Licensing Act 2003

CHAPTER 17

LICENSING ACT 2003

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**Changes to legislation:** Licensing Act 2003 is up to date with all changes known to be in force on or before 13 March 2019. 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)

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Civic Restaurants Act 1947 (c. 22)
18 In section 1(4) of the Civic Restaurants Act 1947 (civic...

London County Council (General Powers) Act 1947 (c. xlvi)
19 In section 6(1)(b) of the London County Council (General Powers)... 

National Parks and Access to the Countryside Act 1949 (c. 97)
20 In each of the following provisions of the National Parks...

Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65)
21 The Reserve and Auxiliary Forces (Protection of Civil Interests) Act...
22 In section 14(2)(a) (protection against insecurity of tenure of place...
23 In section 18(3)(a) (protection against insecurity of tenure in connection...
24 In section 27(1) (renewal of tenancy expiring during period of...
Hypnotism Act 1952 (c. 46)

25 The Hypnotism Act 1952 is amended as follows.
26 (1) Section 1 (inclusion in an entertainment licence of conditions...
27 In section 2 (requirement for authorisation for demonstration of hypnotism)—...

Obscene Publications Act 1959 (c. 66)

28 (1) Section 2 of the Obscene Publications Act 1959 (prohibition... 

Betting, Gaming and Lotteries Act 1963 (c. 2)

29 The Betting, Gaming and Lotteries Act 1963 is amended as...
30 In section 10(1B) (conduct of licensed betting offices) for "the... 
31 In Schedule 4 (rules for licensed betting offices), in paragraph...

Children and Young Persons Act 1963 (c. 37)

32 For section 37(2)(b) of the Children and Young Persons Act...

Offices, Shops and Railway Premises Act 1963 (c. 41)

33 In section 90 of the Offices, Shops and Railway Premises...

Greater London Council (General Powers) Act 1966 (c. xxviii)

34 The Greater London Council (General Powers) Act 1966 is amended...
35 In section 21(1) (licensing of public exhibitions, etc.)— 
36 In section 22 (application to old buildings of provisions for...

Finance Act 1967 (c. 54)

37 In section 5 of the Finance Act 1967 (no requirement... 

Criminal Appeal Act 1968 (c. 19)

38 The Criminal Appeal Act 1968 is amended as follows.
39 In section 10 (appeal against sentence to Crown Court), at...
40 In section 31 (powers of Court of Appeal under Part...
41 In section 44 (powers of Court of Appeal under Part...
42 In section 50 (meaning of “sentence”), at the end of...

Theatres Act 1968 (c. 54)

43 The Theatres Act 1968 is amended as follows.
44 The following provisions cease to have effect in England and...
45 In section 15 (warrant to enter theatre where offence suspected)—...
46 Section 17 (existing letters patent) ceases to have effect.
47 In section 18(1) (interpretation), in the definition of “licensing authority”,...

Gaming Act 1968 (c. 65)

48 The Gaming Act 1968 is amended as follows.
49 (1) Section 6 (playing games on premises used for sale...
50 For section 7(2) (offence to allow child to take part...
51 For section 8(7) (penalty for contravention of section 7(2)) substitute...

52 (1) Schedule 9 (permits in respect of amusement machine premises)...

City of London (Various Powers) Act 1968 (c. xxxvii)

53 For section 5(3) of the City of London (Various Powers)...

Finance Act 1970 (c. 24)

54 In section 6(2)(b) of the Finance Act 1970 (Angostura bitters)—...

Sunday Theatre Act 1972 (c. 26)

55 The Sunday Theatre Act 1972 ceases to have effect.

Local Government Act 1972 (c. 70)

56 The Local Government Act 1972 is amended as follows.
57 In section 78(1) (supplementary provision relating to changes in local government)...
58 In section 101 (arrangements for discharge of functions by local authority)...
59 In section 145(4) (provision of entertainment), for “intoxicating liquor” substitute...
60 Section 204 (licensed premises) ceases to have effect.
61 (1) Schedule 12 (meetings and proceedings of local authorities) is...

