



Licensing Act 2003

2003 CHAPTER 17

PART 3

PREMISES LICENCES

Production of licence, rights of entry, etc.

56 Licensing authority's duty to update licence document

- (1) Where—
- (a) the relevant licensing authority, in relation to a premises licence, makes a determination or receives a notice under this Part,
 - (b) a premises licence lapses under this Part, or
 - (c) an appeal against a decision under this Part is disposed of,
- the relevant licensing authority must make the appropriate amendments (if any) to the licence and, if necessary, issue a new summary of the licence.
- (2) Where a licensing authority is not in possession of the licence (or the appropriate part of the licence) it may, for the purposes of discharging its obligations under subsection (1), require the holder of a premises licence to produce the licence (or the appropriate part) to the authority within 14 days from the date on which he is notified of the requirement.
- (3) A person commits an offence if he fails, without reasonable excuse, to comply with a requirement under subsection (2).
- (4) A person guilty of an offence under subsection (3) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

57 Duty to keep and produce licence

- (1) This section applies whenever premises in respect of which a premises licence has effect are being used for one or more licensable activities authorised by the licence.

- (2) The holder of the premises licence must secure that the licence or a certified copy of it is kept at the premises in the custody or under the control of—
 - (a) the holder of the licence, or
 - (b) a person who works at the premises and whom the holder of the licence has nominated in writing for the purposes of this subsection.
- (3) The holder of the premises licence must secure that—
 - (a) the summary of the licence or a certified copy of that summary, and
 - (b) a notice specifying the position held at the premises by any person nominated for the purposes of subsection (2),are prominently displayed at the premises.
- (4) The holder of a premises licence commits an offence if he fails, without reasonable excuse, to comply with subsection (2) or (3).
- (5) A constable or an authorised person may require the person who, by virtue of arrangements made for the purposes of subsection (2), is required to have the premises licence (or a certified copy of it) in his custody or under his control to produce the licence (or such a copy) for examination.
- (6) An authorised person exercising the power conferred by subsection (5) must, if so requested, produce evidence of his authority to exercise the power.
- (7) A person commits an offence if he fails, without reasonable excuse, to produce a premises licence or certified copy of a premises licence in accordance with a requirement under subsection (5).
- (8) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (9) In subsection (3) the reference to the summary of the licence is a reference to the summary issued under section 23 or, where one or more summaries have subsequently been issued under section 56, the most recent summary to have been so issued.
- (10) Section 58 makes provision about certified copies of documents for the purposes of this section.

58 Provision supplementary to section 57

- (1) Any reference in section 57 to a certified copy of any document is a reference to a copy of that document which is certified to be a true copy by—
 - (a) the relevant licensing authority,
 - (b) a solicitor or notary, or
 - (c) a person of a prescribed description.
- (2) Any certified copy produced in accordance with a requirement under section 57(5) must be a copy of the document in the form in which it exists at the time.
- (3) A document which purports to be a certified copy of a document is to be taken to be such a copy, and to comply with the requirements of subsection (2), unless the contrary is shown.

59 Inspection of premises before grant of licence etc.

- (1) In this section “relevant application” means an application under—
 - (a) section 17 (grant of licence),
 - (b) section 29 (provisional statement),
 - (c) section 34 (variation of licence), or
 - (d) section 51 (review of licence).
- (2) A constable or an authorised person may, at any reasonable time before the determination of a relevant application, enter the premises to which the application relates to assess—
 - (a) in a case within subsection (1)(a), (b) or (c), the likely effect of the grant of the application on the promotion of the licensing objectives, and
 - (b) in a case within subsection (1)(d), the effect of the activities authorised by the premises licence on the promotion of those objectives.
- (3) An authorised person exercising the power conferred by this section must, if so requested, produce evidence of his authority to exercise the power.
- (4) A constable or an authorised person exercising the power conferred by this section in relation to an application within subsection (1)(d) may, if necessary, use reasonable force.
- (5) A person commits an offence if he intentionally obstructs an authorised person exercising a power conferred by this section.
- (6) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 2 on the standard scale.