Licensing Act 2003

2003 CHAPTER 17

PART 4

CLUBS

Interpretation

69 Authorised persons[F1]... 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",

[F2]...

"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,

[[F3](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.

[F4](3) . . . . . .

(4) "Responsible authority" means any of the following—

***Changes to legislation:** Licensing Act 2003, Section 69 is up to date with all changes known to be in force on or before 14 April 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*

[F5(za) the relevant licensing authority and any other licensing authority in whose area part of the premises is situated,**]**

(a) the chief officer of police for any police area in which the premises are situated,

(b) the **[**F6fire and rescue authority**]** for any area in which the premises are situated,

[F7(ba) the F8... Local Health Board for any area in which the premises are situated,**]**

[F9(bb) the local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of 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 (c. 37) 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

(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,

F10(g) . . . . . .

(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 qualifying club activities,

(ii) the Environment Agency,

(iii) **[**F11Canal & River Trust**]**, 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 Words in s. 69 title omitted (25.4.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 107(2)(a)**, 157(1) (with s. 107(9)); S.I. 2012/1129, art. 2(d)

F2 Words in s. 69(1) omitted (25.4.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 107(2)(b)**, 157(1) (with s. 107(9)); S.I. 2012/1129, art. 2(d)

F3 S. 69(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)

F4 S. 69(3) omitted (25.4.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 107(2)(c)**, 157(1) (with s. 107(9)); S.I. 2012/1129, art. 2(d)

***Changes to legislation:** Licensing Act 2003, Section 69 is up to date with all changes known to be in force on or before 14 April 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*

F5 S. 69(4)(za) inserted (25.4.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 103(3)(a)**, 157(1) (with s. 103(4)); S.I. 2012/1129, art. 2(d)

F6 Words in s. 69(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)(c)**; S.I. 2004/2304, **art. 2(1)**{(2)}; S.I. 2004/2917, **art. 2**

F7 S. 69(4)(ba) inserted (25.4.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 104(4)**, 157(1) (with s. 104(5)); S.I. 2012/1129, art. 2(d)

F8 Words in s. 69(4)(ba) omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 115(a)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)

F9 S. 69(4)(bb) inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 115(b)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)

F10 S. 69(4)(g) omitted (25.4.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 103(3)(b)**, 157(1) (with s. 103(4)); S.I. 2012/1129, art. 2(d)

F11 Words in s. 69(4)(h)(iii) substituted (2.7.2012) by The British Waterways Board (Transfer of Functions) Order 2012 (S.I. 2012/1659), art. 1(2), **Sch. 3 para. 16(3)** (with arts. 4-6)

Commencement Information

I1 S. 69(2)(f)(4)(i) in force at 16.12.2003 by S.I. 2003/3222, **art. 2**, Sch. and s. 69 otherwise in force at 7.2.2005 by S.I. 2004/2360, **art. 2**, Sch.

Changes to legislation:
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View outstanding changes

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)