



Police Reform and Social Responsibility Act 2011

2011 CHAPTER 13

PART 2

LICENSING

CHAPTER 1

AMENDMENTS OF THE LICENSING ACT 2003

Miscellaneous

122 Licensing policy statements

- (1) Section 5 of the Licensing Act 2003 (statement of licensing policy) is amended as set out in subsections (2) to (7).
- (2) In subsection (1)—
 - (a) for “three” substitute “ five ”, and
 - (b) in paragraph (b) omit “(a “licensing statement”)”.
- (3) Omit subsection (2).
- (4) In subsection (3), for “three” substitute “ five ”.
- (5) In subsection (4)—
 - (a) for “three” substitute “ five ”, and
 - (b) after “policy” insert “ in respect of that period ”.
- (6) After subsection (6) insert—

Changes to legislation: There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Cross Heading: Miscellaneous. (See end of Document for details)

“(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) After subsection (7) insert—

“(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).”

(8) Any policy determined, and any licensing policy statement published, under section 5(1) of the Licensing Act 2003 in respect of the period of three years beginning with 7 January 2011 is, on and after the commencement of this subsection, to be treated for all purposes as if—

- (a) it had been determined and published under that section (as amended by this section) in respect of the period of five years beginning with 7 January 2011, and
- (b) it specified the five year period to which it relates.

Commencement Information

II S. 122 in force at 25.4.2012 by S.I. 2012/1129, art. 2(d)

123 Personal licences: relevant offences

(1) Schedule 4 to the Licensing Act 2003 (personal licence: relevant offences) is amended as set out in subsections (2) to (4).

(2) In paragraph 14 (offences under the Road Traffic Act 1988), after paragraph (c) insert—

“(d) section 6(6) (failing to co-operate with a preliminary test).”.

(3) The second paragraph 22 is renumbered as paragraph 22A.

(4) After paragraph 23 insert—

Changes to legislation: There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Cross Heading: Miscellaneous. (See end of Document for details)

“24 An offence under section 1 of the Criminal Attempts Act 1981 of attempting to commit an offence that is a relevant offence.

25 An offence under section 1 of the Criminal Law Act 1977 of conspiracy to commit an offence that is a relevant offence.

26 The offence at common law of conspiracy to defraud.”.

(5) The amendments made by this section apply on and after the commencement of this section in relation to—

- (a) personal licences that are granted or renewed before, on or after the commencement of this section, and
- (b) offences committed before, on or after that commencement.

Commencement Information

I2 S. 123 in force at 25.4.2012 by S.I. 2012/1129, art. 2(d)

Changes to legislation:

There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Cross Heading: Miscellaneous.