

NEW POWERS GIVEN EFFECT BY THE LICENSING ACT 2003

Expanded closure powers in areas experiencing disorder – the police will be able to apply to the courts for orders closing all licensed premises within a specified area for up to 24 hours where disorder is occurring or anticipated. The power will cover all entertainment premises, night cafés and night take-aways, as well as premises licensed to sell alcohol.

Expanded closure powers for police for individual premises – the police themselves will be able to close individual licensed premises for up to 24 hours where disorder is occurring or anticipated or noise nuisance is being caused. This power will also cover all entertainment premises, night cafés and night take-aways, as well as premises licensed to sell alcohol.

Increased penalties for breach of licence condition – a person faces a maximum fine of £20,000 or imprisonment for up to 6 months, or both.

Increased penalties for selling alcohol to children – the maximum fine on conviction will be increased to £5,000 and there will be the ability to suspend or forfeit personal licences at first offence, rather than on second conviction, as is the case now. Plus the removal of an array of exceptions and exemptions, for example in clubs, and on river and coastal ‘booze cruises’.

Increased penalties for members of the public – these apply to individuals who obtain or attempt to obtain alcohol for a person who is drunk. There will be a maximum fine on conviction of £1,000.

Courts to suspend or declare forfeit personal licences following convictions for relevant criminal offences – these offences are set out in Schedule 4 to the 2003 Act, and include theft, trafficking in stolen goods etc, and any offence under the Act itself.

Increased rights for local residents, the police and other interested parties to make objections to applications – objections can be made to all new licences or licence extension applications, with the final decisions made by elected Councillors accountable to local voters.

New mechanism for reviewing existing licence and club premises’ certificates – this applies when problems arise relating to the four statutory licensing objectives, including the prevention of crime and disorder. The review arrangements will be backed by an extended range of measures, which will impact on businesses and their profits.

Tougher penalties for irresponsible retailers – there will be a maximum £1,000 fine, and the potential suspension for up to six months or forfeiture of personal licences, following conviction for offences of allowing disorderly conduct on the premises, or making or allowing sales of alcohol to people who are drunk.

Proposed additional powers for police in the Violent Crime Reduction Bill – these complement the Licensing Act 2003, and include expedited reviews of

licensed premises, adding conditions which could, for example, require licensed premises to search customers for guns and knives, and the power to close premises that persistently sell alcohol to children for up to 48 hours.