



Licensing Act 2003

CHAPTER 17

LICENSING ACT 2003

PART 1

LICENSABLE ACTIVITIES

- 1 Licensable activities and qualifying club activities
- 2 Authorisation for licensable activities and qualifying club activities

PART 2

LICENSING AUTHORITIES

The authorities

- 3 Licensing authorities

Functions of licensing authorities etc.

- 4 General duties of licensing authorities
- 5 Statement of licensing policy
- 6 Licensing committees
- 7 Exercise and delegation of functions
- 8 Requirement to keep a register

Licensing committees

- 9 Proceedings of licensing committee
- 10 Sub-delegation of functions by licensing committee etc.

PART 3

PREMISES LICENCES

Introductory

- 11 Premises licence
- 12 The relevant licensing authority
- 13 Authorised persons, interested parties and responsible authorities
- 14 Meaning of “supply of alcohol”
- 15 Meaning of “designated premises supervisor”

Grant of premises licence

- 16 Applicant for premises licence
- 17 Application for premises licence
- 18 Determination of application for premises licence
- 19 Mandatory conditions where licence authorises supply of alcohol
- 20 Mandatory condition: exhibition of films
- 21 Mandatory condition: door supervision
- 22 Prohibited conditions: plays
- 23 Grant or rejection of application
- 24 Form of licence and summary
- 25 Theft, loss, etc. of premises licence or summary

Duration of licence

- 26 Period of validity of premises licence
- 27 Death, incapacity, insolvency etc. of licence holder
- 28 Surrender of premises licence

Provisional statement

- 29 Application for a provisional statement where premises being built, etc.
- 30 Advertisement of application for provisional statement
- 31 Determination of application for provisional statement
- 32 Restriction on representations following provisional statement

Duty to notify certain changes

- 33 Notification of change of name or address

Variation of licences

- 34 Application to vary premises licence
- 35 Determination of application under section 34
- 36 Supplementary provision about determinations under section 35
- 37 Application to vary licence to specify individual as premises supervisor
- 38 Circumstances in which section 37 application given interim effect
- 39 Determination of section 37 application
- 40 Duty of applicant following determination under section 39
- 41 Request to be removed as designated premises supervisor

Transfer of premises licence

- 42 Application for transfer of premises licence
- 43 Circumstances in which transfer application given interim effect
- 44 Determination of transfer application
- 45 Notification of determination under section 44
- 46 Duty to notify designated premises supervisor of transfer

Interim authority notices

- 47 Interim authority notice following death etc. of licence holder
- 48 Cancellation of interim authority notice following police objections
- 49 Supplementary provision about interim authority notices

Transfer following death etc. of licence holder

- 50 Reinstatement of licence on transfer following death etc. of holder

Review of licences

- 51 Application for review of premises licence
- 52 Determination of application for review
- 53 Supplementary provision about review

General provision

- 54 Form etc. of applications and notices under Part 3
- 55 Fees

Production of licence, rights of entry, etc.

- 56 Licensing authority's duty to update licence document
- 57 Duty to keep and produce licence
- 58 Provision supplementary to section 57
- 59 Inspection of premises before grant of licence etc.

PART 4

CLUBS

Introductory

- 60 Club premises certificate

Qualifying clubs

- 61 Qualifying clubs
- 62 The general conditions
- 63 Determining whether a club is established and conducted in good faith
- 64 The additional conditions for the supply of alcohol
- 65 Industrial and provident societies, friendly societies etc.
- 66 Miners' welfare institutes

Interpretation

- 67 Associate members and their guests
- 68 The relevant licensing authority
- 69 Authorised persons, interested parties and responsible authorities
- 70 Other definitions relating to clubs

Grant of club premises certificate

- 71 Application for club premises certificate
- 72 Determination of application for club premises certificate
- 73 Certificate authorising supply of alcohol for consumption off the premises

- 74 Mandatory condition: exhibition of films
- 75 Prohibited conditions: associate members and their guests
- 76 Prohibited conditions: plays
- 77 Grant or rejection of application for club premises certificate
- 78 Form of certificate and summary
- 79 Theft, loss, etc. of certificate or summary

