



THE LICENSING ACT 2003

– Prevention of Crime & Disorder

The Licensing Act

The Licensing Act 2003 was approved by Parliament in July 2003 and will be coming in to force in November 2005. The overall aim of the Act is to modernise the legislation governing the sale and supply of alcohol and public entertainment licensing. The Act will do this by transferring liquor licensing powers from the Magistrates' Courts to Local Authorities, via the creation of 'Licensing Authorities'. The current fixed hours when alcohol can be sold are also to be removed so that licence applicants can request their own hours of operation.

Licence Applications

During a specified 'transition period' (commencing 7th February 2005) all existing licences for premises providing alcohol and/or public entertainment will need to be converted into a **premises licence**. Those existing licence holders who wish to vary their existing licence terms (e.g. extend their hours of operation), will need to apply for both a '**conversion**' of their existing licence, as well as a '**variation**' to their licence.

Police

A number of specified '**responsible authorities**' should be notified of all licence variations and new applications. These responsible authorities include the Police, fire, child protection services, and Health & Safety. In respect of the Police each application the responsible authority will be "the chief officer of police for any police area in which the premises are situated".

Making representations

Each responsible authority will be able to make representations regarding licence variations and new applications, as well as being able to call for reviews of existing licences. Such representations will need to be made in relation to one or more of the four '*licensing objectives*' which are:

1. *The prevention of crime and disorder*
2. *Public safety*
3. *The protection of children from harm*
4. *The prevention of public nuisance*

example: A responsible authority may make a representation that any beverages should be served in plastic containers or toughened glass rather than glass for the purposes of the prevention of crime and disorder and public safety.

What do Local Authorities and Local Police forces need to do now?

Licensing Authority Officers need to discuss with their Local Police forces how they will jointly address the statutory requirements in the Licensing Act 2003 and:

1. Agree how / when comments to the Licensing Authority on its 'Statement of Licensing' Policy will be made.
2. Agree which contacts will be provided for applicants to give notice of their applications.
3. Agree how applications will be reviewed and representations made, especially during the transition period when volumes may be high.

Contacts

All queries should be initially discussed in local groups, however, outstanding questions / comments can be directed in writing to:

Sheila Sackey, Policy Officer, LACORS, 10 Albert Embankment, London, SE1 7SP
(Licensing enquiries)

OR

Useful links & contacts:

The Government Department responsible for the Act is **The Department for Culture, Media & Sport (DCMS)**: <http://www.culture.gov.uk>.

ACPO (The Association of Police Officers): www.acpo.police.uk

LACORS (Local Authorities Coordinators of Regulatory Services): <http://www.lacors.gov.uk/>

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