



Licensing Act 2003

2003 CHAPTER 17

PART 3

PREMISES LICENCES

Review of licences

52 Determination of application for review

- (1) This section applies where—
 - (a) the relevant licensing authority receives an application made in accordance with section 51,
 - (b) the applicant has complied with any requirement imposed on him under subsection (3)(a) or (d) of that section, and
 - (c) the authority has complied with any requirement imposed on it under subsection (3)(b) or (d) of that section.
- (2) Before determining the application, the authority must hold a hearing to consider it and any relevant representations.
- (3) The authority must, having regard to the application and any relevant representations, take such of the steps mentioned in subsection (4) (if any) as it considers [^{F1}appropriate] for the promotion of the licensing objectives.
- (4) The steps are—
 - (a) to modify the conditions of the licence;
 - (b) to exclude a licensable activity from the scope of the licence;
 - (c) to remove the designated premises supervisor;
 - (d) to suspend the licence for a period not exceeding three months;
 - (e) to revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

Changes to legislation: Licensing Act 2003, Section 52 is up to date with all changes known to be in force on or before 18 June 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) View outstanding changes

- (5) Subsection (3) is subject to sections [F²19 to 21](requirement to include certain conditions in premises licences).
- (6) Where the authority takes a step mentioned in subsection (4)(a) or (b), it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.
- (7) In this section “relevant representations” means representations which—
- (a) are relevant to one or more of the licensing objectives, and
 - (b) meet the requirements of subsection (8).
- (8) The requirements are—
- (a) that the representations are made—
 - (i) by the holder of the premises licence, a responsible authority or [F³any other person] , and
 - (ii) within the period prescribed under section 51(3)(c),
 - (b) that they have not been withdrawn, and
 - (c) if they are made by [F⁴a person who is not a responsible authority] , that they are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
- (9) Where the relevant licensing authority determines that any representations are frivolous or vexatious, it must notify the person who made them of the reasons for that determination.
- (10) Where a licensing authority determines an application for review under this section it must notify the determination and its reasons for making it to—
- (a) the holder of the licence,
 - (b) the applicant,
 - (c) any person who made relevant representations, and
 - (d) the chief officer of police for the police area (or each police area) in which the premises are situated.
- (11) A determination under this section does not have effect—
- (a) until the end of the period given for appealing against the decision, or
 - (b) if the decision is appealed against, until the appeal is disposed of.

Textual Amendments

- F1** Word in s. 52(3) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 109\(11\)](#), [157\(1\)](#) (with [s. 109\(15\)](#)); S.I. 2012/1129, art. 2(d)
- F2** Words in s. 52(5) substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 112](#), [116](#), [Sch. 7 Pt. 5 para. 34](#); S.I. 2010/125, [art. 2\(t\)](#)
- F3** Words in s. 52(8)(a)(i) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 106\(3\)\(a\)](#), [157\(1\)](#) (with [s. 106\(7\)](#)); S.I. 2012/1129, art. 2(d)
- F4** Words in s. 52(8)(c) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 106\(3\)\(b\)](#), [157\(1\)](#) (with [s. 106\(7\)](#)); S.I. 2012/1129, art. 2(d)

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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)(e) 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. 197A197B inserted by [2011 c. 13 s. 121\(2\)](#)