Duration of certificate

- 80 Period of validity of club premises certificate
- 81 Surrender of club premises certificate

Duty to notify certain changes

- 82 Notification of change of name or alteration of rules of club
- 83 Change of relevant registered address of club

Variation of certificates

- 84 Application to vary club premises certificate
- 85 Determination of application under section 84
- 86 Supplementary provision about applications under section 84

Review of certificates

- 87 Application for review of club premises certificate
- 88 Determination of application for review
- 89 Supplementary provision about review

Withdrawal of certificates

- 90 Club ceasing to be a qualifying club

General provision

- 91 Form etc. of applications and notices under Part 4
- 92 Fees

Production of certificate, rights of entry, etc.

- 93 Licensing authority's duty to update club premises certificate
- 94 Duty to keep and produce certificate
- 95 Provision supplementary to section 94
- 96 Inspection of premises before grant of certificate etc.
- 97 Other powers of entry and search

PART 5**PERMITTED TEMPORARY ACTIVITIES***Introductory*

- 98 Meaning of "permitted temporary activity"
- 99 The relevant licensing authority

Temporary event notices

- 100 Temporary event notice

- 101 Minimum of 24 hours between event periods
- 102 Acknowledgement of notice
- 103 Withdrawal of notice

Police objections

- 104 Objection to notice by the police
- 105 Counter notice following police objection
- 106 Modification of notice following police objection

Limits on temporary event notices

- 107 Counter notice where permitted limits exceeded

Rights of entry, production of notice, etc.

- 108 Right of entry where temporary event notice given
- 109 Duty to keep and produce temporary event notice

Miscellaneous

- 110 Theft, loss, etc. of temporary event notice

PART 6

PERSONAL LICENCES

Introductory

- 111 Personal licence
- 112 The relevant licensing authority
- 113 Meaning of “relevant offence” and “foreign offence”
- 114 Spent convictions
- 115 Period of validity of personal licence
- 116 Surrender of personal licence

Grant and renewal of licences

- 117 Application for grant or renewal of personal licence
- 118 Individual permitted to hold only one personal licence
- 119 Licence continued pending renewal
- 120 Determination of application for grant
- 121 Determination of application for renewal
- 122 Notification of determinations
- 123 Duty to notify licensing authority of convictions during application period
- 124 Convictions coming to light after grant or renewal
- 125 Form of personal licence
- 126 Theft, loss, etc. of personal licence

Duty to notify certain changes

- 127 Duty to notify change of name or address

Conviction of licence holder for relevant offence

- 128 Duty to notify court of personal licence
- 129 Forfeiture or suspension of licence on conviction for relevant offence

- 130 Powers of appellate court to suspend order under section 129
- 131 Court's duty to notify licensing authority of convictions
- 132 Licence holder's duty to notify licensing authority of convictions

General provision

- 133 Form etc. of applications and notices under Part 6
- 134 Licensing authority's duty to update licence document

Production of licence

- 135 Licence holder's duty to produce licence

PART 7

OFFENCES

Unauthorised licensable activities

- 136 Unauthorised licensable activities
- 137 Exposing alcohol for unauthorised sale
- 138 Keeping alcohol on premises for unauthorised sale etc.
- 139 Defence of due diligence

Drunkenness and disorderly conduct

- 140 Allowing disorderly conduct on licensed premises etc.
- 141 Sale of alcohol to a person who is drunk
- 142 Obtaining alcohol for a person who is drunk
- 143 Failure to leave licensed premises etc.

Smuggled goods

- 144 Keeping of smuggled goods

Children and alcohol

- 145 Unaccompanied children prohibited from certain premises
- 146 Sale of alcohol to children
- 147 Allowing the sale of alcohol to children
- 148 Sale of liqueur confectionery to children under 16
- 149 Purchase of alcohol by or on behalf of children
- 150 Consumption of alcohol by children
- 151 Delivering alcohol to children
- 152 Sending a child to obtain alcohol
- 153 Prohibition of unsupervised sales by children
- 154 Enforcement role for weights and measures authorities

Confiscation of alcohol

- 155 Confiscation of sealed containers of alcohol

Vehicles and trains

- 156 Prohibition on sale of alcohol on moving vehicles
- 157 Power to prohibit sale of alcohol on trains

False statement relating to licensing etc.

