

English Devolution and Community Empowerment Bill

AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

[Supplementary to the Third Marshalled List]

Amendment
No.

Schedule 5

BARONESS BENNETT OF MANOR CASTLE

104A★ Schedule 5, page 138, line 33, after “vehicle” insert “, including those used for delivery services”

Member's explanatory statement

This is a probing amendment to ensure that providers of non-passenger micromobility vehicles referred to in this schedule also include those who provide these vehicles for delivery services.

BARONESS BENNETT OF MANOR CASTLE

105A★ Schedule 5, page 139, line 23, at end insert—
“(aa) may be used to provide delivery services,”

Schedule 24

BARONESS TAYLOR OF STEVENAGE

This amendment is intended to replace Amendment 179

179A★ Schedule 24, page 263, line 6, at end insert—
“4A In section 13 (authorised persons and responsible authorities), in subsection (4), after paragraph (ha), insert—
“(hb) where the premises are situated in Greater London, the Greater London Authority.”

4B After section 17 insert –

“17A Licence applications of potential strategic importance: Greater London

- (1) A London licensing authority must as soon as possible give notice to the Greater London Authority of any application made to it under section 17 that is a relevant licence application.
- (2) A “relevant licence application” is an application for a premises licence in Greater London which would authorise the premises to be used for one or more of the following activities –
 - (a) the sale by retail of alcohol;
 - (b) the provision of regulated entertainment;
 - (c) the provision of late night refreshment.
- (3) The Greater London Authority must give notice to each interested party if the Authority considers that the relevant licence application is an application of potential strategic importance to Greater London.
- (4) On receipt of a notice under subsection (3), the London licensing authority must as soon as reasonably practicable advertise the determination of the Greater London Authority.
- (5) The Secretary of State must by regulations specify the form and manner in which an advertisement under subsection (4) is to be made.
- (6) For the purposes of subsection (3), “application of potential strategic importance to Greater London” is to be interpreted in accordance with regulations made by the Secretary of State.
- (7) In this section, an “interested party” in relation to an application means –
 - (a) the London licensing authority that the application was made to;
 - (b) the applicant;
 - (c) each responsible authority in relation to the premises to which the application relates.”

4C In section 18 (determination of application for premises licence), after subsection (9) insert –

- “(9A) Where a London licensing authority is to hold a hearing in accordance with subsection (3) in relation to an application of potential strategic importance to Greater London, the authority must give to the Greater London Authority –
 - (a) in advance of the hearing, specified information relating to the hearing within the specified period;
 - (b) following the hearing, specified information relating to the hearing within the specified period.
- “(9B) In subsection (9A) –

“application of potential strategic importance to Greater London” means a licence application that has been notified to the London

licensing authority by the Greater London Authority under section 17A(3) as being of potential strategic importance to Greater London;

“specified” means specified in regulations made by the Secretary of State.”

4D In section 22 (prohibited conditions: plays), in subsection (2) –

- (a) the words from “a licensing authority” to the end become paragraph (a);
- (b) after that paragraph, insert “or,

(b) the Mayor of London directing a London licensing authority under section 25C(1)(a)(i) or (b)(i), or section 41ZB(1)(a) or (c) to impose conditions which the Mayor considers appropriate on the grounds of public safety.”

4E In section 23 (grant or rejection of application) –

- (a) after subsection (2) insert –

“(2A) Where an application of potential strategic importance to Greater London is granted with no steps taken under section 18(4)(a) to (c) in relation to the licence, the relevant licensing authority must as soon as possible give notice to that effect to the Greater London Authority.

(2B) Subsection (2A) does not apply if the Greater London Authority made relevant representations in respect of the application.”;

- (b) in subsection (4), after “this section” insert –

““application of potential strategic importance to Greater London” means a licence application that has been notified to a London licensing authority by the Greater London Authority under section 17A(3) as being of potential strategic importance to Greater London;”.

