



# 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.

#### **Annotations:**

##### **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, [art. 2\(2\)\(a\)](#))
- 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](#)

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### Commencement Information

- II** S. 9 wholly in force at 10.9.2004; s. 9 not in force at Royal Assent, see s. 201; s. 9(2) in force at 16.12.2003 by S.I. 2003/3222, art. 2, Sch.; s. 9 otherwise 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 police objection),
    - (vi) section 48(3) (consideration of police objection made to interim authority notice),
    - [<sup>F1</sup>(via) section 53A(2)(a) or 53B (determination of interim steps pending summary review),]
    - (vii) section 72(3) (determination of application for club premises certificate where representations have been made),
    - (viii) section 85(3) (determination of application to vary club premises certificate where representations have been made),
    - (ix) section 105(2) (decision to give counter notice following police objection to temporary event notice),
    - (x) section 120(7) (determination of application for grant of personal licence following police objection),
    - (xi) section 121(6) (determination of application for renewal of personal licence following police objection), or
    - (xii) section 124(4) (revocation of licence where convictions come to light after grant etc.),

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- (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>F2</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.
- (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.

**Annotations:**

**Amendments (Textual)**

- F1** 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)
- F2** 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)

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

- C3** S. 10 applied (with modifications) (30.4.2007) 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, art. 2(2)(a))
- 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

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act, associated Parts and Chapters:**

- Act modified by [S.I. 2007/1118 art. 6](#)
- Act modified by [S.I. 2008/2867 reg. 12\(1\)\(a\)\(ii\)](#)
- Blanket Amendment words substituted by [2005 c. 4 Sch. 11 para. 1\(2\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 55A applied (with modifications) by [2011 c. 13 s. 129\(6\)\(a\)](#)
- s. 55A inserted by [2011 c. 13 s. 120\(3\)](#)
- s. 92A applied (with modifications) by [2011 c. 13 s. 129\(6\)\(b\)](#)
- s. 92A inserted by [2011 c. 13 s. 120\(5\)](#)
- s. 99A inserted by [2011 c. 13 s. 112\(2\)](#)
- s. 100A inserted by [2011 c. 13 s. 114\(4\)](#)
- s. 104A inserted by [2011 c. 13 s. 114\(7\)](#)
- s. 106A inserted by [2011 c. 13 s. 113\(3\)](#)
- s. 169A-169B inserted by [2006 c. 38 s. 24\(1\)](#)
- s. 169A(2)(a) words substituted by [2011 c. 13 s. 118\(3\)\(a\)](#)
- s. 169A(4) words substituted by [2011 c. 13 s. 118\(3\)\(b\)](#)
- s. 177A inserted by [2012 c. 2 s. 1\(2\)](#)
- s. 197A 197B inserted by [2011 c. 13 s. 121\(2\)](#)

**Commencement Orders yet to be applied to the Licensing Act 2003:**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2003/1911 art. 2](#) commences ([2003 c. 17](#))
- [S.I. 2003/2100 art. 2](#) commences ([2003 c. 17](#))
- [S.I. 2003/3222 art. 2](#) commences ([2003 c. 17](#))
- [S.I. 2004/1738 art. 2](#) commences ([2003 c. 17](#))
- [S.I. 2004/2360 art. 2 Sch.](#) commences ([2003 c. 17](#))
- [S.I. 2005/2090 art. 2 Sch.](#) commences ([2003 c. 17](#))
- [S.I. 2005/2091 art. 2](#) commences ([2003 c. 17](#))
- [S.I. 2005/3056 art. 2 3](#) commences ([2003 c. 17](#))

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2004/2304 art. 2](#) commences ([2004 c. 21](#))
- [S.I. 2004/2917 art. 2](#) commences ([2004 c. 21](#))
- [S.I. 2005/3175 art. 2 3](#) commences ([2004 c. 33](#))
- [S.I. 2005/3495 art. 2](#) commences ([2005 c. 15](#))
- [S.I. 2006/378 art. 2-7 Sch.](#) commences ([2005 c. 15](#))
- [S.I. 2006/3200 art. 2](#) commences ([2006 c. 35](#))
- [S.I. 2006/3272 art. 2 Sch. 1-3](#) commences ([2005 c. 19](#))
- [S.I. 2007/858 art. 2 3](#) commences ([2006 c. 38](#))
- [S.I. 2007/1157 art. 2-12 Sch. 1 2](#) amendment to earlier commencing SI [2006/3272](#)
- [S.I. 2007/1897 art. 2](#) commences ([2005 c. 9](#))
- [S.I. 2007/2169 art. 2](#) amendment to earlier commencing SI [2006/3272](#)
- [S.I. 2007/2180 art. 2-4](#) commences ([2006 c. 38](#))
- [S.I. 2007/3155 art. 2](#) commences ([2005 c. 19](#))
- [S.I. 2008/3267 art. 2](#) commences ([2006 c. 50](#))
- [S.I. 2009/1604 art. 2](#) commences ([2005 c. 4](#))
- [S.I. 2009/2648 art. 3](#) amendment to earlier commencing SI [2008/3267](#)
- [S.I. 2009/3250 art. 2](#) commences ([2007 c. 29](#))

- S.I. 2010/125 art. 2-4 commences (2009 c. 26)
- S.I. 2010/722 art. 3 commences (2009 c. 26)
- S.I. 2010/999 art. 2-4 commences (2009 c. 26)
- S.I. 2010/1375 art. 2 3 commences (2009 c. 26)
- S.I. 2010/1942 art. 2 amendment to earlier commencing SI 2008/3267
- S.I. 2011/1725 Sch. para. 6 amendment to earlier commencing SI 2008/3267
- S.I. 2011/3019 art. 3 Sch. 1 Comencement Order
- S.S.I. 2007/472 arts. 2 3 Sch. 1 2 commences (2005 asp 16)