Lotteries and Amusements Act 1976 (c. 32)

62 Schedule 3 to the Lotteries and Amusements Act 1976 (provision)... 
63 (1) Paragraph 1 (interpretation) is amended as follows.
64 In paragraph 8 (appeals)— (a) in sub-paragraphs (2) and (3),...
65 Omit paragraph 11 (payment of indemnity from central funds).
66 In paragraph 18 (fees), for “proper officer” substitute “clerk”.

Rent Act 1977 (c. 42)

67 In section 11 of the Rent Act 1977 (tenancy of... 

Greater London Council (General Powers) Act 1978 (c. xiii)

68 The Greater London Council (General Powers) Act 1978 is amended ...
69 Section 3 (human posing to be treated as entertainment) ceases ...
70 In section 5(4)(a) (definition of “booking office”)—

Alcoholic Liquor Duties Act 1979 (c. 4)

71 The Alcoholic Liquor Duties Act 1979 is amended as follows...
72 In section 4 (interpretation)— (a) in the definition of “justices’...
73 In section 71 (exception to penalty for misdescribing alcohol as...

Licensed Premises (Exclusion of Certain Persons) Act 1980 (c. 32)

74 In section 4(1) of the Licensed Premises (Exclusion of Certain)...

Magistrates’ Courts Act 1980 (c. 43)

75 In Part 3 of Schedule 6 to the Magistrates’ Courts...
Local Government, Planning and Land Act 1980 (c. 65)

76 The Local Government, Planning and Land Act 1980 is amended...
77 Sections 131 and 132 (licensing in new towns) cease to...
78 In section 133 (miscellaneous provision about new towns), in...
79 In section 146 (disposal of land by urban development corporation)—...

Indecent Displays (Control) Act 1981 (c. 42)

80 In section 1(4) of the Indecent Displays (Control) Act 1981...

New Towns Act 1981 (c. 64)

81 In section 18 of the New Towns Act 1981 (disposal...

Local Government (Miscellaneous Provisions) Act 1982 (c. 30)

82 The Local Government (Miscellaneous Provisions) Act 1982 is...
83 The following provisions cease to have effect—
84 In section 10(11) (requirement that apparatus to be installed should...
85 (1) Schedule 3 (control of sex establishments) is amended as...

Representation of the People Act 1983 (c. 2)

86 The Representation of the People Act 1983 is amended as...
87 In section 185 (interpretation of Part relating to legal proceedings),
88 In Schedule 7 (transitional and saving provision), omit paragraph 4....

Video Recordings Act 1984 (c. 39)

89 In section 3(7) of the Video Recordings Act 1984 (exempted...

Building Act 1984 (c. 55)

90 The Building Act 1984 is amended as follows.
91 In section 24(4) (provision of exits in buildings) for paragraph...
92 In section 74(2) (exemption for certain premises from requirement for...

Police and Criminal Evidence Act 1984 (c. 60)

93 In Schedule 1A to the Police and Criminal Evidence Act...

Greater London Council (General Powers) Act 1984 (c. xxvii)

94 In section 15(1) of the Greater London Council (General Powers)...
99 The following provisions cease to have effect—
100 In section 8 (offences)— (a) in paragraph (b), for “..., 
101 In section 9 (interpretation)— (a) omit subsection (5), and

Housing Act 1985 (c. 68)
102 The Housing Act 1985 is amended as follows.
103 In section 11 (provision of board facilities by local housing...
104 In Schedule 1 (tenancies which are not secure tenancies), in...

Sex Discrimination Act 1986 (c. 59)
105 Section 5 of the Sex Discrimination Act 1986 (discrimination required...

Fire Safety and Safety of Places of Sport Act 1987 (c. 27)
106 After section 33(2) of the Fire Safety and Safety of...

