

**LICENSING AND SAFETY COMMITTEE
13 JANUARY 2011**

**POLICE REFORM AND SOCIAL RESPONSIBILITY BILL
(Chief Officer: Environment and Public Protection)**

1 INTRODUCTION

- 1.1 Following the recent 'Rebalancing the Licensing Act' consultation by the Home Office, the Police Reform and Social Responsibility Bill was presented to Parliament on 30 November 2010. Part 2 of the Bill deals with reform of the Licensing Act and proposes a number of amendments to the Act.

2 SUPPORTING INFORMATION

- 2.1 The proposed amendments include the following:
- a) Licensing authorities and Primary Care Trusts to be responsible authorities under the Act.
 - b) Representations and requests for review will not be restricted to 'interested parties' and responsible authorities; the vicinity requirement will be removed, and representations will be allowed by responsible authorities or 'other persons'.
 - c) Gives Environmental Health the ability to object to a temporary event notice. All objections (police and local authority) will be able to be made on the basis of all the licensing objectives in the Licensing Act 2003.
 - d) Licensing authorities will be able to impose conditions on a temporary event notice in limited circumstances.
 - e) Provision for doubling the maximum fine for premises which persistently sell alcohol to those under 18, and increasing the period of suspensions which can be imposed on such premises.
 - f) Gives licensing authorities greater flexibility in making early morning restriction orders; they will be able to make such orders for the whole, or part, of their areas for a period of any duration between midnight and 6am, and will be able to impose different restrictions on different days.
 - g) Gives licensing authorities power to suspend a premises licence or club premises certificate for non-payment of an annual fee.
 - h) Licensing authorities will be able to introduce a levy in their areas which will be payable by premises which supply alcohol as a part of the late night economy. Licensing authorities will be able to impose the levy on such premises for a period of any duration between midnight and 6am, although some premises may benefit from an exemption or discount. At least 70% of the funds generated by the levy will be paid to the police and crime commissioner and it is intended to also pay such funds to bodies which operate measures to address the effect of alcohol related crime and disorder.

- i) Licensing policy statements will have to be reviewed every 5 years rather than every 3 years.

2.2 Some comments made on the Bill are as follows:

Minister for crime prevention James Brokenshire:

“This package of measures will reverse the failed experiment that was the relaxation of licensing act and ensure local people have the power to make their pub and local high street a place they want to visit.”

Brigid Simmonds, Chief Executive of the British Beer & Pub Association:

“The Licensing Act has only been in place for five years, yet we have already had several major reforms. In that time, over 6,000 pubs have closed, and more and more alcohol sales, nearly 70 per cent, are now in shops and supermarkets. When it comes to tackling the tiny minority of problem premises and those that misuse alcohol, more legislation and red tape is not the answer.”

Alcohol Concern Chief Executive, Don Shenker:

"Alcohol Concern welcomes the move to make health bodies responsible authorities and the introduction of a late night levy. However, it remains to be seen whether health considerations will really have a meaningful impact on licensing decisions, as there is still no move to add a public health objective to the licensing act, which we believe would allow licensing decisions to be based on health grounds. Government has publicly committed itself to ban the sale of alcohol below cost – yet it is not in this Bill. Until this is sorted out, cheap supermarket prices on alcohol will continue to cause a huge burden to the health of the nation.”

Background Papers

Police Reform and Social Responsibility Bill (November 2010)

Contact for further information

Laura Driscoll, Licensing Section - 01344 352517

laura.driscoll@bracknell-forest.gov.uk

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