- 158 False statements made for the purposes of this Act

Interpretation

- 159 Interpretation of Part 7

PART 8

CLOSURE OF PREMISES

Closure of premises in an identified area

- 160 Orders to close premises in area experiencing disorder

Closure of identified premises

- 161 Closure orders for identified premises
162 Extension of closure order
163 Cancellation of closure order
164 Application to magistrates' court by police
165 Consideration of closure order by magistrates' court
166 Appeal from decision of magistrates' court
167 Review of premises licence following closure order
168 Provision about decisions under section 167
169 Enforcement of closure order
170 Exemption of police from liability for damages

Interpretation

- 171 Interpretation of Part 8

PART 9

MISCELLANEOUS AND SUPPLEMENTARY

Special occasions

- 172 Relaxation of opening hours for special occasions

Exemptions etc.

- 173 Activities in certain locations not licensable
174 Certifying of premises on grounds of national security
175 Exemption for raffle, tombola, etc.

Service areas and garages etc.

- 176 Prohibition of alcohol sales at service areas, garages etc.

Small premises

- 177 Dancing and live music in certain small premises

Rights of freeholders etc.

- 178 Right of freeholder etc. to be notified of licensing matters

Rights of entry

- 179 Rights of entry to investigate licensable activities
- 180 Right of entry to investigate offences

Appeals

- 181 Appeals against decisions of licensing authorities

Guidance, hearings etc.

- 182 Guidance
- 183 Hearings
- 184 Giving of notices, etc.
- 185 Provision of information

General provisions about offences

- 186 Proceedings for offences
- 187 Offences by bodies corporate etc.
- 188 Jurisdiction and procedure in respect of offences

Vessels, vehicles and moveable structures

- 189 Vessels, vehicles and moveable structures

Interpretation

- 190 Location of sales
- 191 Meaning of “alcohol”
- 192 Meaning of “sale by retail”
- 193 Other definitions
- 194 Index of defined expressions

Supplementary and general

- 195 Crown application
- 196 Removal of privileges and exemptions
- 197 Regulations and orders
- 198 Minor and consequential amendments
- 199 Repeals
- 200 Transitional provision etc.
- 201 Short title, commencement and extent

SCHEDULES**SCHEDULE 1 — Provision of regulated entertainment****Part 1 — GENERAL DEFINITIONS**

- 1 The provision of regulated entertainment
- 2 Entertainment
- 3 Entertainment facilities
- 4 Power to amend Schedule

Part 2 — EXEMPTIONS

- 5 Film exhibitions for the purposes of advertisement, information, education, etc.

- 6 Film exhibitions: museums and art galleries
- 7 Music incidental to certain other activities
- 8 Use of television or radio receivers
- 9 Religious services, places of worship etc.
- 10 Garden fêtes, etc.
- 11 Morris dancing etc.
- 12 Vehicles in motion

Part 3 — INTERPRETATION

- 13 General
- 14 Plays
- 15 Film exhibitions
- 16 Indoor sporting events
- 17 Boxing or wrestling entertainments
- 18 Music

SCHEDULE 2 — Provision of late night refreshment

- 1 The provision of late night refreshment
- 2 Hot food or hot drink
- 3 Exempt supplies: clubs, hotels etc. and employees
- 4 Exempt supplies: premises licensed under certain other Acts
- 5 Miscellaneous exempt supplies
- 6 Clubs which are not recognised clubs: members and guests

