



Licensing Act 2003

CHAPTER 17

LICENSING ACT 2003

PART 1

LICENSABLE ACTIVITIES

- 1 Licensable activities and qualifying club activities
- 2 Authorisation for licensable activities and qualifying club activities

PART 2

LICENSING AUTHORITIES

The authorities

- 3 Licensing authorities

Functions of licensing authorities etc.

- 4 General duties of licensing authorities
- 5 Statement of licensing policy
- 6 Licensing committees
- 7 Exercise and delegation of functions
- 8 Requirement to keep a register

Licensing committees

- 9 Proceedings of licensing committee
- 10 Sub-delegation of functions by licensing committee etc.

PART 3

PREMISES LICENCES

Status: Point in time view as at 12/03/2015.

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Introductory

- 11 Premises licence
- 12 The relevant licensing authority
- 13 Authorised persons... and responsible authorities
- 14 Meaning of “supply of alcohol”
- 15 Meaning of “designated premises supervisor”

Grant of premises licence

- 16 Applicant for premises licence
- 17 Application for premises licence
- 18 Determination of application for premises licence
- 19 Mandatory conditions where licence authorises supply of alcohol
- 19A Power of Secretary of State to impose section 19(4) mandatory conditions
- 20 Mandatory condition: exhibition of films
- 21 Mandatory condition: door supervision
- 22 Prohibited conditions: plays
- 23 Grant or rejection of application
- 24 Form of licence and summary
- 25 Theft, loss, etc. of premises licence or summary
- 25A Grant of premises licence: supply of alcohol from community premises

Duration of licence

- 26 Period of validity of premises licence
- 27 Death, incapacity, insolvency etc. of licence holder
- 28 Surrender of premises licence

Provisional statement

- 29 Application for a provisional statement where premises being built, etc.
- 30 Advertisement of application for provisional statement
- 31 Determination of application for provisional statement
- 32 Restriction on representations following provisional statement

Duty to notify certain changes

- 33 Notification of change of name or address

Variation of licences

- 34 Application to vary premises licence
- 35 Determination of application under section 34
- 36 Supplementary provision about determinations under section 35
- 37 Application to vary licence to specify individual as premises supervisor
- 38 Circumstances in which section 37 application given interim effect
- 39 Determination of section 37 application
- 40 Duty of applicant following determination under section 39
- 41 Request to be removed as designated premises supervisor

Variation of licences: minor variations

- 41A Application for minor variation of premises licence
- 41B Determination of application under section 41A

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- 41C Supplementary provision about determinations under section 41B
- 41D Variation of premises licence: supply of alcohol from community premises

Transfer of premises licence

- 42 Application for transfer of premises licence
- 43 Circumstances in which transfer application given interim effect
- 44 Determination of transfer application
- 45 Notification of determination under section 44
- 46 Duty to notify designated premises supervisor of transfer

Interim authority notices

- 47 Interim authority notice following death etc. of licence holder
- 48 Cancellation of interim authority notice following police objections
- 49 Supplementary provision about interim authority notices

Transfer following death etc. of licence holder

- 50 Reinstatement of licence on transfer following death etc. of holder

Review of licences

- 51 Application for review of premises licence
- 52 Determination of application for review
- 52A Review: supply of alcohol from community premises
- 53 Supplementary provision about review

Summary reviews in serious cases of crime or disorder

- 53A Summary reviews on application of senior police officer
- 53B Interim steps pending review
- 53C Review of premises licence following review notice

General provision

- 54 Form etc. of applications and notices under Part 3
- 55 Fees
- 55A Suspension of premises licence for failing to pay annual fee

Production of licence, rights of entry, etc.

- 56 Licensing authority's duty to update licence document
- 57 Duty to keep and produce licence etc.
- 58 Provision supplementary to section 57
- 59 Inspection of premises before grant of licence etc.

PART 4

CLUBS

Introductory

- 60 Club premises certificate

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Qualifying clubs

- 61 Qualifying clubs
- 62 The general conditions
- 63 Determining whether a club is established and conducted in good faith
- 64 The additional conditions for the supply of alcohol
- 65 Registered societies, friendly societies etc.
- 66 Miners' welfare institutes

Interpretation

- 67 Associate members and their guests
- 68 The relevant licensing authority
- 69 Authorised persons... and responsible authorities
- 70 Other definitions relating to clubs

Grant of club premises certificate

- 71 Application for club premises certificate
- 72 Determination of application for club premises certificate
- 73 Certificate authorising supply of alcohol for consumption off the premises
- 73A Mandatory conditions relating to the supply of alcohol to members or guests
- 73B Power of Secretary of State to impose section 73A mandatory conditions
- 74 Mandatory condition: exhibition of films
- 75 Prohibited conditions: associate members and their guests
- 76 Prohibited conditions: plays
- 77 Grant or rejection of application for club premises certificate
- 78 Form of certificate and summary
- 79 Theft, loss, etc. of certificate or summary

Duration of certificate

- 80 Period of validity of club premises certificate
- 81 Surrender of club premises certificate

Duty to notify certain changes

- 82 Notification of change of name or alteration of rules of club
- 83 Change of relevant registered address of club

Variation of certificates

- 84 Application to vary club premises certificate
- 85 Determination of application under section 84
- 86 Supplementary provision about applications under section 84

Variation of certificates: minor variations

- 86A Application for minor variation of club premises certificate
- 86B Determination of application under section 86A
- 86C Supplementary provision about determinations under section 86B

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Review of certificates

- 87 Application for review of club premises certificate
- 88 Determination of application for review
- 89 Supplementary provision about review

Withdrawal of certificates

- 90 Club ceasing to be a qualifying club

General provision

- 91 Form etc. of applications and notices under Part 4
- 92 Fees
- 92A Suspension of club premises certificate for failing to pay annual fee

Production of certificate, rights of entry, etc.

