 ([S.I. 2010/2440](#)).

- (ii) in the case of an application under section 188 for the transfer of a premises licence, the licensee,
 - (d) is sent so that, in the ordinary course of events, it is received no later than 10 working days before the first day on which the hearing is to be held (as specified in the notice).”
- (4) In regulation 7 (power to postpone)—
 - (a) in paragraph (3), after “a relevant committee” insert “in England”;
 - (b) after paragraph (3) insert—
 - “(3A) Where a relevant committee in Wales has adjourned a hearing to a specified date, it must, as soon as reasonably practicable, notify the parties—
 - (a) in the case of a hearing held through remote means only, of the new date and time for the hearing and how to access it; or
 - (b) in the case of a hearing held partly through remote means or not held through remote means, of the new date, time and place for the hearing and how to access it.”
 - (c) in paragraph (4) after “a relevant committee” insert “in England”;
 - (d) after paragraph (4) insert—
 - “(4A) Where a relevant committee in Wales has arranged for the hearing to be held on a specified additional date it must, as soon as reasonably practicable, notify the parties—
 - (a) in the case of a hearing held through remote means only, of the additional date and time of the hearing and how to access it; or
 - (b) in the case of a hearing held partly through remote means or not held through remote means, of the additional date, time and place of the hearing and how to access it.”
- (5) In regulation 10 (failure of parties to attend the hearing)—
 - (a) in paragraph (4) for the “the relevant committee” substitute “a relevant committee in England”;
 - (b) after paragraph (4) insert—
 - “(4A) Where, under this regulation, a relevant committee in Wales adjourns the hearing to a specified date it must, as soon as reasonably practicable, notify the parties—
 - (a) in the case of a hearing held through remote means only, of the date and time to which the hearing has been adjourned and how to access it; or
 - (b) in the case of a hearing held partly through remote means or not held through remote means, of the date, time and place to which the hearing has been adjourned and how to access it.”