
Changes to legislation: Licensing Act 2003, Cross Heading: Interim authority notice is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 5

APPEALS

PART 1

PREMISES LICENCES

Interim authority notice

- 7 (1) This paragraph applies where—
- (a) an interim authority notice is given in accordance with section 47, and
 - (b) a chief officer of police gives a notice under section 48(2) [^{F1}or the Secretary of State gives a notice under section 48(2B)] (which [^{F2}, in either case,] is not withdrawn).
- (2) Where the relevant licensing authority decides to cancel the interim authority notice under subsection (3) of section 48, the person who gave the interim authority notice may appeal against that decision.
- (3) Where the relevant licensing authority decides not to cancel [^{F3}the interim authority notice under section 48(3) after the giving of a notice by a chief officer of police under section 48(2),] the chief officer of police may appeal against that decision.
- [^{F4}(3A) Where the relevant licensing authority decides not to cancel the interim authority notice under section 48(3) after the giving of a notice by the Secretary of State under section 48(2B), the Secretary of State may appeal against that decision.]
- (4) Where an appeal is brought under sub-paragraph (2), the court to which it is brought may, on such terms as it thinks fit, order the reinstatement of the interim authority notice pending—
- (a) the disposal of the appeal, or
 - (b) the expiry of the interim authority period,
- whichever first occurs.
- (5) Where the court makes an order under sub-paragraph (4), the premises licence is reinstated from the time the order is made, and section 47 has effect in a case where the appeal is dismissed or abandoned before the end of the interim authority period as if—
- (a) the reference in subsection (7)(b) to the end of the interim authority period were a reference to the time when the appeal is dismissed or abandoned, and
 - (b) the reference in subsection (9)(a) to the interim authority period were a reference to that period disregarding the part of it which falls after that time.
- (6) In this paragraph “interim authority period” has the same meaning as in section 47.

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Textual Amendments

- F1** Words in Sch. 5 para. 7(1)(b) inserted (6.4.2017) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), **Sch. 4 para. 25(2)(a)**; [S.I. 2017/380](#), reg. 2(b)
- F2** Words in Sch. 5 para. 7(1)(b) inserted (6.4.2017) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), **Sch. 4 para. 25(2)(b)**; [S.I. 2017/380](#), reg. 2(b)
- F3** Words in Sch. 5 para. 7(3) substituted (6.4.2017) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), **Sch. 4 para. 25(3)**; [S.I. 2017/380](#), reg. 2(b)
- F4** Sch. 5 para. 7(3A) inserted (6.4.2017) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), **Sch. 4 para. 25(4)**; [S.I. 2017/380](#), reg. 2(b)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 5A inserted by [2015 c. 20 s. 67\(2\)](#)Sch. 17
- s. 2(1A) inserted by [2015 c. 20 s. 67\(1\)](#)
- s. 10(4)(e) and word inserted by [2011 c. 13 s. 121\(3\)\(b\)](#)
- s. 140(2)(e) inserted by [2015 c. 20 s. 67\(4\)\(b\)](#)
- s. 141(2)(e) inserted by [2015 c. 20 s. 67\(5\)\(b\)](#)
- s. 143(2)(e) inserted by [2015 c. 20 s. 67\(6\)\(b\)](#)
- s. 144(2)(e) inserted by [2015 c. 20 s. 67\(7\)\(b\)](#)
- s. 147A(4)(c) inserted by [2015 c. 20 s. 67\(8\)\(b\)](#)
- s. 153(4)(d) inserted by [2015 c. 20 s. 67\(9\)\(b\)](#)
- s. 197(3)(cza) inserted by [2015 c. 20 s. 67\(12\)\(a\)](#)
- s. 197A197B inserted by [2011 c. 13 s. 121\(2\)](#)