

POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011

EXPLANATORY NOTES

OVERVIEW

Part 2 – Licensing

Amendments of the Licensing Act 2003

Section 103: Licensing authorities as responsible authorities

302. The Licensing Act 2003 defines responsible authorities as including the police, fire authorities, local authorities exercising health and safety, local planning, environmental health and child protection functions, and any licensing authorities (other than the relevant licensing authority) in whose area a part of the premises is situated. The relevant licensing authority is the authority with responsibility for licensing functions relating to the premises in question and currently is not a “responsible authority”. Responsible authorities can make representations based on the licensing objectives in relation to applications for the grant or variation of a premises licence or club premises certificate, to request the review of such authorisations or to make representations in relation to other discrete processes. Because relevant licensing authorities were not “responsible authorities” (within the previous definition), they were unable to engage in those activities. Section 103 introduces amendments to bring relevant licensing authorities within the definition of “responsible authority”, enabling relevant licensing authorities to engage in those activities. *Subsections (2) and (3)* amend the provisions in Parts 3 and 4 of the Licensing Act 2003 to make relevant licensing authorities “responsible authorities” in relation to premises licences and club premises certificates. *Subsection 4* makes provision for the application of these amendments.