4F In section 24 (form of licence and summary), after subsection (2)(f), insert –

- “(g) if it is issued on a direction from the Mayor of London, specify this.”

4G After section 25A insert –

“Power of Mayor of London to determine licence applications”

25B Power of the Mayor of London to determine applications

- (1) This section applies where on an application of potential strategic importance to Greater London a London licensing authority –
 - (a) grants a premises licence having taken one or more of the steps under section 18(4)(a) to (c) in relation to the licence, or
 - (b) rejects the application to grant a premises licence under section 18(4)(d).

- (2) The London licensing authority must as soon as possible give notice to the applicant and the Greater London Authority of—
 - (a) its decision to grant the premises licence and the steps, and reasons for the steps, taken under section 18(4)(a) to (c) in relation to the licence (including the detail of any modifications made to conditions under section 18(4)(a)), or
 - (b) its decision to reject the application under section 18(4)(d) and the reasons for doing so.
- (3) But the decision of the London licensing authority in relation to the application does not otherwise have effect unless and until the Mayor of London gives notice under subsection (6) of a decision under subsection (5)(b).
- (4) Accordingly, the London licensing authority must not take any steps under this Act in relation to the decision (including giving notice under section 23) unless and until such a notice is given.
- (5) The Mayor of London must by the end of the specified period decide—
 - (a) to give a direction to the London licensing authority in relation to the application (see section 25C), or
 - (b) that the decision of the London licensing authority in relation to the application is to have effect for the purposes of this Act (and, accordingly, any requirements in relation to that decision now apply).
- (6) The Mayor of London must give notice of the Mayor's decision under subsection (5) to—
 - (a) each interested party;
 - (b) any person who made relevant representations in relation to the application under section 18.
- (7) On receipt of a notice under subsection (6), the London licensing authority must as soon as reasonably practicable advertise the decision of the Mayor.
- (8) The Secretary of State must by regulations specify the form and manner in which an advertisement under subsection (7) is to be made.
- (9) In this section—
 - “application of potential strategic importance to Greater London” means an application that has been notified to a London licensing authority by the Greater London Authority under section 17A(3) as being of potential strategic importance to Greater London;
 - “interested party” has the same meaning as in section 17A (see subsection (7) of that section);
 - “specified” means specified in regulations made by the Secretary of State.

25C Directions by the Mayor of London

- (1) Where section 25B(5)(a) applies the Mayor of London must direct the London licensing authority—
 - (a) to grant the licence in accordance with the application subject only to—
 - (i) such conditions specified in the direction as are consistent with the operating schedule accompanying the application, and
 - (ii) any conditions which must under section 19, 20 or 21 be included in the licence,
 - (b) to grant the licence subject to—
 - (i) the conditions mentioned in subsection (1)(a)(i) with such permitted modifications as may be specified in the direction, and
 - (ii) any condition which must under section 19, 20 or 21 be included in the licence,
 - (c) to grant the licence in accordance with paragraph (a) or (b), but to also do one or both of the following—
 - (i) exclude from the scope of the licence any of the licensable activities which were excluded by the decision of the London licensing authority in relation to the application under section 18(4)(b);
 - (ii) refuse to specify a person in the licence as the premises supervisor where the London licensing authority refused to specify that person in their decision in relation to the application under section 18(4)(c), or
 - (d) to reject the application.
- (2) The Mayor may only give a direction to the London licensing authority under subsection (1)(d) to reject the application if the application was rejected by the authority under section 18(4)(d).
- (3) The London licensing authority must grant the licence or reject the application in accordance with the direction given under subsection (1).
- (4) When giving a direction under this section the Mayor must have regard to—
 - (a) the licensing policy statement published by the Mayor under section 8A, and
 - (b) the importance of promoting the licensing objectives.
- (5) Directions given under subsection (1)(a) or (b) may have the effect of requiring a premises licence to be granted subject to different conditions in respect of—
 - (a) different parts of the premises concerned;
 - (b) different licensable activities.

