



Licensing Act 2003

2003 CHAPTER 17

PART 3

PREMISES LICENCES

Introductory

11 Premises licence

In this Act “premises licence” means a licence granted under this Part, in respect of any premises, which authorises the premises to be used for one or more licensable activities.

12 The relevant licensing authority

- (1) For the purposes of this Part the “relevant licensing authority” in relation to any premises is determined in accordance with this section.
- (2) Subject to subsection (3), the relevant licensing authority is the authority in whose area the premises are situated.
- (3) Where the premises are situated in the areas of two or more licensing authorities, the relevant licensing authority is—
 - (a) the licensing authority in whose area the greater or greatest part of the premises is situated, or
 - (b) if there is no authority to which paragraph (a) applies, such one of those authorities as is nominated in accordance with subsection (4).
- (4) In a case within subsection (3)(b)—
 - (a) an applicant for a premises licence must nominate one of the licensing authorities as the relevant licensing authority in relation to the application and any licence granted as a result of it, and

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- (b) an applicant for a statement under section 29 (provisional statement) in respect of the premises must nominate one of the licensing authorities as the relevant licensing authority in relation to the statement.

13 Authorised persons, interested parties and responsible authorities

- (1) In this Part in relation to any premises each of the following expressions has the meaning given to it by this section—

“authorised person”,
“interested party”,
“responsible authority”.

- (2) “Authorised person” means any of the following—

- (a) an officer of a licensing authority in whose area the premises are situated who is authorised by that authority for the purposes of this Act,
- [^{F1}(b) an inspector appointed by the fire and rescue authority for the area in which the premises are situated.]
- (c) an inspector appointed under section 19 of the Health and Safety at Work etc. Act 1974 (c. 37),
- (d) an officer of a local authority, in whose area the premises are situated, who is authorised by that authority for the purposes of exercising one or more of its statutory functions in relation to minimising or preventing the risk of pollution of the environment or of harm to human health,
- (e) in relation to a vessel, an inspector, or a surveyor of ships, appointed under section 256 of the Merchant Shipping Act 1995 (c. 21),
- (f) a person prescribed for the purposes of this subsection.

- (3) “Interested party” means any of the following—

- (a) a person living in the vicinity of the premises,
- (b) a body representing persons who live in that vicinity,
- (c) a person involved in a business in that vicinity,
- (d) a body representing persons involved in such businesses.

- (4) “Responsible authority” means any of the following—

- (a) the chief officer of police for any police area in which the premises are situated,
- (b) the [^{F2}fire and rescue authority] for any area in which the premises are situated,
- (c) the enforcing authority within the meaning given by section 18 of the Health and Safety at Work etc. Act 1974 for any area in which the premises are situated,
- (d) the local planning authority within the meaning given by the Town and Country Planning Act 1990 (c. 8) for any area in which the premises are situated,
- (e) the local authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health,
- (f) a body which—
 - (i) represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the protection of children from harm, and

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- (ii) is recognised by the licensing authority for that area for the purposes of this section as being competent to advise it on such matters,
 - (g) any licensing authority (other than the relevant licensing authority) in whose area part of the premises is situated,
 - (h) in relation to a vessel—
 - (i) a navigation authority (within the meaning of section 221(1) of the Water Resources Act 1991 (c. 57) having functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is, or is proposed to be, navigated at a time when it is used for licensable activities,
 - (ii) the Environment Agency,
 - (iii) the British Waterways Board, or
 - (iv) the Secretary of State,
 - (i) a person prescribed for the purposes of this subsection.
- (5) For the purposes of this section, “statutory function” means a function conferred by or under any enactment.

Textual Amendments

- F1** S. 13(2)(b) substituted (1.10.2006) by [The Regulatory Reform \(Fire Safety\) Order 2005 \(S.I. 2005/1541\)](#), [art. 53\(1\)](#), [Sch. 2 para. 50\(2\)](#) (with [art. 49](#)) (as amended by [The Regulatory Reform \(Fire Safety\) Subordinate Provisions Order 2006 \(S.I. 2006/484\)](#), [arts. 1\(1\)](#), [2](#))
- F2** Words in s. 13(4)(b) substituted (7.9.2004 for E. for certain purposes and 1.10.2004 otherwise and 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), [ss. 53](#), [61](#), [Sch. 1 para. 98\(2\)\(3\)\(b\)](#); [S.I. 2004/2304](#), [art. 2\(1\){\(2\)}](#); [S.I. 2004/2917](#), [art. 2](#)

Commencement Information

- I1** S. 13(2)(f)(4)(i) in force at 16.12.2003 by [S.I. 2003/3222](#), [art. 2](#), [Sch.](#) and s. 13 in force otherwise at 7.2.2005 by [S.I. 2004/2360](#), [art. 2](#), [Sch.](#)

14 Meaning of “supply of alcohol”

For the purposes of this Part the “supply of alcohol” means—

- (a) the sale by retail of alcohol, or
- (b) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.

15 Meaning of “designated premises supervisor”

- (1) In this Act references to the “designated premises supervisor”, in relation to a premises licence, are to the individual for the time being specified in that licence as the premises supervisor.
- (2) Nothing in this Act prevents an individual who holds a premises licence from also being specified in the licence as the premises supervisor.

Status:

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