



# Licensing Act 2003

## 2003 CHAPTER 17

### PART 2

#### LICENSING AUTHORITIES

*Functions of licensing authorities etc.*

#### 5 Statement of licensing policy

- (1) Each licensing authority must in respect of each [<sup>F1</sup>five] year period—
  - (a) determine its policy with respect to the exercise of its licensing functions, and
  - (b) publish a statement of that policy <sup>F2</sup>... before the beginning of the period.
- <sup>F3</sup>(2) .....
- (3) Before determining its policy for a [<sup>F4</sup>five] year period, a licensing authority must consult—
  - (a) the chief officer of police for the licensing authority's area,
  - (b) the [<sup>F5</sup>fire and rescue authority] for that area,
  - [<sup>F6</sup>(ba) each Primary Care Trust or Local Health Board for an area any part of which is in the licensing authority's area,]
  - (c) such persons as the licensing authority considers to be representative of holders of premises licences issued by that authority,
  - (d) such persons as the licensing authority considers to be representative of holders of club premises certificates issued by that authority,
  - (e) such persons as the licensing authority considers to be representative of holders of personal licences issued by that authority, and
  - (f) such other persons as the licensing authority considers to be representative of businesses and residents in its area.
- (4) During each [<sup>F7</sup>five] year period, a licensing authority must keep its policy [<sup>F8</sup>in respect of that period] under review and make such revisions to it, at such times, as it considers appropriate.

*Status: Point in time view as at 25/04/2012. This version of this provision has been superseded.*

*Changes to legislation: Licensing Act 2003, Section 5 is up to date with all changes known to be in force on or before 21 March 2024. 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)*

- (5) Subsection (3) applies in relation to any revision of an authority’s policy as it applies in relation to the original determination of that policy.
- (6) Where revisions are made, the licensing authority must publish a statement of the revisions or the revised licensing statement.
- [<sup>F9</sup>(6A) Without prejudice to subsection (4), a licensing authority may replace its policy in respect of a period, with effect from any date during that period, by—
- (a) determining its policy with respect to the exercise of its licensing functions in respect of a period of five years beginning with that date, and
  - (b) publishing a statement of that policy before that date.
- (6B) Subsection (3) applies in relation to any determination under subsection (6A) as it applies in relation to a determination under subsection (1).
- (6C) A licensing statement must specify the five year period to which it relates.]
- (7) Regulations may make provision about the determination and revision of policies, and the preparation and publication of licensing statements, under this section.
- [<sup>F10</sup>(8) In this section—
- “five year period”, in relation to a licensing authority, means—
- (a) if paragraph (b) does not apply, the period of five years ending with 6 January 2016, and each subsequent period of five years, or
  - (b) if a licensing authority has published a licensing statement under subsection (6A), the period of five years to which the most recently published such statement relates, and each subsequent period of five years;
- “licensing statement” means a statement published under subsection (1)(b) or (6A)(b).]

#### Textual Amendments

- F1** Word in s. 5(1) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 122\(2\)\(a\)](#), 157(1); S.I. 2012/1129, art. 2(d)
- F2** Words in s. 5(1)(b) omitted (25.4.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 122\(2\)\(b\)](#), 157(1); S.I. 2012/1129, art. 2(d)
- F3** S. 5(2) omitted (25.4.2012) by virtue of [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 122\(3\)](#), 157(1); S.I. 2012/1129, art. 2(d)
- F4** Word in s. 5(3) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 122\(4\)](#), 157(1); S.I. 2012/1129, art. 2(d)
- F5** Words in s. 5(3)(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](#)
- F6** S. 5(3)(ba) inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 104\(2\)](#), 157(1) (with s. 104(5)); S.I. 2012/1129, art. 2(d)
- F7** Word in s. 5(4) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 122\(5\)\(a\)](#), 157(1); S.I. 2012/1129, art. 2(d)
- F8** Words in s. 5(4) inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 122\(5\)\(b\)](#), 157(1); S.I. 2012/1129, art. 2(d)
- F9** S. 5(6A)-(6C) inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 122\(6\)](#), 157(1); S.I. 2012/1129, art. 2(d)

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**F10** S. 5(8) inserted (25.4.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), ss. 122(7), 157(1); S.I. 2012/1129, art. 2(d)

**Status:**

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