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Licensing Act 2003

CHAPTER 17

LICENSING ACT 2003

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- 189 Vessels, vehicles and moveable structures

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Entertainment

- 2 (1) The descriptions of entertainment are— (a) a performance of...

Entertainment facilities

- 3 (1) In this Schedule, “entertainment facilities” means facilities for enabling...

Power to amend Schedule

- 4 The Secretary of State may by order amend this Schedule...
- Part 2 — EXEMPTIONS

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Film exhibitions for the purposes of advertisement, information, education, etc.

5 The provision of entertainment consisting of the exhibition of a...

Film exhibitions: museums and art galleries

6 The provision of entertainment consisting of the exhibition of a...

Music incidental to certain other activities

7 The provision of entertainment consisting of the performance of live...

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8 The provision of any entertainment or entertainment facilities is not...

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9 The provision of any entertainment or entertainment facilities—

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10 (1) The provision of any entertainment or entertainment facilities at...

Morris dancing etc.

11 The provision of any entertainment or entertainment facilities is not...

Sexual entertainment venues

11A (1) The provision of relevant entertainment— (a) at premises for...

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12 The provision of any entertainment or entertainment facilities—

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13 This Part has effect for the purposes of this Schedule....

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14 (1) A “performance of a play” means a performance of...

Film exhibitions

15 An “exhibition of a film” means any exhibition of moving...

Indoor sporting events

16 (1) An “indoor sporting event” is a sporting event—

Boxing or wrestling entertainments

17 A “boxing or wrestling entertainment” is any contest, exhibition or...

Music

18 “Music” includes vocal or instrumental music or any combination of...

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The provision of late night refreshment

1 (1) For the purposes of this Act, a person “provides...

Hot food or hot drink

2 Food or drink supplied on or from any premises is...

Exempt supplies: clubs, hotels etc. and employees

3 (1) The supply of hot food or hot drink on...

Exempt supplies: premises licensed under certain other Acts

4 The supply of hot food or hot drink on or...

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5 (1) The following supplies of hot food or hot drink...

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- 2 An offence under any of the following enactments—
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- 4 An offence under section 1 of the Trade Descriptions Act...
- 5 An offence under any of the following provisions of the...
- 6 An offence under section 7(2) of the Gaming Act 1968...
- 7 An offence under any of the following provisions of the...
- 8 An offence under either of the following provisions of the...
- 9 An offence under either of the following provisions of the...
- 10 An offence under either of the following provisions of the...
- 11 An offence under the Forgery and Counterfeiting Act 1981 (c....
- 12 An offence under the Firearms (Amendment) Act 1988 (c. 45)....
- 13 An offence under any of the following provisions of the...
- 14 An offence under any of the following provisions of the...
- 15 An offence under either of the following provisions of the...
- 16 An offence under section 92(1) or (2) of the Trade...
- 17 An offence under the Firearms (Amendment) Act 1997 (c. 5)....
- 18 A sexual offence, within the meaning of section 161(2) of...
- 19 A violent offence, within the meaning of section 161(3) of...
- 20 An offence under section 3 of the Private Security Industry...
- 21 An offence under the Fraud Act 2006.
- 22 An offence under regulation 6 of the Business Protection from...
- 23 An offence under regulation 8, 9, 10, 11 or 12...

SCHEDULE 5 — Appeals

Part 1 — PREMISES LICENCES

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Rejection of applications relating to premises licences

1 Where a licensing authority— (a) rejects an application for a...

Decision to grant premises licence or impose conditions etc.

2 (1) This paragraph applies where a licensing authority grants a...

Issue of provisional statement

3 (1) This paragraph applies where a provisional statement is issued...

Variation of licence under section 35

4 (1) This paragraph applies where an application to vary a...

Variation of licence to specify individual as premises supervisor

5 (1) This paragraph applies where an application to vary a...

Transfer of licence

6 (1) This paragraph applies where an application to transfer a...

Interim authority notice

7 (1) This paragraph applies where— (a) an interim authority notice...

Review of premises licence

8 (1) This paragraph applies where an application for a review...

