



Gambling Act 2005

2005 CHAPTER 19

^{F1}PART 8

PREMISES LICENCES

Determination of application

162 Requirement for hearing

- (1) In determining an application for a premises licence a licensing authority must hold a hearing if—
 - (a) an interested party or responsible authority has made (and not withdrawn) representations about the application under section 161,
 - (b) the authority propose to attach a condition to the licence under section 169(1)(a), or
 - (c) the authority propose to exclude under section 169(1)(b) a condition that would otherwise be attached to the licence under section 168.
- (2) But a licensing authority may determine an application for a premises licence without a hearing despite subsection (1) with the consent of—
 - (a) the applicant, and
 - (b) any interested party or responsible authority who has made (and not withdrawn) representations about the application under section 161.
- (3) A licensing authority may also determine an application for a premises licence without a hearing despite subsection (1)(a) if the authority think that the representations made under section 161—
 - (a) are vexatious,
 - (b) are frivolous, or
 - (c) will certainly not influence the authority's determination of the application.

Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 162. (See end of Document for details)

- (4) If a licensing authority propose to determine an application in reliance on subsection (3) they shall as soon as is reasonably practicable notify any person who made representations under section 161.

Commencement Information

- I1** S. 162 in force at 21.5.2007 for specified purposes by [S.I. 2006/3272](#), [art. 2\(2\)\(3\)](#), [Sch. 2](#), [Sch. 3](#) (with [arts. 7-11](#), [7-12](#), [Sch. 4](#)) (as amended by [S.I. 2007/1157](#), arts. 3(3), 4)
- I2** S. 162 in force at 21.5.2007 for specified purposes by [S.I. 2006/3272](#), [art. 2\(3\)](#), [Sch. 3](#) (with [arts. 7-11](#), [7-12](#), [Sch. 4](#)) (as amended by [SI 2007/1157](#), art. 3(3), 4(2))
- I3** [S. 162](#) in force at 1.9.2007 for specified purposes by [S.I. 2006/3272](#), [art. 2\(4\)\(5\)](#), [Sch. 3B](#) (with [arts. 7-11](#), [7-12](#), [Sch. 4](#)) (as inserted by [S.I. 2007/2169](#), arts. 3, 6, [Sch.](#))
- I4** [S. 162](#) in force at 20.5.2008 for specified purposes by [S.I. 2008/1326](#), [art. 2](#), [Sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Gambling Act 2005, Section 162.