

VIOLENT CRIME REDUCTION ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Alcohol-related violence and disorder

Chapter 3: Other provisions

Section 25: Mandatory premises licence conditions: door supervision

203. Section 21 of the Licensing Act 2003 imposes mandatory conditions on premises licenses in certain circumstances.
204. As unamended section 21 provides that where the premises licence is to include a condition that one or more individuals must be present at the premises at particular times to carry out a “security activity” the premises licence must include a condition that the individuals carrying out that activity must be authorised to do so by a licence from the Security Industry Authority (SIA) under the Private Security Industry Act 2001. “Security activity” in this context means an activity to which paragraph 2(1)(a) of Schedule 2 to the 2001 Act applies (manned guarding activities).
205. The amendment to section 21 will ensure that the requirement for SIA authorisation in the mandatory condition will only apply in cases where the individuals in question are required to have a licence under the 2001 Act. So if, for example, individuals are exempted under section 4 of the 2001 Act the mandatory condition will not apply so as to require them to be SIA-licensed. This will ensure that the scope of the requirement for SIA licensing for door supervision under mandatory conditions in the Licensing Act 2003 is not greater than the scope of the requirement under the original SIA legislation (the 2001 Act).