

*These notes refer to the Licensing Act 2003 (c.17)
which received Royal Assent on 10 July 2003*

LICENSING ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

PART 3: Premises licences

Section 59 – Inspection of premises before grant of licence, etc

113. This section provides that a constable or an authorised person (see the definition in section 13) may enter the premises to which an application relates, before that application has been determined, in order to assess the likely effect on the promotion of the licensing objectives of the grant of the application, or as the case may be, the effect of the activities authorised by a licence which is the subject of an application for review. In the case of an authorised person, evidence of authorisation to enter must be produced if requested. Where entry is sought in connection with an application for review both constables and authorised persons may use reasonable force to gain entry to premises if necessary. It is an offence under this section to obstruct an authorised person exercising these powers. It is already an offence under the Police Act 1996 to obstruct a constable in the course of his duties.