- (6) A direction under this section must state the Mayor’s reasons for giving the direction.
- (7) For the purposes of subsection (1)(b)(i) the conditions mentioned in subsection (1)(a)(i) are modified if any of them is altered or omitted or any new condition is added.
- (8) For the purposes of subsection (1)(b)(i), a modification to a condition is “permitted” if—
 - (a) the condition was modified by the London licensing authority when granting the licence under section 18(4)(a), and the modification is—
 - (i) the same as that modification, or
 - (ii) in the Mayor’s opinion less restrictive than that modification (but see subsection (9)), or
 - (b) the condition relates to an application that was rejected by the London licensing authority under section 18(4)(d).
- (9) The Mayor may not make a modification to a condition under subsection (8)(a)(ii) if the effect of the modification would be that the condition would apply to a different part of the premises, or to different licensable activities, than that it applied to as modified by the London licensing authority under section 18(4)(a).

25D Issue of licence etc by licensing authority

- (1) A London licensing authority that grants a licence on a direction under section 25C(1)(a) to (c) must as soon as possible—
 - (a) give notice that the licence is granted to—
 - (i) the applicant,
 - (ii) each responsible authority in relation to the premises to which the application relates,
 - (iii) any person who made relevant representations under section 18 in respect of the application, and
 - (iv) the chief officer of police for the police area (or each police area) in which the premises are situated, and
 - (b) issue the applicant with the licence and a summary of it.
- (2) A London licensing authority that rejects an application on a direction under section 25C(1)(d) must as soon as possible give notice that the application is rejected to—
 - (a) the applicant,
 - (b) each responsible authority in relation to the premises to which the application relates,
 - (c) any person who made relevant representations under section 18 in respect of the application, and
 - (d) the chief officer of police for the police area (or each police area) in which the premises are situated.

(3) A notice under subsection (1) or (2) must state the Mayor’s reasons for giving the direction as notified to the London licensing authority under section 25C(6).”

4H After section 34 insert –

“34A Applications to vary of potential strategic importance: Greater London

- (1) A London licensing authority must as soon as possible give notice to the Greater London Authority of any application made to it under section 34 that is a relevant application.
- (2) A “relevant application” is an application to vary a premises licence in Greater London where the premises are, or would after the variation be, used for one or more of the following activities –
 - (a) the sale by retail of alcohol;
 - (b) the provision of regulated entertainment;
 - (c) the provision of late night refreshment.
- (3) The Greater London Authority must give notice to each interested party if the Authority considers that the relevant application is an application to vary of potential strategic importance to Greater London.
- (4) On receipt of a notice under subsection (3), the London licensing authority must as soon as reasonably practicable advertise the determination of the Greater London Authority.
- (5) The Secretary of State must by regulations specify the form and manner in which an advertisement under subsection (4) must be made.
- (6) For the purposes of subsection (3) “application to vary of potential strategic importance to Greater London” is to be interpreted in accordance with regulations made by the Secretary of State.
- (7) In this section, an “interested party” in relation to an application means –
 - (a) the London licensing authority that the application was made to;
 - (b) the applicant;
 - (c) each responsible authority in relation to the premises to which the application relates.”

4I In section 35 (determination of application under section 34), after subsection (7) insert –

- “(8) Where a London licensing authority is to hold a hearing in accordance with subsection (3) in relation to an application to vary of potential strategic importance to Greater London, the authority must give to the Greater London Authority –
 - (a) in advance of the hearing, specified information relating to the hearing within the specified period;
 - (b) following the hearing, specified information relating to the hearing within the specified period.

(9) In this section—

“application to vary of potential strategic importance to Greater London” means an application to vary a premises licence that has been notified to the London licensing authority by the Greater London Authority under section 34A(3);

“specified” means specified in regulations made by the Secretary of State.”

