

## **Duty to assess overprovision**

(1) Each licensing policy statement published by a Licensing Board must, in particular, include a statement as to the extent to which the Board considers there to be overprovision of —

- (a) licensed premises, or
  - (b) licensed premises of a particular description,
- in any locality within the Board's area.

(2) It is for the Licensing Board to determine the "localities" within the Board's area for the purposes of this Act.

(3) In considering whether there is overprovision for the purposes of subsection (1) in any locality, the Board must—

- (a) have regard to the number and capacity of licensed premises in the locality, and
- (b) consult the persons specified in subsection (4).

(4) Those persons are—

- (a) the appropriate chief constable,
- (b) such persons as appear to the Board to be representative of the interests of—
  - (i) holders of premises licences in respect of premises within the locality,
  - (ii) persons resident in the locality, and
- (c) such other persons as the Board thinks fit.

(5) In this section, references to "licensed premises" do not include references to any premises in respect of which an occasional licence has effect.