



Police Reform and Social Responsibility Act 2011

2011 CHAPTER 13

PART 2

LICENSING

CHAPTER 1

AMENDMENTS OF THE LICENSING ACT 2003

Removing the vicinity test

105 Premises licences: who may make relevant representations

- (1) The Licensing Act 2003 is amended as set out in subsections (2) to (9).
- (2) In section 13 (authorised persons, interested parties and responsible authorities)—
 - (a) in the title, omit “, interested parties”,
 - (b) in subsection (1), omit ““interested party”,”, and
 - (c) omit subsection (3).
- (3) In section 17(5) (application for premises licence)—
 - (a) in paragraph (a)(ii), for “interested parties” substitute “persons who live, or are involved in a business, in the relevant licensing authority’s area and who are”,
 - (b) after paragraph (a) insert—
 - “(aa) require the relevant licensing authority to advertise the application within the prescribed period—
 - (i) in the prescribed form, and

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- (ii) in a manner which is prescribed and is likely to bring the application to the attention of the persons who are likely to be affected by it; and”, and”
- (c) in paragraph (c), for “interested parties and responsible authorities” substitute “responsible authorities and other persons”.
- (4) In section 18(7) (determination of application for premises licence)—
 - (a) in paragraph (a), for “an interested party or responsible authority” substitute “a responsible authority or other person”, and
 - (b) in paragraph (c), for “an interested party (who is not also a responsible authority)” substitute “a person who is not a responsible authority”.
- (5) In section 31(6) (determination of application for provisional statement)—
 - (a) in paragraph (a), for “an interested party or responsible authority” substitute “a responsible authority or other person”, and
 - (b) in paragraph (c), for “an interested party (who is not also a responsible authority)” substitute “a person who is not a responsible authority”.
- (6) In section 35(6) (determination of application to vary premises licence)—
 - (a) in paragraph (a), for “an interested party or responsible authority” substitute “a responsible authority or other person”, and
 - (b) in paragraph (c), for “an interested party (who is not also a responsible authority)” substitute “a person who is not a responsible authority”.
- (7) In section 41B(2)(b)(ii) (determination of application for minor variation of premises licence), for “an interested party” substitute “any other person”.
- (8) In section 41D(6) (variation of premises licence: supply of alcohol from community premises), for paragraph (b) substitute—
 - “(b) subsection (6)(c) were omitted.”.
- (9) In section 194 (index of defined expressions), omit the entry for the expression “interested party, in Part 3”.
- (10) In section 33 of the Policing and Crime Act 2009 (individual members of licensing authorities to be interested parties), omit subsection (1).
- (11) The amendments made by this section apply in relation to applications relating to premises licences that are made on or after the commencement of this section.

106 Premises licences: who may apply for review

- (1) The Licensing Act 2003 is amended as set out in subsections (2) to (6).
- (2) In section 51 (application for review of premises licences)—
 - (a) in subsection (1), for “an interested party or a responsible authority” substitute “a responsible authority or any other person”, and
 - (b) in subsection (3)—
 - (i) in paragraph (b), for “interested parties and responsible authorities” substitute “responsible authorities and other persons”, and
 - (ii) in paragraph (c), for “interested party” substitute “other person”.
- (3) In section 52(8) (determination of application for review of premises licence)—
 - (a) in paragraph (a)(i), for “an interested party” substitute “any other person”, and

- (b) in paragraph (c), for “an interested party (who is not also a responsible authority)” substitute “a person who is not a responsible authority”.
- (4) In section 53A(3) (summary reviews on application of senior police officer)—
 - (a) in paragraph (c), for “interested parties” substitute “other persons”, and
 - (b) in paragraph (e), for “interested party” substitute “other person”.
- (5) In section 53C(8) (review of premises licence following summary review notice)—
 - (a) in paragraph (a), for “an interested party” substitute “any other person”, and
 - (b) in paragraph (c), for “an interested party (who is not also a responsible authority)” substitute “a person who is not a responsible authority”.
- (6) In section 167 (review of premises licence following closure order)—
 - (a) in subsection (4)(b), for “interested parties” substitute “other persons”,
 - (b) in subsection (4)(c), for “interested party” substitute “other person”,
 - (c) in subsection (10)(a), for “an interested party” substitute “any other person”,
 - (d) in subsection (10)(c), for “an interested party (who is not also a responsible authority)” substitute “a person who is not a responsible authority”, and
 - (e) in subsection (14), for ““interested party” and “responsible authority” have” substitute ““responsible authority” has”.
- (7) The amendments made by this section apply in relation to applications for review that are made on or after the commencement of this section.

107 Club premises certificates: who may make relevant representations

- (1) The Licensing Act 2003 is amended as set out in subsections (2) to (7).
- (2) In section 69 (authorised persons, interested parties and responsible authorities)—
 - (a) in the title, omit “, interested parties”,
 - (b) in subsection (1), omit ““interested party”,”, and
 - (c) omit subsection (3).
- (3) In section 71(6) (application for club premises certificate)—
 - (a) in paragraph (a)(ii), for “interested parties” substitute “persons who live, or are involved in a business, in the relevant licensing authority’s area and who are”,
 - (b) after paragraph (a) insert—
 - “(aa) require the relevant licensing authority to advertise the application within the prescribed period—
 - (i) in the prescribed form, and
 - (ii) in a manner which is prescribed and is likely to bring the application to the attention of the persons who are likely to be affected by it; and”, and”
 - (c) in paragraph (c), for “interested parties and responsible authorities” substitute “responsible authorities and other persons”.
- (4) In section 72(8) (determination of application for club premises certificate)—
 - (a) in paragraph (a), for “an interested party or responsible authority” substitute “a responsible authority or other person”, and

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- (b) in paragraph (c), for “an interested party (who is not also a responsible authority)” substitute “a person who is not a responsible authority”.
- (5) In section 85(6) (determination of application to vary club premises certificate)—
 - (a) in paragraph (a), for “an interested party or responsible authority” substitute “a responsible authority or other person”, and
 - (b) in paragraph (c), for “an interested party (who is not also a responsible authority)” substitute “a person who is not a responsible authority”.
- (6) In section 86B(2)(b)(ii) (determination of application for minor variation of club premises certificate), for “an interested party” substitute “any other person”.
- (7) In section 194 (index of defined expressions), omit the entry for the expression “interested party, in Part 4”.
- (8) In section 33 of the Policing and Crime Act 2009 (individual members of licensing authorities to be interested parties), omit subsection (2).
- (9) The amendments made by this section apply in relation to applications relating to club premises certificates that are made on or after the commencement of this section.

108 Club premises certificates: who may apply for review

- (1) The Licensing Act 2003 is amended as set out in subsections (2) to (4).
- (2) In section 87 (application for review of club premises certificate), for subsection (1) substitute—
 - “(1) Where a club holds a club premises certificate, a responsible authority or any other person may apply to the relevant licensing authority for a review of the certificate.”.
- (3) In section 87(3) (application for review of club premises certificate)—
 - (a) in paragraph (b), after “to the authority” insert “by the club, responsible authorities and other persons”, and
 - (b) in paragraph (c), for “interested party” substitute “other person”.
- (4) In section 88(8) (determination of application for review of club premises certificate)—
 - (a) in paragraph (a), for “an interested party” substitute “any other person”, and
 - (b) in paragraph (c), for “an interested party (who is not also a responsible authority)” substitute “a person who is not a responsible authority”.
- (5) The amendments made by this section apply in relation to applications for review that are made on or after the commencement of this section.