4J After section 41 insert—

“Power of Mayor of London to determine applications to vary

41ZA Power of the Mayor of London to determine applications to vary

- (1) This section applies where, on an application to vary of potential strategic importance to Greater London, a London licensing authority—
 - (a) grants an application to vary a premises licence in whole under section 35 and modifies the conditions of the licence under subsection (4)(a) of that section,
 - (b) rejects an application to vary a premises licence in whole under section 35(4)(b), or
 - (c) rejects an application to vary a premises licence in part under section 35(4)(b) and grants the other part (whether with or without modifying the conditions of the licence).
- (2) The London licensing authority must as soon as possible give notice to the applicant and the Greater London Authority of—
 - (a) its decision to grant the application in whole and modify the conditions of the licence and the reasons for doing so (including the detail of the modifications made),
 - (b) its decision to reject the application in whole and the reasons for doing so, or
 - (c) its decision to reject part of the application and to grant the other part with or without modifying the conditions of the licence, and the reasons for doing so (including the detail of any modifications made).
- (3) But the decision of the London licensing authority in relation to the application does not otherwise have effect unless and until—
 - (a) the Mayor of London gives notice under subsection (8) of a decision under subsection (7)(b), or
 - (b) the obligations on the Mayor of London under subsection (7) of this section or section 41ZB cease to apply (see section 41ZC).
- (4) Accordingly, the London licensing authority must not take any steps under this Act in relation to the decision (including taking steps under section 56) unless and until the circumstances in subsection (3)(a) or (b) apply.

- (5) Where the decision of the London licensing authority has effect by virtue of subsection (3)(b), that decision is to take effect as subject to the intervening decision made by the authority in relation to the licence (see section 41ZC(2)(a)).
- (6) For the purpose of supplementing subsection (5), the Secretary of State may by regulations make provision modifying any provision of this Act as it applies to a decision of the London licensing authority that has effect by virtue of subsection (3)(b).
- (7) The Mayor of London must by the end of the specified period decide—
 - (a) to give a direction to the London licensing authority in relation to the application (see section 41ZB), or
 - (b) that the decision of the London licensing authority in relation to the application has effect for the purposes of this Act (and, accordingly, any requirements in relation to that decision now apply).
- (8) The Mayor of London must give notice of the Mayor's decision under subsection (7) to—
 - (a) each interested party;
 - (b) any person who made relevant representations in relation to the application under section 35.
- (9) On receipt of a notice under subsection (8), the London licensing authority must as soon as reasonably practicable advertise the decision of the Mayor.
- (10) The Secretary of State must by regulations specify the form and manner in which an advertisement under subsection (9) must be made.
- (11) In this section—

“application to vary of potential strategic importance to Greater London” means an application to vary a premises licence that has been notified to the London licensing authority by the Greater London Authority under section 34A(3) as being of potential strategic importance to Greater London;

“interested party” has the same meaning as in section 34A;

“specified” means specified in regulations made by the Secretary of State.

41ZB Directions by the Mayor of London

- (1) Where section 41ZA(7)(a) applies the Mayor of London must direct the London licensing authority—
 - (a) to grant the application in whole with or without such permitted modifications to the conditions of the licence as may be specified in the direction,
 - (b) to reject the application in whole, or