Summary review of premises licence

8A (1) This paragraph applies where a review of a premises...

General provision about appeals under this Part

9 (1) An appeal under this Part must be made to...
Part 2 — CLUB PREMISES CERTIFICATES

Rejection of applications relating to club premises certificates

10 Where a licensing authority— (a) rejects an application for a...

Decision to grant club premises certificate or impose conditions etc.

11 (1) This paragraph applies where a licensing authority grants a...

Variation of club premises certificate

12 (1) This paragraph applies where an application to vary a...

Review of club premises certificate

13 (1) This paragraph applies where an application for a review...

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Withdrawal of club premises certificate

- 14 Where the relevant licensing authority gives notice withdrawing a club...

General provision about appeals under this Part

- 15 (1) An appeal under this Part must be made to...
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Temporary event notices

- 16 (1) This paragraph applies where— (a) a temporary event notice...

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- 17 (1) Where a licensing authority— (a) rejects an application for...

Closure orders

- 18 (1) This paragraph applies where, on a review of a...

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Universities (Wine Licences) Act 1743 (c. 40)

- 1 The Universities (Wine Licences) Act 1743 ceases to have effect...

Disorderly Houses Act 1751 (c. 36)

- 2 The Disorderly Houses Act 1751 does not apply in relation...

Sunday Observance Act 1780 (c. 49)

- 3 The Sunday Observance Act 1780 ceases to have effect.

Town Police Clauses Act 1847 (c. 89)

- 4 Section 35 of the Town Police Clauses Act 1847 (harbouring...

Cambridge Award Act 1856 (c. xvii)

- 5 The following provisions of the Cambridge Award Act 1856 cease...

Inebriates Act 1898 (c. 60)

- 6 In the First Schedule to the Inebriates Act 1898 (offences...

Licensing Act 1902 (c. 28)

- 7 The Licensing Act 1902 is amended as follows.
8 (1) Section 6 (prohibition of sale of alcohol to person...
9 After section 8 (meaning of “public place”) insert— Interpretation of...

Celluloid and Cinematograph Film Act 1922 (c. 35)

- 10 At the end of section 2 of the Celluloid and...

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Sunday Entertainments Act 1932 (c. 51)

- 11 The Sunday Entertainments Act 1932 ceases to have effect.

Children and Young Persons Act 1933 (c. 12)

- 12 The Children and Young Persons Act 1933 is amended as...
13 In section 5 (giving alcohol to a child under five)...
14 In section 12 (failing to provide for safety of children)...
15 In section 107 (interpretation), omit the definition of “intoxicating liquor”....

Public Health Act 1936 (c. 49)

- 16 In section 226 of the Public Health Act 1936 (power...

London Building Acts (Amendment) Act 1939 (c. xcvi)

- 17 In each of the following provisions of the London Building...

Civic Restaurants Act 1947 (c. 22)

- 18 In section 1(4) of the Civic Restaurants Act 1947 (civic...

London County Council (General Powers) Act 1947 (c. xlvi)

- 19 In section 6(1)(b) of the London County Council (General Powers)...

National Parks and Access to the Countryside Act 1949 (c. 97)

- 20 In each of the following provisions of the National Parks...

Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65)

- 21 The Reserve and Auxiliary Forces (Protection of Civil Interests) Act...
22 In section 14(2)(a) (protection against insecurity of tenure of place...
23 In section 18(3)(a) (protection against insecurity of tenure in connection...
24 In section 27(1) (renewal of tenancy expiring during period of...

Hypnotism Act 1952 (c. 46)

- 25 The Hypnotism Act 1952 is amended as follows.
26 (1) Section 1 (inclusion in an entertainment licence of conditions...
27 In section 2 (requirement for authorisation for demonstration of hypnotism)—...

Obscene Publications Act 1959 (c. 66)

- 28 (1) Section 2 of the Obscene Publications Act 1959 (prohibition...

Betting, Gaming and Lotteries Act 1963 (c. 2)

- 29 The Betting, Gaming and Lotteries Act 1963 is amended as...
30 In section 10(1B) (conduct of licensed betting offices) for “the...
31 In Schedule 4 (rules for licensed betting offices), in paragraph...