SCHEDULE 3 — Matters to be entered in licensing register

SCHEDULE 4 — Personal licence: relevant offences

- 1 An offence under this Act.
- 2 An offence under any of the following enactments—
- 3 An offence under the Firearms Act 1968 (c. 27).
- 4 An offence under section 1 of the Trade Descriptions Act...
- 5 An offence under any of the following provisions of the...
- 6 An offence under section 7(2) of the Gaming Act 1968...
- 7 An offence under any of the following provisions of the...
- 8 An offence under either of the following provisions of the...
- 9 An offence under either of the following provisions of the...
- 10 An offence under either of the following provisions of the...
- 11 An offence under the Forgery and Counterfeiting Act 1981 (c....
- 12 An offence under the Firearms (Amendment) Act 1988 (c. 45)....
- 13 An offence under any of the following provisions of the...
- 14 An offence under any of the following provisions of the...
- 15 An offence under either of the following provisions of the...
- 16 An offence under section 92(1) or (2) of the Trade...
- 17 An offence under the Firearms (Amendment) Act 1997 (c. 5)....
- 18 A sexual offence, within the meaning of section 161(2) of...
- 19 A violent offence, within the meaning of section 161(3) of...
- 20 An offence under section 3 of the Private Security Industry...

SCHEDULE 5 — Appeals

Part 1 — PREMISES LICENCES

- 1 Rejection of applications relating to premises licences
- 2 Decision to grant premises licence or impose conditions etc.
- 3 Issue of provisional statement
- 4 Variation of licence under section 35

- 5 Variation of licence to specify individual as premises supervisor
- 6 Transfer of licence
- 7 Interim authority notice
- 8 Review of premises licence
- 9 General provision about appeals under this Part
 - Part 2 — CLUB PREMISES CERTIFICATES
- 10 Rejection of applications relating to club premises certificates
- 11 Decision to grant club premises certificate or impose conditions etc.
- 12 Variation of club premises certificate
- 13 Review of club premises certificate
- 14 Withdrawal of club premises certificate
- 15 General provision about appeals under this Part
 - Part 3 — OTHER APPEALS
- 16 Temporary event notices
- 17 Personal licences
- 18 Closure orders

SCHEDULE 6 — Minor and consequential amendments

- 1 Universities (Wine Licences) Act 1743 (c. 40)
- 2 Disorderly Houses Act 1751 (c. 36)
- 3 Sunday Observance Act 1780 (c. 49)
- 4 Town Police Clauses Act 1847 (c. 89)
- 5 Cambridge Award Act 1856 (c. xvii)
- 6 Inebriates Act 1898 (c. 60)
- 7 Licensing Act 1902 (c. 28)
- 8 (1) Section 6 (prohibition of sale of alcohol to person...
- 9 After section 8 (meaning of “public place”) insert— Interpretation of...
- 10 Celluloid and Cinematograph Film Act 1922 (c. 35)
- 11 Sunday Entertainments Act 1932 (c. 51)
- 12 Children and Young Persons Act 1933 (c. 12)
- 13 In section 5 (giving alcohol to a child under five)...
- 14 In section 12 (failing to provide for safety of children...
- 15 In section 107 (interpretation), omit the definition of “intoxicating liquor”....
- 16 Public Health Act 1936 (c. 49)
- 17 London Building Acts (Amendment) Act 1939 (c. xcvi)
- 18 Civic Restaurants Act 1947 (c. 22)
- 19 London County Council (General Powers) Act 1947 (c. xli)
- 20 National Parks and Access to the Countryside Act 1949 (c. 97)
- 21 Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65)
- 22 In section 14(2)(a) (protection against insecurity of tenure of place...
- 23 In section 18(3)(a) (protection against insecurity of tenure in connection...
- 24 In section 27(1) (renewal of tenancy expiring during period of...
- 25 Hypnotism Act 1952 (c. 46)
- 26 (1) Section 1 (inclusion in an entertainment licence of conditions...
- 27 In section 2 (requirement for authorisation for demonstration of hypnotism)—...
- 28 Obscene Publications Act 1959 (c. 66)
- 29 Betting, Gaming and Lotteries Act 1963 (c. 2)
- 30 In section 10(1B) (conduct of licensed betting offices) for “the...
- 31 In Schedule 4 (rules for licensed betting offices), in paragraph...

