

Changes to legislation: Licensing Act 2003, Cross Heading: Temporary event notices is up to date with all changes known to be in force on or before 25 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 3

OTHER APPEALS

Temporary event notices

- 16 (1) This paragraph applies where—
- (a) a [^{F1}standard] temporary event notice is given under section 100, and
 - (b) a [^{F2}relevant person] gives an objection notice in accordance with section 104(2).
- (2) Where the relevant licensing authority gives a counter notice under section 105(3), the premises user may appeal against that decision.
- (3) Where that authority decides not to give such a counter notice, the [^{F3}relevant person] may appeal against that decision.
- (4) An appeal under this paragraph must be made to [^{F4}a magistrates' court].
- (5) An appeal under this paragraph must be commenced by notice of appeal given by the appellant to the [^{F5}designated officer] for the magistrates' court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.
- (6) But no appeal may be brought later than five working days before the day on which the event period specified in the temporary event notice begins.
- (7) On an appeal under sub-paragraph (3), the premises user is to be the respondent in addition to the licensing authority.
- (8) In this paragraph—
- “objection notice” has the same meaning as in section 104; ^{F6}...
 - “relevant licensing authority” has the meaning given in section 99 [^{F7}; and
 - “relevant person” has the meaning given in section 99A.]

Textual Amendments

- F1** Word in Sch. 5 para. 16(1)(a) inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 114\(12\)](#), [157\(1\)](#) (with [s. 114\(13\)](#)); S.I. 2012/1129, art. 2(d)
- F2** Words in Sch. 5 para. 16(1)(b) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 112\(13\)\(a\)](#), [157\(1\)](#) (with [s. 112\(14\)](#)); S.I. 2012/1129, art. 2(d)

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- F3** Words in Sch. 5 para. 16(3) substituted (25.4.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 112(13)(b)**, 157(1) (with s. 112(14)); S.I. 2012/1129, art. 2(d)
- F4** Words in s. 16(4) substituted (1.4.2005) by The Courts Act 2003 (Consequential Provisions) Order 2005 (S.I. 2005/886), art. 2, **Sch. para. 93(a)**
- F5** Words in s. 16(5) substituted (1.4.2005) by The Courts Act 2003 (Consequential Provisions) Order 2005 (S.I. 2005/886), art. 2, **Sch. para. 93(a)**
- F6** Word in Sch. 5 para. 16(8) omitted (25.4.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 112(13)(c)**, 157(1) (with s. 112(14)); S.I. 2012/1129, art. 2(d)
- F7** Words in Sch. 5 para. 16(8) inserted (25.4.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 112(13)(d)**, 157(1) (with s. 112(14)); S.I. 2012/1129, art. 2(d)

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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\(2\)](#)