



# Licensing Act 2003

## 2003 CHAPTER 17

### PART 2

#### LICENSING AUTHORITIES

##### *Licensing committees*

### 9 Proceedings of licensing committee

- (1) A licensing committee may establish one or more sub-committees consisting of three members of the committee.
- (2) Regulations may make provision about—
  - (a) the proceedings of licensing committees and their sub-committees (including provision about the validity of proceedings and the quorum for meetings),
  - (b) public access to the meetings of those committees and sub-committees,
  - (c) the publicity to be given to those meetings,
  - (d) the agendas and records to be produced in respect of those meetings, and
  - (e) public access to such agendas and records and other information about those meetings.
- (3) Subject to any such regulations, each licensing committee may regulate its own procedure and that of its sub-committees.

#### **Modifications etc. (not altering text)**

- C1** S. 9 applied (21.5.2007) by [Gambling Act 2005 \(c. 19\)](#), [ss. 154\(5\)](#), 358 (with [ss. 352](#), 354); S.I. 2006/3272, [art. 2\(2\)](#), [Sch. 2](#) (with savings and transitional provisions in [Sch. 4](#)) (as amended by S.I. 2007/1157)
- C2** S. 9 applied (1.12.2007) by [Gambling Act 2005 \(c. 19\)](#), [ss. 232\(4\)](#), 358 (with [ss. 352](#), 354); S.I. 2007/3155, [art. 2](#)

*Status: Point in time view as at 22/07/2020.*

*Changes to legislation: Licensing Act 2003, Cross Heading: Licensing committees is up to date with all changes known to be in force on or before 03 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)*

#### Commencement Information

**II** S. 9(2) in force at 16.12.2003 by S.I. 2003/3222, art. 2, Sch.; s. 9(1)(3) in force at 10.9.2004 by S.I. 2004/2360, art. 2(2)

### 10 Sub-delegation of functions by licensing committee etc.

- (1) A licensing committee may arrange for the discharge of any functions exercisable by it—
  - (a) by a sub-committee established by it, or
  - (b) subject to subsection (4), by an officer of the licensing authority.
- (2) Where arrangements are made under subsection (1)(a), then, subject to subsections (4) and (5), the sub-committee may in turn arrange for the discharge of the function concerned by an officer of the licensing authority.
- (3) Arrangements under subsection (1) or (2) may provide for more than one sub-committee or officer to discharge the same function concurrently.
- (4) Arrangements may not be made under subsection (1) or (2) for the discharge by an officer of—
  - (a) any function under—
    - (i) section 18(3) (determination of application for premises licence where representations have been made),
    - (ii) section 31(3) (determination of application for provisional statement where representations have been made),
    - (iii) section 35(3) (determination of application for variation of premises licence where representations have been made),
    - (iv) section 39(3) (determination of application to vary designated premises supervisor following police objection),
    - (v) section 44(5) (determination of application for transfer of premises licence following <sup>F1</sup>... objection),
    - (vi) section 48(3) (consideration of <sup>F2</sup>... objection made to interim authority notice),
    - <sup>F3</sup>(vii) section 53A(2)(a) or 53B (determination of interim steps pending summary review),]
    - (viii) section 72(3) (determination of application for club premises certificate where representations have been made),
    - (ix) section 85(3) (determination of application to vary club premises certificate where representations have been made),
    - (x) section 105(2) (decision to give counter notice following police objection to temporary event notice),
    - (xi) section 120(7) (determination of application for grant of personal licence following <sup>F4</sup>... objection),
    - <sup>F5</sup>(xii) . . . . .
    - (xiii) section 124(4) (revocation of licence where convictions come to light after grant etc.),
    - <sup>F6</sup>(xiv) section 132A(8) and (12) (revocation or suspension of licence by local authority where it becomes aware of convictions or immigration penalties),]

*Status: Point in time view as at 22/07/2020.*

*Changes to legislation: Licensing Act 2003, Cross Heading: Licensing committees is up to date with all changes known to be in force on or before 03 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)*