- 32 Children and Young Persons Act 1963 (c. 37)
- 33 Offices, Shops and Railway Premises Act 1963 (c. 41)
- 34 Greater London Council (General Powers) Act 1966 (c. xxviii)
- 35 In section 21(1) (licensing of public exhibitions, etc.)—
- 36 In section 22 (application to old buildings of provisions for...
- 37 Finance Act 1967 (c. 54)
- 38 Criminal Appeal Act 1968 (c. 19)
- 39 In section 10 (appeal against sentence to Crown Court), at...
- 40 In section 31 (powers of Court of Appeal under Part...
- 41 In section 44 (powers of Court of Appeal under Part...
- 42 In section 50 (meaning of “sentence”), at the end of...
- 43 Theatres Act 1968 (c. 54)
- 44 The following provisions cease to have effect in England and...
- 45 In section 15 (warrant to enter theatre where offence suspected)—...
- 46 Section 17 (existing letters patent) ceases to have effect.
- 47 In section 18(1) (interpretation), in the definition of “licensing authority”,...
- 48 Gaming Act 1968 (c. 65)
- 49 (1) Section 6 (playing games on premises used for sale...
- 50 For section 7(2) (offence to allow child to take part...
- 51 For section 8(7) (penalty for contravention of section 7(2)) substitute —...
- 52 (1) Schedule 9 (permits in respect of amusement machine premises)...
- 53 City of London (Various Powers) Act 1968 (c. xxxvii)
- 54 Finance Act 1970 (c. 24)
- 55 Sunday Theatre Act 1972 (c. 26)
- 56 Local Government Act 1972 (c. 70)
- 57 In section 78(1) (supplementary provision relating to changes in local...
- 58 In section 101 (arrangements for discharge of functions by local...
- 59 In section 145(4) (provision of entertainment), for “intoxicating liquor” substitute...
- 60 Section 204 (licensed premises) ceases to have effect.
- 61 (1) Schedule 12 (meetings and proceedings of local authorities) is...
- 62 Lotteries and Amusements Act 1976 (c. 32)
- 63 (1) Paragraph 1 (interpretation) is amended as follows.
- 64 In paragraph 8 (appeals)— (a) in sub-paragraphs (2) and (3),...
- 65 Omit paragraph 11 (payment of indemnity from central funds).
- 66 In paragraph 18 (fees), for “proper officer” substitute “clerk”.
- 67 Rent Act 1977 (c. 42)
- 68 Greater London Council (General Powers) Act 1978 (c. xiii)
- 69 Section 3 (human posing to be treated as entertainment) ceases...
- 70 In section 5(4)(a) (definition of “booking office”)—
- 71 Alcoholic Liquor Duties Act 1979 (c. 4)
- 72 In section 4 (interpretation)— (a) in the definition of “justices’...
- 73 In section 71 (exception to penalty for misdescribing alcohol as...
- 74 Licensed Premises (Exclusion of Certain Persons) Act 1980 (c. 32)
- 75 Magistrates’ Courts Act 1980 (c. 43)
- 76 Local Government, Planning and Land Act 1980 (c. 65)
- 77 Sections 131 and 132 (licensing in new towns) cease to...
- 78 In section 133 (miscellaneous provision about new towns), in subsection...
- 79 In section 146 (disposal of land by urban development corporation)—...
- 80 Indecent Displays (Control) Act 1981 (c. 42)