- (c) to grant part of the application with or without such permitted modifications to the conditions of the licence as may be specified in the direction (and to reject the other part of the application).
- (2) The Mayor may only give a direction to the London licensing authority under subsection (1)(b) or (c) to reject the application in whole or in part if the application, or that part of the application, was rejected by the authority under section 35(4)(b).
- (3) The London licensing authority must grant or reject the application in accordance with the direction given under subsection (1).
- (4) Subsection (1)(a) and (c) are subject to sections 19 to 21 (which require certain conditions to be included in premises licences).
- (5) A direction under this section may not require a licence to be varied so as—
 - (a) to extend the period for which the licence has effect, or
 - (b) to vary substantially the premises to which it relates.
- (6) Directions given under subsection (1)(a) or (c) may have the effect of requiring a premises licence to be varied so as to have effect subject to different conditions in respect of—
 - (a) different parts of the premises concerned;
 - (b) different licensable activities.
- (7) When giving a direction under this section the Mayor must have regard to—
 - (a) the licensing policy statement published by the Mayor under section 8A, and
 - (b) the importance of promoting the licensing objectives.
- (8) A direction under this section must state the Mayor’s reasons for giving that direction.
- (9) For the purposes of subsection (1)(a) and (c), the conditions are modified if any of them is altered or omitted or any new condition is added.
- (10) For the purposes of subsection (1)(a) or (c), a modification to a condition is “permitted” if—
 - (a) the condition was modified by the London licensing authority when granting the application in whole or in part under section 35(4)(a), and the modification is—
 - (i) the same as that modification, or
 - (ii) in the Mayor’s opinion less restrictive than that modification (but see subsection (11)), or
 - (b) the condition relates to an application, or part of an application, that was rejected by the London licensing authority under subsection 35(4)(b).
- (11) The Mayor may not make a modification to a condition under subsection (10)(a)(ii) if the effect of the modification would be that the condition

would apply to a different part of the premises, or to different licensable activities, than that it applied to as modified by the London licensing authority under section 35(4)(a).

41ZC Intervening decision by a London licensing authority

- (1) The obligations on the Mayor of London under section 41ZA(7) or 41ZB in relation to an application to vary of potential strategic importance to Greater London cease to apply if the conditions in subsection (2) are met in relation to the obligation in question.
- (2) The conditions in this subsection are met if—
 - (a) the London licensing authority that made the decision under section 35 in relation to the application to vary the premises licence has, before the relevant time, made an intervening decision in relation to the licence, and
 - (b) the authority has given notice of that decision to the Mayor of London.
- (3) In this section, an “intervening decision” means a decision—
 - (a) to take any of the steps under section 52(4) on an application for review of the licence;
 - (b) to take any of the steps under section 53C(3) on an application by a senior police officer for review of the licence;
 - (c) to take any of the steps under section 167(6) on a review of the licence following a closure order.
- (4) The “relevant time” for the purposes of subsection (2)(a)—
 - (a) in relation to the obligation to make a decision under section 41ZA(7), is the time at which the Mayor makes the decision,
 - (b) in relation to an obligation to give a direction under section 41ZB, is the time at which the direction is given.

41ZD Notification by the London licensing authority

- (1) A London licensing authority that grants an application (or any part of an application) on a direction under section 41ZB must as soon as possible give notice to that effect to—
 - (a) the applicant,
 - (b) each responsible authority in relation to the premises to which the application relates,
 - (c) any person who made relevant representations under section 35 in respect of the application, and
 - (d) the chief officer of police for the police area (or each police area) in which the premises are situated.
- (2) The notice under subsection (1) must—
 - (a) specify the time when any variation takes effect, and
 - (b) specify any modifications to conditions of the licence.

- (3) The time for the purposes of subsection (2) is the time specified in the application or, if that time is before the applicant is given notice under this section, such later time as the London licensing authority specifies in the notice.
- (4) A London licensing authority that rejects an application (or any part of an application) on a direction under section 41ZB must as soon as possible give notice to that effect to—
 - (a) the applicant,
 - (b) each responsible authority in relation to the premises to which the application relates,
 - (c) any person who made relevant representations under section 35 in respect of the application, and
 - (d) the chief officer of police for the police area (or each police area) in which the premises are situated.
- (5) A notice under subsection (1) or (4) must state the Mayor's reasons for giving the direction as notified to the London licensing authority under section 41ZB(8)."

4K In section 54 (form of applications and notices)—

- (a) in paragraph (a), after "form" insert "or content";
- (b) after paragraph (b) insert—
"“(ba) the period within which it is to be made or given;”.

4L In section 56 (licensing authority's duty to update licence document), in subsection (1), after paragraph (a) insert—
"“(aa) a London licensing authority, in relation to a premises licence, is subject to a direction under section 41ZB (directions by Mayor of London),”.