Norfolk and Suffolk Broads Act 1988 (c. 4)
107 In paragraph 40(1) of Schedule 3 to the Norfolk and...

Housing Act 1988 (c. 50)
108 In Schedule 1 to the Housing Act 1988 (tenancies which...

Town and Country Planning Act 1990 (c. 8)
109 Section 334 of the Town and Country Planning Act 1990...

Sunday Trading Act 1994 (c. 20)
110 (1) Schedule 1 to the Sunday Trading Act 1994 (restrictions...

Criminal Justice and Public Order Act 1994 (c. 33)
111 In section 63 of the Criminal Justice and Public Order...

Deregulation and Contracting Out Act 1994 (c. 40)
112 Section 21 of the Deregulation and Contracting Out Act 1994...

London Local Authorities Act 1995 (c. x)
113 In section 14 of the London Local Authorities Act 1995...

Employment Rights Act 1996 (c. 18)
114 In section 232(7) of the Employment Rights Act 1996 (definition...

Confiscation of Alcohol (Young Persons) Act 1997 (c. 33)
115 (1) Section 1 of the Confiscation of Alcohol (Young Persons)...

Police Act 1997 (c. 50)
116 In section 115(5) of the Police Act 1997 (enhanced criminal...
London Local Authorities Act 2000 (c. vii)

117 In section 32 of the London Local Authorities Act 2000...

Private Security Industry Act 2001 (c. 12)

118 (1) Paragraph 8 of Schedule 2 to the Private Security...

Criminal Justice and Police Act 2001 (c. 16)

119 The Criminal Justice and Police Act 2001 is amended as...
120 In section 1(1) (offences leading to penalties on the spot),...
121 .............
122 .............
123 .............
124 .............
125 .............
126 In each of the following provisions, for “unlicensed sale of...
127 In section 28 (interpretation of provisions relating to closure of...
128 In Schedule 1 (powers of seizure)— (a) at the end...

SCHEDULE 7 — Repeals

SCHEDULE 8 — Transitional provision etc.
Part 1 — PREMISES LICENCES

Introductory

1 (1) In this Part— “canteen licence” has the same meaning...

Application for conversion of existing licence

2 (1) This paragraph applies where, in respect of any premises,...

Police consultation

3 (1) Where a person makes an application under paragraph 2,...

Determination of application

4 (1) This paragraph applies where an application is made in...

Notification of determination and issue of new licence

5 (1) Where an application is granted (in whole or in...

The new licence

6 (1) This paragraph applies where a new licence is granted...

Variation of new licence

7 (1) A person who makes an application under paragraph 2...

Existing licence revoked after grant of new licence

8 (1) This paragraph applies where the relevant licensing authority grants...
Appeals

9 (1) Where an application under paragraph 2 is rejected (in...}

False statements

10 (1) A person commits an offence if he knowingly or...

Opening hours

11 (1) This paragraph applies where— (a) within such period (of...

Provisional licences

12 (1) Where— (a) during such period as may be specified...
   Part 2 — CLUB PREMISES CERTIFICATES

Introductory

13 (1) In this Part— “existing club certificate” means a certificate...

Application for conversion of existing club certificate

14 (1) This paragraph applies where, in respect of any premises,...

Police consultation

15 (1) Where a person makes an application under paragraph 14,...

Determination of application

16 (1) This paragraph applies where an application is made in...

Notification of determination and issue of new certificate

17 (1) Where an application is granted under paragraph 16, the...

The new certificate

18 (1) The new certificate is to be treated as if...

Variation of new certificate

19 (1) A person who makes an application under paragraph 14...

Existing club certificate revoked after grant of new certificate

20 Where the relevant licensing authority grants a new certificate under...

Appeals

21 (1) Where an application under paragraph 14 is rejected by...

