

*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 7: Offences

Section 143– Failure to leave licensed premises etc.

227. This section provides that a person who is drunk or disorderly commits an offence if he fails to leave relevant premises (see the definition in section 159) at the request of a police constable or a person listed in subsection (2), or if he enters (or tries to enter) such premises when asked not to by such a person. No offence will be committed if the person has a reasonable excuse, for example, if he is disabled or injured and so unable to leave the premises. The persons listed in subsection (2) are:

- any person who works at the premises in a capacity that gives him the authority to make that request,
- a premises licence holder or designated premises supervisor,
- an officer or member of a club who is present at the time of the sale and who has authority to make that request, and
- a premises user (see the definition in section 100(2)) who has given a temporary event notice in respect of those premises.

228. Subsection (4) provides that a police constable must help to expel drunk or disorderly individuals from relevant premises, or help to prevent them entering as the case may be, if requested to do so by anyone listed above. The section thus re-enacts the provisions of section 174 of the Licensing Act 1964 but unlike that section is not limited to premises with a licence for alcohol sales.