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Children and Young Persons Act 1963 (c. 37)

32 For section 37(2)(b) of the Children and Young Persons Act...

Offices, Shops and Railway Premises Act 1963 (c. 41)

33 In section 90 of the Offices, Shops and Railway Premises...

Greater London Council (General Powers) Act 1966 (c. xxviii)

34 The Greater London Council (General Powers) Act 1966 is amended...

35 In section 21(1) (licensing of public exhibitions, etc.)—

36 In section 22 (application to old buildings of provisions for...

Finance Act 1967 (c. 54)

37 In section 5 of the Finance Act 1967 (no requirement...

Criminal Appeal Act 1968 (c. 19)

38 The Criminal Appeal Act 1968 is amended as follows.

39 In section 10 (appeal against sentence to Crown Court), at...

40 In section 31 (powers of Court of Appeal under Part...

41 In section 44 (powers of Court of Appeal under Part...

42 In section 50 (meaning of “sentence”), at the end of...

Theatres Act 1968 (c. 54)

43 The Theatres Act 1968 is amended as follows.

44 The following provisions cease to have effect in England and...

45 In section 15 (warrant to enter theatre where offence suspected)—...

46 Section 17 (existing letters patent) ceases to have effect.

47 In section 18(1) (interpretation), in the definition of “licensing authority”,...

Gaming Act 1968 (c. 65)

48 The Gaming Act 1968 is amended as follows.

49 (1) Section 6 (playing games on premises used for sale...

50 For section 7(2) (offence to allow child to take part...

51 For section 8(7) (penalty for contravention of section 7(2)) substitute

—...

52 (1) Schedule 9 (permits in respect of amusement machine premises)...

City of London (Various Powers) Act 1968 (c. xxxvii)

53 For section 5(3) of the City of London (Various Powers)...

Finance Act 1970 (c. 24)

54 In section 6(2)(b) of the Finance Act 1970 (Angostura bitters)—...

Sunday Theatre Act 1972 (c. 26)

55 The Sunday Theatre Act 1972 ceases to have effect.

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Local Government Act 1972 (c. 70)

- 56 The Local Government Act 1972 is amended as follows.
- 57 In section 78(1)(supplementary provision relating to changes in local government...
- 58 In section 101 (arrangements for discharge of functions by local...
- 59 In section 145(4) (provision of entertainment), for “intoxicating liquor” substitute...
- 60 Section 204 (licensed premises) ceases to have effect.
- 61 (1) Schedule 12 (meetings and proceedings of local authorities) is...

Lotteries and Amusements Act 1976 (c. 32)

- 62 Schedule 3 to the Lotteries and Amusements Act 1976 (provision...
- 63 (1) Paragraph 1 (interpretation) is amended as follows.
- 64 In paragraph 8 (appeals)— (a) in sub-paragraphs (2) and (3),...
- 65 Omit paragraph 11 (payment of indemnity from central funds).
- 66 In paragraph 18 (fees), for “proper officer” substitute “clerk”.

Rent Act 1977 (c. 42)

- 67 In section 11 of the Rent Act 1977 (tenancy of...

Greater London Council (General Powers) Act 1978 (c. xiii)

- 68 The Greater London Council (General Powers) Act 1978 is amended...
- 69 Section 3 (human posing to be treated as entertainment) ceases...
- 70 In section 5(4)(a) (definition of “booking office”)—

Alcoholic Liquor Duties Act 1979 (c. 4)

- 71 The Alcoholic Liquor Duties Act 1979 is amended as follows...
- 72 In section 4 (interpretation)— (a) in the definition of “justices’...
- 73 In section 71 (exception to penalty for misdescribing alcohol as...

Licensed Premises (Exclusion of Certain Persons) Act 1980 (c. 32)

- 74 In section 4(1) of the Licensed Premises (Exclusion of Certain...

Magistrates' Courts Act 1980 (c. 43)

- 75 In Part 3 of Schedule 6 to the Magistrates' Courts...