- [<sup>F7</sup>(xiv) section 172G(3)(a) or 172H (determination of interim steps pending summary off-sales review),]
- (b) any function under section 52(2) or (3) (determination of application for review of premises licence) in a case where relevant representations (within the meaning of section 52(7)) have been made,
- [<sup>F8</sup>(ba) any function under section 53C (review following review notice), in a case where relevant representations (within the meaning of section 53C(7)) have been made,]
- (c) any function under section 88(2) or (3) (determination of application for review of club premises certificate) in a case where relevant representations (within the meaning of section 88(7)) have been made, or
- (d) any function under section 167(5) (review following closure order), in a case where relevant representations (within the meaning of section 167(9)) have been made.
- [<sup>F9</sup>(da) any function under section 172I (off-sales review following review application), in a case where relevant representations (within the meaning of section 172I(7)) have been made, or]
- (5) The power exercisable under subsection (2) by a sub-committee established by a licensing committee is also subject to any direction given by that committee to the sub-committee.

#### Textual Amendments

- F1** Word in s. 10(4)(a)(v) omitted (6.4.2017) by virtue of [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 4 para. 29](#); S.I. 2017/380, [reg. 2\(b\)](#)
- F2** Word in s. 10(4)(a)(vi) omitted (6.4.2017) by virtue of [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 4 para. 29](#); S.I. 2017/380, [reg. 2\(b\)](#)
- F3** S. 10(4)(a)(via) inserted (1.10.2007) by [Violent Crime Reduction Act 2006 \(c. 38\)](#), [ss. 22\(1\)\(a\)](#), 66(2)(3); S.I. 2007/2180, [art. 3\(a\)](#)
- F4** Word in s. 10(4)(a)(x) omitted (6.4.2017) by virtue of [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 4 para. 29](#); S.I. 2017/380, [reg. 2\(b\)](#)
- F5** S. 10(4)(a)(xi) omitted (1.4.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(7), [Sch. 18 para. 2](#) (with s. 69(2)(3)); S.I. 2015/994, [art. 2\(c\)](#)
- F6** S. 10(4)(a)(xiii) inserted (31.1.2017 for specified purposes, 6.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), [ss. 138\(2\)](#), 183(1)(5)(e); S.I. 2017/399, [reg. 3\(d\)](#)
- F7** S. 10(4)(a)(xiv) inserted (temp.) (22.7.2020) by virtue of [Business and Planning Act 2020 \(c. 16\)](#), [ss. 11\(4\)\(a\)](#), 25(1) (with s. 11(13))
- F8** S. 10(4)(ba) inserted (1.10.2007) by [Violent Crime Reduction Act 2006 \(c. 38\)](#), [ss. 22\(1\)\(b\)](#), 66(2)(3); S.I. 2007/2180, [art. 3\(a\)](#)
- F9** S. 10(4)(da) inserted (temp.) (22.7.2020) by virtue of [Business and Planning Act 2020 \(c. 16\)](#), [ss. 11\(4\)\(c\)](#), 25(1) (with s. 11(13))

#### Modifications etc. (not altering text)

- C3** S. 10 applied (with modifications) (21.5.2007) by [Gambling Act 2005 \(c. 19\)](#), [ss. 154\(3\)\(4\)](#), 358 (with [ss. 352](#), 354); S.I. 2006/3272, [art. 2\(2\)](#), [Sch. 2](#) (with savings and transitional provisions in [Sch. 4](#)) (as amended by S.I. 2007/1157)
- C4** S. 10 applied (with modifications) (1.12.2007) by [Gambling Act 2005 \(c. 19\)](#), [ss. 232\(2\)\(3\)](#), 358 (with [ss. 352](#), 354); S.I. 2007/3155, [art. 2](#)

**Status:**

Point in time view as at 22/07/2020.

**Changes to legislation:**

Licensing Act 2003, Cross Heading: Licensing committees is up to date with all changes known to be in force on or before 03 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.