



# Private Security Industry Act 2001

## 2001 CHAPTER 12

### *Licensing functions of the Authority*

#### **13 Licensing at local authority level**

- (1) The Secretary of State may by order make provision for local authorities to carry out some or all of the Authority's relevant licensing functions in relation to such cases and such areas, and for such purposes, as may be specified or described in the order.
- (2) References in this section to the Authority's relevant licensing functions are references to such of its functions under this Act (other than section 7) as relate to the grant, revocation or modification of licences to engage in any such licensable conduct as will or may involve, or relate to, the carrying out of activities to which paragraph 8 of Schedule 2 (door supervisors etc. for public houses and clubs and comparable venues) applies.
- (3) An order under this section may—
  - (a) impose such conditions and requirements in respect of the carrying out of any of the Authority's relevant licensing functions by a local authority as the Secretary of State thinks fit;
  - (b) provide for any of those conditions or requirements to be framed by reference to directions given by the Secretary of State in accordance with the order;
  - (c) provide for any of the powers exercisable by a local authority by virtue of such an order to be exercisable concurrently in relation to the same case by the Authority and that local authority; and
  - (d) authorise a local authority to retain any fee paid to them by virtue of section 8(7).
- (4) Section 11 shall apply in relation to a decision made by a local authority in accordance with an order under subsection (1) as it applies in relation to a decision of the Authority; and where it so applies it shall have effect as if the references in subsections (2) and (4) of that section to the Authority were a reference to the local authority that made the decision in question.

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*Status: This is the original version (as it was originally enacted).*

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- (5) The Secretary of State may by order make such provision repealing or modifying the provisions of any local enactment as he considers appropriate in consequence of the coming into force of any of the provisions of this Act or of an order under subsection (1).
- (6) The Secretary of State shall consult the Authority before making an order under this section.
- (7) In this section “local authority” means—
- (a) the council for any county or district in England other than a metropolitan county the districts comprised in which are districts for which there are councils;
  - (b) the council for any London borough;
  - (c) the Common Council of the City of London;
  - (d) the Council of the Isles of Scilly;
  - (e) the council for any county or county borough in Wales.