

2005 No. 43

LICENCES AND LICENSING

The Licensing Act 2003 (Licensing authority's register) (other information) Regulations 2005

<i>Made</i> - - - -	<i>12th January 2005</i>
<i>Laid before Parliament</i>	<i>13th January 2005</i>
<i>Coming into force</i> - -	<i>7th February 2005</i>

The Secretary of State, in exercise of the powers conferred upon her by section 8(1)(d) of the Licensing Act 2003(a), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Licensing Act (Licensing authority's register) (other information) Regulations 2005 and shall come into force on 7th February 2005.

(2) In these Regulations, "the Act" means the Licensing Act 2003.

Other information to be contained in the register

2.—(1) For the purposes of subsection (1)(d) of section 8 of the Act, in addition to the records referred to in sections 8(1)(a) and (b) of and the matters mentioned in Schedule 3 to the Act, the register kept by each licensing authority shall contain a record of the information set out in this regulation.

(2) In the case of an application under the following provisions of the Act—

- (a) section 17 (application for premises licence), the accompanying operating schedule (provided that the name and address of the premises supervisor, if any, shall be removed from the schedule before it is recorded) and plan of the premises to which the application relates;
- (b) section 29 (application for a provisional statement where premises being built, etc.), the accompanying schedule of works and plans of the work being or about to be done at the premises;
- (c) section 34 (application to vary premises licence), the accompanying revised operating schedule (provided that the name and address of the premises supervisor, if any, shall be removed from the schedule before it is recorded), if any;
- (d) section 71 (application for club premises certificate), the accompanying club operating schedule and plan of the premises to which the application relates; and
- (e) section 84 (application to vary club premises certificate), the accompanying revised club operating schedule, if any.

(3) In the case of an application for review under section 51 (application for review of premises licence) and 87 (application for review of club premises certificate) of the Act or a review under section 167 (review of premises licence following closure order) of the Act, the ground or grounds for the review.

(4) In the case of an application under paragraph 2 (application for conversion of existing licence) or 14 (application for conversion of existing club certificate) of Schedule 8 to the Act, the existing licensable activities or existing qualifying club activities, as the case may require, and the accompanying plan of the premises to which the existing licence or licences or existing club certificate relates.

Richard Caborn
Minister of State

Date 12th January 2005

Department for Culture, Media and Sport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the further information each licensing authority is required to record in the register it is required to keep under section 8 of the Licensing Act 2003 (c.17) (the Act). In addition to the records identified in section 8(1) of and Schedule 3 to the Act, each licensing authority must record in its register operating schedules and club operating schedules, or revisions of these, and plans of premises which accompany applications for premises licences or club premises certificates, or variations of these and Schedules of works and plans of the work being or about to be done which accompany applications for provisional statements (regulation 2(2)). Further, each licensing authority must record in its register the ground or grounds for reviews set out in applications for a review of a premises licence or club premises certificate and the determination of the magistrates' court on its consideration of a closure order (regulation 2(3)). Finally, a record must be kept of the existing licensable activities and existing qualifying club activities and plans of the premises which accompany applications (for conversion of existing licences and existing club certificates (regulation 2(4)).

A Regulatory Impact Assessment in relation to these Regulations has been placed in the libraries of both Houses of Parliament and copies may be obtained from the Alcohol and Entertainment Licensing Branch of the Department for Culture, Media and Sport, 3rd Floor, 2-4 Cockspur Street, London SW1Y 5DH or viewed on the Department's website, www.culture.gov.uk.

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