4M In section 181 (appeals against decisions of licensing authorities)—

- (a) in the heading, after "licensing authorities" insert "or the Mayor of London";
- (b) in subsection (1), after "licensing authorities" insert "or the Mayor of London";
- (c) in subsection (2), in the opening words, after "licensing authority" insert "or the Mayor of London";
- (d) in subsection (2)(b), after "authority" insert "or (as the case may be) the Mayor";
- (e) in subsection (2)(c), after "authority" insert "or (as the case may be) the Mayor".

4N In section 185 (provision of information)—

- (a) in subsection (1)—
 - (i) the words from "information which" to the end become paragraph (a);

- (ii) after that paragraph insert “, and
 - (b) information which is held by or on behalf of the Mayor of London in connection with the Mayor’s functions under this Act.”;
- (b) in subsection (2)–
 - (i) at the end of paragraph (a) omit “or”;
 - (ii) at the end of paragraph (b) insert “or
 - (c) to the Mayor of London.”;
 - (iii) in the closing words, after “functions” insert “or the Mayor’s functions”;
- (c) in subsection (3), for “or responsible authority” substitute “, responsible authority or the Mayor of London”.

4P In Schedule 5 (appeals)–

- (a) after paragraph 1 insert–

“1A Where the Mayor of London gives a direction to a London licensing authority–

- (a) to reject an application for a premises licence under section 25C, or
- (b) to reject (in whole or in part) an application to vary a premises licence under section 41ZB,

the applicant may appeal against the direction.”;

- (b) after paragraph 2 insert–

“2A (1) This paragraph applies where the Mayor of London gives a direction to a London licensing authority under section 25C to grant a premises licence.

- (2) The holder of the licence may appeal against the following aspects of any such direction–

- (a) to impose conditions on the licence under subsection (1)(a)(i) of that section;
- (b) to impose conditions on the licence under subsection (1)(b)(i) of that section;
- (c) to exclude licensable activities from the scope of the licence under subsection (1)(c)(i) of that section;
- (d) to refuse to specify a person in the licence as the premises supervisor under subsection (1)(c)(ii) of that section.

- (3) A person who made relevant representations in relation to the application under section 18 may appeal against the Mayor’s direction to grant the licence on the following basis–

- (a) that the licence ought not to have been granted, or
- (b) that the direction ought to have imposed different or additional conditions under section 25C(1)(a)(i) or

(b)(i), or to have taken a step mentioned in section 25C(1)(c)(i) or (ii).”;

(c) in the heading of paragraph 4, after “35” insert “or 41ZB”;

(d) after paragraph 4 insert—

“4A (1) This paragraph applies where the Mayor of London gives a direction to a London licensing authority under section 41ZB to grant an application to vary a premises licence (in whole or in part).

(2) The applicant may appeal against any direction under that section to make permitted modifications to the conditions of the licence.

(3) A person who made relevant representations in relation to the application under section 35 may appeal against the Mayor’s direction to grant the application on the following basis—

(a) that any variation made ought not to have been made, or

(b) that, when directing the licence to be varied, the Mayor ought not to have directed that permitted modifications be made to the conditions of the licence, or ought to have directed that different permitted modifications be made to the conditions.

(4) In sub-paragraph (3), “permitted modifications” has the meaning given in section 41ZB(10).”;

(e) in paragraph 9—

(i) in sub-paragraph (2), for the words from “the day” to the end substitute—

“(a) on an appeal under paragraph 1A, 2A or 4A, the day on which the appellant was notified by the London licensing authority of the outcome of the direction appealed against, and

(b) on any other appeal under this Part, the day on which the appellant was notified by the licensing authority of the decision appealed against.”;

(ii) after sub-paragraph (3) insert—

“(3A) On an appeal under paragraph 2A(3) or 4A(3), the holder of the premises licence is to be the respondent in addition to the Mayor of London.””

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[Supplementary to the Third Marshalled List]

28 January 2026
