



Licensing Act 2003

2003 CHAPTER 17

PART 2

LICENSING AUTHORITIES

Functions of licensing authorities etc.

5 Statement of licensing policy

- (1) Each licensing authority must in respect of each [^{F1}five] year period—
- (a) determine its policy with respect to the exercise of its licensing functions, and
 - (b) publish a statement of that policy ^{F2}... before the beginning of the period.

^{F3}(2)

- (3) Before determining its policy for a [^{F4}five] year period, a licensing authority must consult—

- (a) the chief officer of police for the licensing authority's area,
- (b) the [^{F5}fire and rescue authority] for that area,
- [^{F6}(ba) each ^{F7}... Local Health Board for an area any part of which is in the licensing authority's area,]
- [^{F8}(bb) each local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of an area any part of which is in the licensing authority's area,]
- (c) such persons as the licensing authority considers to be representative of holders of premises licences issued by that authority,
- (d) such persons as the licensing authority considers to be representative of holders of club premises certificates issued by that authority,
- (e) such persons as the licensing authority considers to be representative of holders of personal licences issued by that authority, and
- (f) such other persons as the licensing authority considers to be representative of businesses and residents in its area.

Changes to legislation: Licensing Act 2003, Section 5 is up to date with all changes known to be in force on or before 20 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

- (4) During each [^{F9}five] year period, a licensing authority must keep its policy [^{F10}in respect of that period] under review and make such revisions to it, at such times, as it considers appropriate.
- (5) Subsection (3) applies in relation to any revision of an authority’s policy as it applies in relation to the original determination of that policy.
- (6) Where revisions are made, the licensing authority must publish a statement of the revisions or the revised licensing statement.
- [^{F11}(6A) Without prejudice to subsection (4), a licensing authority may replace its policy in respect of a period, with effect from any date during that period, by—
- (a) determining its policy with respect to the exercise of its licensing functions in respect of a period of five years beginning with that date, and
 - (b) publishing a statement of that policy before that date.
- (6B) Subsection (3) applies in relation to any determination under subsection (6A) as it applies in relation to a determination under subsection (1).
- (6C) A licensing statement must specify the five year period to which it relates.]
- [^{F12}(6D) In determining or revising its policy, a licensing authority must have regard to any cumulative impact assessments published by it under section 5A.
- (6E) A licensing statement must—
- (a) summarise any cumulative impact assessments published by the licensing authority under section 5A, and
 - (b) explain how the licensing authority has discharged its duty under subsection (6D).]

(7) Regulations may make provision about the determination and revision of policies, and the preparation and publication of licensing statements, under this section.

[^{F13}(8) In this section—

“five year period”, in relation to a licensing authority, means—

 - (a) if paragraph (b) does not apply, the period of five years ending with 6 January 2016, and each subsequent period of five years, or
 - (b) if a licensing authority has published a licensing statement under subsection (6A), the period of five years to which the most recently published such statement relates, and each subsequent period of five years;

“licensing statement” means a statement published under subsection (1)(b) or (6A)(b).]

Textual Amendments

- F1** Word in s. 5(1) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 122\(2\)\(a\)](#), 157(1); S.I. 2012/1129, art. 2(d)
- F2** Words in s. 5(1)(b) omitted (25.4.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 122\(2\)\(b\)](#), 157(1); S.I. 2012/1129, art. 2(d)
- F3** S. 5(2) omitted (25.4.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 122\(3\)](#), 157(1); S.I. 2012/1129, art. 2(d)
- F4** Word in s. 5(3) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 122\(4\)](#), 157(1); S.I. 2012/1129, art. 2(d)

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- F5** Words in s. 5(3)(b) substituted (7.9.2004 for E. for certain purposes and 1.10.2004 otherwise and 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\), ss. 53, 61, Sch. 1 para. 98\(2\)\(3\)\(b\); S.I. 2004/2304, art. 2\(1\){\(2\)}](#); S.I. 2004/2917, [art. 2](#)
- F6** S. 5(3)(ba) inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 104\(2\), 157\(1\) \(with s. 104\(5\)\)](#); S.I. 2012/1129, [art. 2\(d\)](#)
- F7** Words in s. 5(3)(ba) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 5 para. 112\(a\)](#); S.I. 2013/160, [art. 2\(2\) \(with arts. 7-9\)](#)
- F8** S. 5(3)(bb) inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 5 para. 112\(b\)](#); S.I. 2013/160, [art. 2\(2\) \(with arts. 7-9\)](#)
- F9** Word in s. 5(4) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 122\(5\)\(a\), 157\(1\)](#); S.I. 2012/1129, [art. 2\(d\)](#)
- F10** Words in s. 5(4) inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 122\(5\)\(b\), 157\(1\)](#); S.I. 2012/1129, [art. 2\(d\)](#)
- F11** S. 5(6A)-(6C) inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 122\(6\), 157\(1\)](#); S.I. 2012/1129, [art. 2\(d\)](#)
- F12** S. 5(6D)(6E) inserted (31.1.2017 for specified purposes, 6.4.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\), ss. 141\(2\), 183\(1\)\(5\)\(e\)](#); S.I. 2018/456, [reg. 2](#)
- F13** S. 5(8) inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 122\(7\), 157\(1\)](#); 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\(2\)](#)