False statements

22 (1) A person commits an offence if he knowingly or...
   Part 3 — PERSONAL LICENCES
Introductory

23 (1) Paragraphs 24 to 27 apply where—

Section 120 disapplied

24 Section 120 (determination of application for grant) does not apply...

Police objections

25 (1) Sub-paragraph (2) applies where— (a) the applicant has been...

Determination of application

26 (1) The relevant licensing authority must grant the application if—...

Appeals

27 (1) Where a licensing authority rejects an application under paragraph...

Interpretation of Part 3

28 For the purposes of this Part— “relevant date”, in relation...

Part 4 — MISCELLANEOUS AND GENERAL

Consultation on licensing policy

29 Until such time as section 59 of the 1964 Act...

Meaning of “methylated spirits” (transitory provision)

30 Until such time as an order is made under subsection...

Savings

31 Notwithstanding the repeal by this Act of Schedule 12 to...

32 (1) In Schedule 3 to the Local Government (Miscellaneous Provisions)...

33 Notwithstanding that by virtue of this Act the Cinemas Act...

Interpretation

34 In this Schedule— “justices' licence” means a justices' licence under...
Changes to legislation:
Licensing Act 2003 is up to date with all changes known to be in force on or before 13 March 2019. 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.

Changes and effects yet to be applied to:
- s. 172A-172E and cross-heading inserted by 2010 c. 17 s. 55(2) (This amendment not applied to legislation.gov.uk. S. 55 repealed (31.10.2012) without ever being in force by 2011 c. 13, s. 119(4); S.I. 2012/2670, art. 2(a))
- s. 7(2)(aa) inserted by 2010 c. 17 s. 55(3) (This amendment not applied to legislation.gov.uk. S. 55 repealed (31.10.2012) without ever being in force by 2011 c. 13, s. 119(4); S.I. 2012/2670, art. 2(a))
- s. 7(9) applied by 2017 anaw 2 Sch. 3 para. 21(2)(a)
- s. 10 applied by 2017 anaw 2 Sch. 3 para. 21(2)(b)
- s. 10(4)(c) word omitted by 2011 c. 13 s. 121(3)(a)
- s. 16(3) words omitted by 2012 c. 7 Sch. 14 para. 88
- s. 131(5)(a) words substituted by 2018 c. 33 Sch. para. 24
- s. 136(5) words inserted by 2015 c. 20 s. 67(3)
- s. 140(2) word omitted by 2015 c. 20 s. 67(4)(a)
- s. 141(2) word omitted by 2015 c. 20 s. 67(5)(a)
- s. 141(3) words inserted by 2015 c. 20 s. 67(5)(c)
- s. 143(2) word omitted by 2015 c. 20 s. 67(6)(a)
- s. 144(2) word omitted by 2015 c. 20 s. 67(7)(a)
- s. 147A(1)(b) words substituted by 2015 c. 20 s. 67(8)(a)
- s. 153(4) word omitted by 2015 c. 20 s. 67(9)(a)
- s. 159 words inserted by 2015 c. 20 s. 67(10)
- s. 161(7) words substituted by S.I. 2015/664 Sch. 4 para. 33(7) (This amendment superseded by the repeal of s. 161)
- s. 165(8) words substituted by S.I. 2015/664 Sch. 4 para. 33(8) (This amendment superseded by the repeal of s. 165)
- s. 194 words inserted by 2015 c. 20 s. 67(11)
- s. 195 applied (with modifications) by 2018 anaw 5 s. 23
- s. 197(4) words inserted by 2015 c. 20 s. 67(12)(b)(i)
- s. 197(4) words inserted by 2015 c. 20 s. 67(12)(b)(ii)

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)(c) 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. 197A-197B inserted by 2011 c. 13 s. 121(2)
- Sch. 4 para. 2A inserted by 2018 anaw 5 s. 2(6)
- Sch. 4 para. 19B inserted by 2019 c. 3 Sch. 4 para. 8