



Police Reform and Social Responsibility Act 2011

2011 CHAPTER 13

PART 2

LICENSING

CHAPTER 1

AMENDMENTS OF THE LICENSING ACT 2003

Reducing the evidential burden on licensing authorities

109 Reducing the burden: premises licences

- (1) The Licensing Act 2003 is amended as set out in subsections (2) to (14).
- (2) In section 18 (determination of application for premises licence)—
 - (a) in subsection (3)(b), for “necessary” substitute “appropriate”, and
 - (b) in subsection (4)(a)(i), for “necessary” substitute “appropriate”.
- (3) In section 22(2) (prohibited conditions: plays), for “necessary” substitute “appropriate”.
- (4) In section 25A(6) (grant of premises licence: supply of alcohol from community premises), for “necessary” substitute “appropriate”.
- (5) In section 31 (determination of application for provisional statement)—
 - (a) in subsection (3)(b), for “necessary” substitute “appropriate”, and
 - (b) in subsection (3)(c)(ii), for “necessary” substitute “appropriate”.
- (6) In section 35(3)(b) (determination of application to vary premises licence), for “necessary” substitute “appropriate”.

Status: This is the original version (as it was originally enacted).

- (7) In section 39(3)(b) (determination of application to vary premises licence to specify premises supervisor), for “necessary” substitute “appropriate”.
- (8) In section 41D(5) (variation of premises licence: supply of alcohol from community premises), for “necessary” substitute “appropriate”.
- (9) In section 44(5)(b) (determination of transfer application), for “necessary” substitute “appropriate”.
- (10) In section 48(3)(b) (cancellation of interim authority notice following police objections), for “necessary” substitute “appropriate”.
- (11) In section 52(3) (determination of application for review of premises licence), for “necessary” substitute “appropriate”.
- (12) In section 53B(8)(a) (supplementary provision about review of premises licence), for “necessary” substitute “appropriate”.
- (13) In section 53C(2)(b) (review of premises licence following review notice), for “necessary” substitute “appropriate”.
- (14) In section 177(5) (dancing and live music in certain small premises), for “necessary” substitute “appropriate”.
- (15) The amendments made by this section (other than subsection (10)) apply in relation to applications relating to premises licences that are made on or after the commencement of this section.
- (16) The amendment made by subsection (10) of this section applies in relation to interim authority notices that are given on or after the commencement of this section.

110 Reducing the burden: club premises certificates

- (1) The Licensing Act 2003 is amended as set out in subsections (2) to (5).
- (2) In section 72 (determination of application for club premises certificate)—
 - (a) in subsection (3)(b), for “necessary” substitute “appropriate”, and
 - (b) in subsection (4)(a)(i), for “necessary” substitute “appropriate”.
- (3) In section 76(2) (prohibited conditions: plays), for “necessary” substitute “appropriate”.
- (4) In section 85(3)(b) (determination of application to vary club premises certificate), for “necessary” substitute “appropriate”.
- (5) In section 88(3) (determination of application for review of club premises certificate), for “necessary” substitute “appropriate”.
- (6) The amendments made by this section apply in relation to applications relating to club premises certificates that are made on or after the commencement of this section.

111 Reducing the burden: other situations

- (1) The Licensing Act 2003 is amended as set out in subsections (2) to (6).

- (2) In section 105(2)(b) (counter notice following police objection), for “necessary” substitute “appropriate”.
- (3) In section 120(7)(b)(i) (determination of application for grant of personal licence), for “necessary” substitute “appropriate”.
- (4) In section 121(6)(b)(i) (determination of application for renewal of personal licence), for “necessary” substitute “appropriate”.
- (5) In section 124(4)(b) (convictions coming to light after grant or renewal of personal licence), for “necessary” substitute “appropriate”.
- (6) In section 167(5)(b) (review of premises licence following closure order), for “necessary” substitute “appropriate”.
- (7) The amendment made by subsection (2) of this section applies in relation to temporary event notices that are given on or after the commencement of this section.
- (8) The amendments made by subsections (3) to (5) of this section apply in relation to applications relating to personal licences that are made on or after the commencement of this section.
- (9) The amendment made by subsection (6) of this section applies in relation to notices under section 165(4) of the Licensing Act 2003 (closure orders) that are received by a licensing authority on or after the commencement of this section.