- 93 Licensing authority's duty to update club premises certificate
- 94 Duty to keep and produce certificate etc.
- 95 Provision supplementary to section 94
- 96 Inspection of premises before grant of certificate etc.
- 97 Other powers of entry and search

PART 5

PERMITTED TEMPORARY ACTIVITIES

Introductory

- 98 Meaning of "permitted temporary activity"
- 99 The relevant licensing authority
- 99A Meaning of "relevant person"

Temporary event notices

- 100 Temporary event notice
- 100A Standard and late temporary event notices
- 101 Minimum of 24 hours between event periods
- 102 Acknowledgement of notice
- 103 Withdrawal of notice

Objections

- 104 Objection to notice by a relevant person
- 104A Counter notice following objection to late notice
- 105 Counter notice following ... objection to standard temporary event notice
- 106 Modification of standard temporary event notice following ... objection
- 106A Conditions on standard temporary event notice following objection

Limits on temporary event notices

- 107 Counter notice where permitted limits exceeded

Rights of entry, production of notice, etc.

- 108 Right of entry where temporary event notice given

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- 109 Duty to keep and produce temporary event notice and statement of conditions

Miscellaneous

- 110 Theft, loss, etc. of temporary event notice or statement of conditions

PART 6

PERSONAL LICENCES

Introductory

- 111 Personal licence
112 The relevant licensing authority
113 Meaning of “relevant offence” and “foreign offence”
114 Spent convictions
115 Period of validity of personal licence
116 Surrender of personal licence

Grant and renewal of licences

- 117 Application for grant or renewal of personal licence
118 Individual permitted to hold only one personal licence
119 Licence continued pending renewal
120 Determination of application for grant
121 Determination of application for renewal
122 Notification of determinations
123 Duty to notify licensing authority of convictions during application period
124 Convictions coming to light after grant or renewal
125 Form of personal licence
126 Theft, loss, etc. of personal licence

Duty to notify certain changes

- 127 Duty to notify change of name or address

Conviction of licence holder for relevant offence

- 128 Duty to notify court of personal licence
129 Forfeiture or suspension of licence on conviction for relevant offence
130 Powers of appellate court to suspend order under section 129
131 Court’s duty to notify licensing authority of convictions
132 Licence holder’s duty to notify licensing authority of convictions

General provision

- 133 Form etc. of applications and notices under Part 6
134 Licensing authority’s duty to update licence document

Production of licence

- 135 Licence holder’s duty to produce licence

PART 7

OFFENCES

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Unauthorised licensable activities

- 136 Unauthorised licensable activities
- 137 Exposing alcohol for unauthorised sale
- 138 Keeping alcohol on premises for unauthorised sale etc.
- 139 Defence of due diligence

Drunkenness and disorderly conduct

- 140 Allowing disorderly conduct on licensed premises etc.
- 141 Sale of alcohol to a person who is drunk
- 142 Obtaining alcohol for a person who is drunk
- 143 Failure to leave licensed premises etc.

Smuggled goods

- 144 Keeping of smuggled goods

Children and alcohol

- 145 Unaccompanied children prohibited from certain premises
- 146 Sale of alcohol to children
- 147 Allowing the sale of alcohol to children
- 147A Persistently selling alcohol to children
- 147B Order suspending a licence in respect of offence under section 147A
- 148 Sale of liqueur confectionery to children under 16
- 149 Purchase of alcohol by or on behalf of children
- 150 Consumption of alcohol by children
- 151 Delivering alcohol to children
- 152 Sending a child to obtain alcohol
- 153 Prohibition of unsupervised sales by children
- 154 Enforcement role for weights and measures authorities

Confiscation of alcohol

- 155 Confiscation of sealed containers of alcohol

Vehicles and trains

- 156 Prohibition on sale of alcohol on moving vehicles
- 157 Power to prohibit sale of alcohol on trains

False statement relating to licensing etc.

