

(1) This section applies where the relevant licensing authority-

- (a) receives an application for a premises licence made in accordance with section 17, and
- (b) is satisfied that the applicant has complied with any requirement imposed on him under subsection (5) of that section.

(2) Subject to subsection (3), the authority must grant the licence in accordance with the application subject only to-

- (a) such conditions as are consistent with the operating schedule accompanying the application, and
- (b) any conditions which must under section 19, 20 or 21 be included in the licence.

(3) Where relevant representations are made, the authority must-

- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
- (b) having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.

(4) The steps are-

(a) to grant the licence subject to-

- (i) the conditions mentioned in subsection (2)(a) modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and
- (ii) any condition which must under section 19, 20 or 21 be included in the licence;

(b) to exclude from the scope of the licence any of the licensable activities to which the application relates;

(c) to refuse to specify a person in the licence as the premises supervisor;

(d) to reject the application.

(5) For the purposes of subsection (4)(a)(i) the conditions mentioned in subsection (2) (a) are modified if any of them is altered or omitted or any new condition is added.

(6) For the purposes of this section, "relevant representations" means representations which-

(a) are about the likely effect of the grant of the premises licence on the promotion of the licensing objectives,

(b) meet the requirements of subsection (7),

(c) if they relate to the identity of the person named in the application as the proposed premises supervisor, meet the requirements of subsection (9), and

(d) are not excluded representations by virtue of section 32 (restriction on making representations following issue of provisional statement).

(7) The requirements of this subsection are-

(a) that the representations were made by an interested party or responsible authority within the period prescribed under section 17(5)(c),

(b) that they have not been withdrawn, and

(c) in the case of representations made by an interested party (who is not also a responsible authority), that they are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

(8) Where the authority determines for the purposes of subsection (7)(c) that any representations are frivolous or vexatious, it must notify the person who made them of the reasons for its determination.

(9) The requirements of this subsection are that the representations-

(a) were made by a chief officer of police for a police area in which the premises are situated, and

(b) include a statement that, due to the exceptional circumstances of the case, he is satisfied that the designation of the person concerned as the premises supervisor under the premises licence would undermine the crime prevention objective.

(10) In discharging its duty under subsection (2) or (3)(b), a licensing authority may grant a licence under this section subject to different conditions in respect of-

(a) different parts of the premises concerned;

(b) different licensable activities.

Appendix 4

Mandatory conditions that must be attached to licences

Where a Premises Licence authorises the supply of alcohol

1. That no supply of alcohol may be made under the Premises Licence: -
 - a. At a time when no Designated Premises Supervisor has been appointed in respect of the Premises Licence, or
 - b. At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. That every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.

Exhibition of Films

1. Where a Premises Licence or Club Premises Certificate authorises the exhibition of films, the Licence or Certificate must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with these paragraphs.
2. Where the film classification body is specified in the Licence or Certificate, unless paragraph 3(b) below applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where,
 - a. The film classification body is not specified in the Licence or Certificate, or
 - b. The Licensing Authority has notified the holder of the Licence or the Club which holds the Certificate that this paragraph applies to the film in question,Admission of children must be restricted in accordance with any recommendation made by the Licensing Authority.
4. In these paragraphs, 'children' means persons aged under 18, and 'film classification body' means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984 (authority to determine suitability of video works for classification).

Door Supervision

1. Where a Premises Licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the Licence must include a condition that each such individual must be licensed by the Security Industry Authority.