



# Licensing Act 2003

## 2003 CHAPTER 17

### PART 8

#### CLOSURE OF PREMISES

##### *[<sup>F1</sup>Closure notices]*

#### **170 Exemption of police from liability for damages**

- (1) [<sup>F1</sup>Neither a constable nor a trading standards officer is] liable for relevant damages in respect of any act or omission of his in the performance or purported performance <sup>F2</sup>... [<sup>F3</sup>of his functions in relation to a closure notice].
- [<sup>F4</sup>(2) Neither a chief officer of police nor a local weights and measures authority is liable for relevant damages in respect of any act or omission of a person in the performance or purported performance, while under the direction or control of such a chief officer or local weights and measures authority—
  - (a) of a function of that person in relation to a closure order, or any extension of it; or
  - <sup>F5</sup>(b) .....
- (3) But neither subsection (1) nor (2) applies—
  - (a) if the act or omission is shown to have been in bad faith, or
  - (b) so as to prevent an award of damages in respect of an act or omission on the grounds that the act or omission was unlawful as a result of section 6(1) of the Human Rights Act 1998 (c. 42) (incompatibility of act or omission with Convention rights).
- (4) This section does not affect any other exemption from liability for damages (whether at common law or otherwise).
- [<sup>F6</sup>(4A) In this section references to a constable include references to a person exercising the powers of a constable by virtue of a designation under section 38 of the Police Reform Act 2002 (community support officers etc.); and, in relation to such a person

---

**Changes to legislation:** Licensing Act 2003, Section 170 is up to date with all changes known to be in force on or before 23 April 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) View outstanding changes

---

[<sup>F7</sup>exercising such powers by virtue of such a designation by the Commissioner of Police of the City of London], the first reference in subsection (2) to a chief officer of police has effect as a reference to [<sup>F8</sup>the Common Council of the City of London].]

(5) In this section, “relevant damages” means damages awarded in proceedings for judicial review, the tort of negligence or misfeasance in public office.

#### Textual Amendments

- F1** Words in s. 170(1) substituted (6.4.2007) by [Violent Crime Reduction Act 2006 \(c. 38\), ss. 24\(2\)\(a\), 66\(2\)\(3\)](#); S.I. 2007/858, [art. 2\(a\)](#)
- F2** Words in s. 170(1) omitted (20.10.2014) by virtue of [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\), s. 185\(1\), Sch. 11 para. 38\(2\)](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2590, [art. 3\(g\)](#) (vi) (as amended (20.10.2014) by S.I. 2014/2754, arts. 1, 3(a))
- F3** Words in s. 170(1) inserted (6.4.2007) by [Violent Crime Reduction Act 2006 \(c. 38\), ss. 24\(2\)\(b\), 66\(2\)\(3\)](#); S.I. 2007/858, [art. 2\(a\)](#)
- F4** S. 170(2) substituted (6.4.2007) by [Violent Crime Reduction Act 2006 \(c. 38\), ss. 24\(3\), 66\(2\)\(3\)](#); S.I. 2007/858, [art. 2\(a\)](#)
- F5** S. 170(2)(b) omitted (20.10.2014) by virtue of [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\), s. 185\(1\), Sch. 11 para. 38\(3\)](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2590, [art. 3\(g\)\(vi\)](#) (as amended (20.10.2014) by S.I. 2014/2754, arts. 1, 3(a))
- F6** S. 170(4A) inserted (6.4.2007) by [Violent Crime Reduction Act 2006 \(c. 38\), ss. 24\(4\), 66\(2\)\(3\)](#); S.I. 2007/858, [art. 2\(a\)](#)
- F7** Words in s. 170(4A) inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 315\(a\)](#); S.I. 2011/3019, [art. 3, Sch. 1](#) (with Sch. 2 para. 74)
- F8** Words in s. 170(4A) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), s. 157\(1\), Sch. 16 para. 315\(b\)](#); S.I. 2011/3019, [art. 3, Sch. 1](#) (with Sch. 2 para. 74)

**Changes to legislation:**

Licensing Act 2003, Section 170 is up to date with all changes known to be in force on or before 23 April 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.

[View outstanding changes](#)

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

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

- Pt. 5A inserted by [2015 c. 20 s. 67\(2\)](#)Sch. 17
- s. 2(1A) inserted by [2015 c. 20 s. 67\(1\)](#)
- s. 10(4)(e) and word inserted by [2011 c. 13 s. 121\(3\)\(b\)](#)
- s. 140(2)(e) inserted by [2015 c. 20 s. 67\(4\)\(b\)](#)
- s. 141(2)(e) inserted by [2015 c. 20 s. 67\(5\)\(b\)](#)
- s. 143(2)(e) inserted by [2015 c. 20 s. 67\(6\)\(b\)](#)
- s. 144(2)(e) inserted by [2015 c. 20 s. 67\(7\)\(b\)](#)
- s. 147A(4)(c) inserted by [2015 c. 20 s. 67\(8\)\(b\)](#)
- s. 153(4)(d) inserted by [2015 c. 20 s. 67\(9\)\(b\)](#)
- s. 197(3)(cza) inserted by [2015 c. 20 s. 67\(12\)\(a\)](#)
- s. 197A197B inserted by [2011 c. 13 s. 121\(2\)](#)