- 158 False statements made for the purposes of this Act

Interpretation

- 159 Interpretation of Part 7

PART 8

CLOSURE OF PREMISES

Closure of premises in an identified area

- 160 Orders to close premises in area experiencing disorder

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Closure of identified premises

- 161 Closure orders for identified premises
- 162 Extension of closure order
- 163 Cancellation of closure order
- 164 Application to magistrates' court by police
- 165 Consideration of closure order by magistrates' court
- 166 Appeal from decision of magistrates' court
- 167 Review of premises licence following closure order
- 168 Provision about decisions under section 167
- 169 Enforcement of closure order

Closure notices

- 169A Closure notices for persistently selling alcohol to children
- 169B Effect of closure notices
- 170 Exemption of police from liability for damages

Interpretation

- 171 Interpretation of Part 8

PART 9

MISCELLANEOUS AND SUPPLEMENTARY

Special occasions

- 172 Relaxation of opening hours for special occasions

Early morning alcohol restriction orders

- 172A Power to make early morning alcohol restriction order
- 172B Procedural requirements for early morning alcohol restriction order
- 172C Making of early morning alcohol restriction order
- 172D Variation and revocation of early morning alcohol restriction order
- 172E Exceptions from effect of early morning alcohol restriction order

Exemptions etc.

- 173 Activities in certain locations not licensable
- 174 Certifying of premises on grounds of national security
- 175 Exemption for raffle, tombola, etc.

Service areas and garages etc.

- 176 Prohibition of alcohol sales at service areas, garages etc.

Small premises

- 177 Dancing ... in certain small premises
- 177A Licence review for live music

Rights of freeholders etc.

- 178 Right of freeholder etc. to be notified of licensing matters

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Rights of entry

- 179 Rights of entry to investigate licensable activities
- 180 Right of entry to investigate offences

Appeals

- 181 Appeals against decisions of licensing authorities

Guidance, hearings etc.

- 182 Guidance
- 183 Hearings
- 184 Giving of notices, etc.
- 185 Provision of information

General provisions about offences

- 186 Proceedings for offences
- 187 Offences by bodies corporate etc.
- 188 Jurisdiction and procedure in respect of offences

Vessels, vehicles and moveable structures

- 189 Vessels, vehicles and moveable structures

Interpretation

- 190 Location of sales
- 191 Meaning of “alcohol”
- 192 Meaning of “sale by retail”
- 193 Other definitions
- 194 Index of defined expressions

Supplementary and general

- 195 Crown application
- 196 Removal of privileges and exemptions
- 197 Regulations and orders
- 198 Minor and consequential amendments
- 199 Repeals
- 200 Transitional provision etc.
- 201 Short title, commencement and extent

SCHEDULES

SCHEDULE 1 — Provision of regulated entertainment

Part 1 — GENERAL DEFINITIONS

The provision of regulated entertainment

- 1 (1) For the purposes of this Act, the “ provision...

Entertainment

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

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Entertainment facilities

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

Power to amend Schedule

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

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...

Use of television or radio receivers

- 8 The provision of any entertainment ... is not to be...

Religious services, places of worship etc.

- 9 The provision of any entertainment ...— (a) for the purposes...

Garden fêtes, etc.

- 10 (1) The provision of any entertainment ... at a garden...

Morris dancing etc.

- 11 The provision of any entertainment ... is not to be...

Sexual entertainment venues

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

Vehicles in motion

- 12 The provision of any entertainment ...— (a) on premises consisting...

Live music in licensed venues

- 12A The provision of entertainment consisting of a performance of live...

Live music in workplaces

- 12B The provision of entertainment consisting of a performance of live...

Live unamplified music

- 12C The provision of entertainment consisting of a performance of live...
Part 3 — INTERPRETATION

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General

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

Plays

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...

SCHEDULE 2 — Provision of late night refreshment

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...

Miscellaneous exempt supplies

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

Clubs which are not recognised clubs: members and guests

6 For the purposes of this Schedule— (a) the supply of...

SCHEDULE 3 — Matters to be entered in licensing register

The licensing register kept by a licensing authority under section...

SCHEDULE 4 — Personal licence: relevant offences

1 An offence under this Act.

2 An offence under any of the following enactments—

3 An offence under the Firearms Act 1968 (c. 27).

4 An offence under section 1 of the Trade Descriptions Act...

5 An offence under any of the following provisions of the...

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- 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, being an offence —
- 19 A violent offence, being any offence which leads, or is...
- 20 An offence under section 3 of the Private Security Industry...
- 21 An offence under section 46 of the Gambling Act 2005...
- 22 An offence under the Fraud Act 2006.
- 22A An offence under regulation 6 of the Business Protection from...
- 23 An offence under regulation 8, 9, 10, 11 or 12...
- 24 An offence under section 1 of the Criminal Attempts Act...
- 25 An offence under section 1 of the Criminal Law Act...
- 26 The offence at common law of conspiracy to defraud.

SCHEDULE 5 — Appeals

Part 1 — PREMISES LICENCES

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...

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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...

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...
Part 3 — OTHER APPEALS

Temporary event notices

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

Personal licences

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

Closure orders

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

SCHEDULE 6 — Minor and consequential amendments

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.

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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...

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...

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- 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...

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”,...

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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.

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...

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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...

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...

Status: Point in time view as at 12/03/2015.

Changes to legislation: Licensing Act 2003 is up to date with all changes known to be in force on or before 01 July 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)

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...

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)...

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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

122

123

124

125

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...

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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...

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...

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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...

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...

Status:

Point in time view as at 12/03/2015.

Changes to legislation:

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