- 81 New Towns Act 1981 (c. 64)
- 82 Local Government (Miscellaneous Provisions) Act 1982 (c. 30)
- 83 The following provisions cease to have effect—
- 84 In section 10(11) (requirement that apparatus to be installed should...
- 85 (1) Schedule 3 (control of sex establishments) is amended as...
- 86 Representation of the People Act 1983 (c. 2)
- 87 In section 185 (interpretation of Part relating to legal proceedings),...
- 88 In Schedule 7 (transitional and saving provision), omit paragraph 4....
- 89 Video Recordings Act 1984 (c. 39)
- 90 Building Act 1984 (c. 55)
- 91 In section 24(4) (provision of exits in buildings) for paragraph...
- 92 In section 74(2) (exemption for certain premises from requirement for...
- 93 Police and Criminal Evidence Act 1984 (c. 60)
- 94 Greater London Council (General Powers) Act 1984 (c. xxvii)
- 95 Cinemas Act 1985 (c. 13)
- 96 Sporting Events (Control of Alcohol etc.) Act 1985 (c. 57)
- 97 In the following provisions, for “intoxicating liquor” substitute
“alcohol”—
- 98 Omit section 2(1A) (application to private rooms of offence of...
- 99 The following provisions cease to have effect—
- 100 In section 8 (offences)— (a) in paragraph (b), for “,...
- 101 In section 9 (interpretation)— (a) omit subsection (5), and
- 102 Housing Act 1985 (c. 68)
- 103 In section 11 (provision of board facilities by local housing...
- 104 In Schedule 1 (tenancies which are not secure tenancies), in...
- 105 Sex Discrimination Act 1986 (c. 59)
- 106 Fire Safety and Safety of Places of Sport Act 1987 (c. 27)
- 107 Norfolk and Suffolk Broads Act 1988 (c. 4)
- 108 Housing Act 1988 (c. 50)
- 109 Town and Country Planning Act 1990 (c. 8)
- 110 Sunday Trading Act 1994 (c. 20)
- 111 Criminal Justice and Public Order Act 1994 (c. 33)
- 112 Deregulation and Contracting Out Act 1994 (c. 40)
- 113 London Local Authorities Act 1995 (c. x)
- 114 Employment Rights Act 1996 (c. 18)
- 115 Confiscation of Alcohol (Young Persons) Act 1997 (c. 33)
- 116 Police Act 1997 (c. 50)
- 117 London Local Authorities Act 2000 (c. vii)
- 118 Private Security Industry Act 2001 (c. 12)
- 119 Criminal Justice and Police Act 2001 (c. 16)
- 120 In section 1(1) (offences leading to penalties on the spot),...
- 121 In section 12 (alcohol consumption in designated public place)—
- 122 In section 13 (designated public places), in subsection (2) for...
- 123 (1) Section 14 (places which are not designated public places)...
- 124 In section 15(1)(a) (byelaw prohibiting consumption of alcohol), for
“intoxicating...
- 125 In section 16(1) (interpretation of sections 12 to 15)—
- 126 In each of the following provisions, for “unlicensed sale of...
- 127 In section 28 (interpretation of provisions relating to closure of...
- 128 In Schedule 1 (powers of seizure)— (a) at the end...

SCHEDULE 7 — Repeals

SCHEDULE 8 — Transitional provision etc.

Part 1 — PREMISES LICENCES

- 1 Introductory
- 2 Application for conversion of existing licence
- 3 Police consultation
- 4 Determination of application
- 5 Notification of determination and issue of new licence
- 6 The new licence
- 7 Variation of new licence
- 8 Existing licence revoked after grant of new licence
- 9 Appeals
- 10 False statements
- 11 Opening hours
- 12 Provisional licences

Part 2 — CLUB PREMISES CERTIFICATES

- 13 Introductory
- 14 Application for conversion of existing club certificate
- 15 Police consultation
- 16 Determination of application
- 17 Notification of determination and issue of new certificate
- 18 The new certificate
- 19 Variation of new certificate
- 20 Existing club certificate revoked after grant of new certificate
- 21 Appeals
- 22 False statements

Part 3 — PERSONAL LICENCES

- 23 Introductory
- 24 Section 120 disapplied
- 25 Police objections
- 26 Determination of application
- 27 Appeals
- 28 Interpretation of Part 3

Part 4 — MISCELLANEOUS AND GENERAL

- 29 Consultation on licensing policy
- 30 Meaning of “methylated spirits” (transitory provision)
- 31 Savings
- 32 (1) In Schedule 3 to the Local Government (Miscellaneous Provisions)...
- 33 Notwithstanding that by virtue of this Act the Cinemas Act...
- 34 Interpretation