Local Government, Planning and Land Act 1980 (c. 65)

- 76 The Local Government, Planning and Land Act 1980 is amended...
- 77 Sections 131 and 132 (licensing in new towns) cease to...
- 78 In section 133 (miscellaneous provision about new towns), in subsection...
- 79 In section 146 (disposal of land by urban development corporation)—...

Indecent Displays (Control) Act 1981 (c. 42)

- 80 In section 1(4) of the Indecent Displays (Control) Act 1981...

New Towns Act 1981 (c. 64)

- 81 In section 18 of the New Towns Act 1981 (disposal...

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Local Government (Miscellaneous Provisions) Act 1982 (c. 30)

- 82 The Local Government (Miscellaneous Provisions) Act 1982 is amended as...
- 83 The following provisions cease to have effect—
- 84 In section 10(11) (requirement that apparatus to be installed should...
- 85 (1) Schedule 3 (control of sex establishments) is amended as...

Representation of the People Act 1983 (c. 2)

- 86 The Representation of the People Act 1983 is amended as...
- 87 In section 185 (interpretation of Part relating to legal proceedings),...
- 88 In Schedule 7 (transitional and saving provision), omit paragraph 4....

Video Recordings Act 1984 (c. 39)

- 89 In section 3(7) of the Video Recordings Act 1984 (exempted...

Building Act 1984 (c. 55)

- 90 The Building Act 1984 is amended as follows.
- 91 In section 24(4) (provision of exits in buildings) for paragraph...
- 92 In section 74(2) (exemption for certain premises from requirement for...

Police and Criminal Evidence Act 1984 (c. 60)

- 93 In Schedule 1A to the Police and Criminal Evidence Act...

Greater London Council (General Powers) Act 1984 (c. xxvii)

- 94 In section 15(1) of the Greater London Council (General Powers)...

Cinemas Act 1985 (c. 13)

- 95 The Cinemas Act 1985 ceases to have effect in England...

Sporting Events (Control of Alcohol etc.) Act 1985 (c. 57)

- 96 The Sporting Events (Control of Alcohol etc.) Act 1985 is...
- 97 In the following provisions, for “intoxicating liquor” substitute “alcohol”—
- 98 Omit section 2(1A) (application to private rooms of offence of...
- 99 The following provisions cease to have effect—
- 100 In section 8 (offences)— (a) in paragraph (b), for “,...
- 101 In section 9 (interpretation)— (a) omit subsection (5), and

Housing Act 1985 (c. 68)

- 102 The Housing Act 1985 is amended as follows.
- 103 In section 11 (provision of board facilities by local housing...
- 104 In Schedule 1 (tenancies which are not secure tenancies), in...

Sex Discrimination Act 1986 (c. 59)

- 105 Section 5 of the Sex Discrimination Act 1986 (discrimination required...

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Fire Safety and Safety of Places of Sport Act 1987 (c. 27)

106 After section 33(2) of the Fire Safety and Safety of...

Norfolk and Suffolk Broads Act 1988 (c. 4)

107 In paragraph 40(1) of Schedule 3 to the Norfolk and...

Housing Act 1988 (c. 50)

108 In Schedule 1 to the Housing Act 1988 (tenancies which...

Town and Country Planning Act 1990 (c. 8)

109 Section 334 of the Town and Country Planning Act 1990...

Sunday Trading Act 1994 (c. 20)

110 (1) Schedule 1 to the Sunday Trading Act 1994 (restrictions...

Criminal Justice and Public Order Act 1994 (c. 33)

111 In section 63 of the Criminal Justice and Public Order...

Deregulation and Contracting Out Act 1994 (c. 40)

112 Section 21 of the Deregulation and Contracting Out Act 1994...

London Local Authorities Act 1995 (c. x)

113 In section 14 of the London Local Authorities Act 1995...

Employment Rights Act 1996 (c. 18)

114 In section 232(7) of the Employment Rights Act 1996 (definition...

Confiscation of Alcohol (Young Persons) Act 1997 (c. 33)

115 (1) Section 1 of the Confiscation of Alcohol (Young Persons)...

