

VIOLENT CRIME REDUCTION BILL – EXPEDITED REVIEWS

The Bill provides at clause 18(3) a power for the Secretary of State to make regulations to require licensing authorities to administer the licence review process in line with a set of consistent procedures. This includes giving notice of the review to the licence holder and interested parties, and arrangements for advertising the review.

The review process set out in clauses 18 and 19 follows the procedures for licence reviews laid out in sections 51-53 of the Licensing Act 2003. Clause 18 also gives the licensing authority the power to take similar steps on determining the review. The key differences are:

- The specific trigger for the expedited review – by the chief officer of police, on receiving a certificate from a senior police officer that the premises are associated with serious crime and disorder.
- The duty on the licensing authority to consider taking interim steps within 48 hours.
- The application of any interim steps, including notifying the licence holder.

Statutory Instrument 2005 No 42, The Licensing Act 2003 Regulations, includes regulations governing the existing licence review process. For example, Part 5, paragraphs 38 – 39, prescribe the form that the advertisement should take. The intention is to draw as much as possible on what already exists for the drafting of new regulations.

In terms of the distinctive nature of clauses 18 and 19, we are still working with stakeholders to develop:

- The format which senior police officers' certificates should take when triggering the process.
- The arrangements for considering the interim steps within 48 hours (for example, how many of the licensing authority committee members it is practical to involve at short notice).
- The logistics of serving the interim steps notice on, and of compliance by, the licence holder (for example, how soon it is reasonable to expect door staff to be employed and searching for weapons).
- The arrangements for the review hearing if the licence holder makes representations against the interim steps.

The outcome of this work will be used to inform the regulations (the remit of which are quite narrow), and guidance.