Police Act 1997 (c. 50)

116 In section 115(5) of the Police Act 1997 (enhanced criminal...

London Local Authorities Act 2000 (c. vii)

117 In section 32 of the London Local Authorities Act 2000...

Private Security Industry Act 2001 (c. 12)

118 (1) Paragraph 8 of Schedule 2 to the Private Security...

Criminal Justice and Police Act 2001 (c. 16)

119 The Criminal Justice and Police Act 2001 is amended as...

120 In section 1(1) (offences leading to penalties on the spot),...

121 In section 12 (alcohol consumption in designated public place)—

122 In section 13 (designated public places), in subsection (2) for...

123 (1) Section 14 (places which are not designated public places)...

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- 124 In section 15(1)(a) (byelaw prohibiting consumption of alcohol), for “intoxicating...
- 125 In section 16(1) (interpretation of sections 12 to 15)—
- 126 In each of the following provisions, for “unlicensed sale of...
- 127 In section 28 (interpretation of provisions relating to closure of...
- 128 In Schedule 1 (powers of seizure)— (a) at the end...

SCHEDULE 7 — Repeals

SCHEDULE 8 — Transitional provision etc.

Part 1 — PREMISES LICENCES

Introductory

- 1 (1) In this Part— “canteen licence” has the same meaning...

Application for conversion of existing licence

- 2 (1) This paragraph applies where, in respect of any premises,...

Police consultation

- 3 (1) Where a person makes an application under paragraph 2,...

Determination of application

- 4 (1) This paragraph applies where an application is made in...

Notification of determination and issue of new licence

- 5 (1) Where an application is granted (in whole or in...

The new licence

- 6 (1) This paragraph applies where a new licence is granted...

Variation of new licence

- 7 (1) A person who makes an application under paragraph 2...

Existing licence revoked after grant of new licence

- 8 (1) This paragraph applies where the relevant licensing authority grants...

Appeals

- 9 (1) Where an application under paragraph 2 is rejected (in...

False statements

- 10 (1) A person commits an offence if he knowingly or...

Opening hours

- 11 (1) This paragraph applies where— (a) within such period (of...

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Provisional licences

- 12 (1) Where— (a) during such period as may be specified...
Part 2 — CLUB PREMISES CERTIFICATES

Introductory

- 13 (1) In this Part— “existing club certificate” means a certificate...

Application for conversion of existing club certificate

- 14 (1) This paragraph applies where, in respect of any premises,...

Police consultation

- 15 (1) Where a person makes an application under paragraph 14,...

Determination of application

- 16 (1) This paragraph applies where an application is made in...

Notification of determination and issue of new certificate

- 17 (1) Where an application is granted under paragraph 16, the...

The new certificate

- 18 (1) The new certificate is to be treated as if...

Variation of new certificate

- 19 (1) A person who makes an application under paragraph 14...

Existing club certificate revoked after grant of new certificate

- 20 Where the relevant licensing authority grants a new certificate under...

Appeals

- 21 (1) Where an application under paragraph 14 is rejected by...

False statements

- 22 (1) A person commits an offence if he knowingly or...
Part 3 — PERSONAL LICENCES

Introductory

- 23 (1) Paragraphs 24 to 27 apply where—

Section 120 disapplied

- 24 Section 120 (determination of application for grant) does not apply...

Police objections

- 25 (1) Sub-paragraph (2) applies where— (a) the applicant has been...

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Determination of application

- 26 (1) The relevant licensing authority must grant the application if—...

Appeals

- 27 (1) Where a licensing authority rejects an application under paragraph...

Interpretation of Part 3

- 28 For the purposes of this Part— “relevant date”, in relation...

Part 4 — MISCELLANEOUS AND GENERAL

Consultation on licensing policy

- 29 Until such time as section 59 of the 1964 Act...

Meaning of “methylated spirits” (transitory provision)

- 30 Until such time as an order is made under subsection...

Savings

- 31 Notwithstanding the repeal by this Act of Schedule 12 to...
32 (1) In Schedule 3 to the Local Government (Miscellaneous Provisions)...
33 Notwithstanding that by virtue of this Act the Cinemas Act...

Interpretation

- 34 In this Schedule— “justices' licence” means a justices' licence under...

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