

LICENSING ACT RELAXATION OF OPENING HOURS FOR THE ROYAL WEDDING

April 2011

On 5th April 2011 the Government brought into force an Order relaxing licensing hours to celebrate the Royal Wedding of His Royal Highness Prince William and Miss Catherine Middleton.

The Order will allow licensed premises in England and Wales to stay open between 11pm on Friday 29 April and 1am on Saturday 30 April, and between 11pm on Saturday 30 April and 1am on Sunday 1 May for:

- the sale or supply of alcohol for consumption on the premises;
- regulated entertainment; and
- late night refreshment where alcohol is also sold or supplied for consumption on the premises.

Background

Section 172 of the Licensing Act 2003 allows the Secretary of State to make an order relaxing opening hours for licensed premises to mark occasions of 'exceptional international, national or local significance'. A 'licensing hours order' overrides existing opening hours in licensed premises (i.e. any premises with a premises licence or club premises certificate) for the licensable activities which are within the scope of the licensing hours order, and can be used for a period of up to four days.

Q&A

Why is the Government doing this?

The Royal Wedding is an occasion for national celebration. The Government recognises that people may want to extend their festivities to mark this important occasion which is why we intend to allow pubs, bars and other licensed venues to be able to open later.

Which businesses will benefit from the Order?

It will apply to all licensed premises in England and Wales that have the relevant authorisations on their licence or certificate. For example, a pub with a licence to sell alcohol for consumption on the premises and put on live

music will be able to extend its opening hours for both those activities under the Order.

Which businesses will not benefit from the Order?

The Order will **not** apply to businesses that do not have the relevant authorisation on their licence. For example, a village hall that does not have a licence to sell alcohol for consumption on the premises will not be permitted, under the Order, to sell alcohol during the extended opening hours.

The Order will **not** apply to premises where alcohol is consumed off the premises such as off-licences and supermarkets; or to premises which provide late night refreshment but which do not also sell alcohol, such as takeaways.

Why not include the off-trade in the Order?

Anyone wishing to celebrate at home can buy alcohol during normal opening hours at any time prior to or during the Royal Wedding. We do not believe that extending opening hours for the off trade would add to the celebrations.

Why not include takeaways in the Order?

Late night take-aways by definition will normally have a licence to trade late at night.

Will the Order apply to street parties and community events etc?

Street parties are not licensable activities in themselves. However, if they involve the sale of alcohol or there is 'regulated entertainment' (performances of live music, dance, etc for an audience), the organisers will need to submit a temporary event notice.

Will pubs and other businesses that have already submitted a TEN to extend their hours get a refund of the fee?

No. The fee (£21.00) is intended to cover the cost to the local authority of processing the TEN. Once a TEN has been submitted, the fee is payable and cannot be refunded — even if the event does not go ahead. However, many premises will not yet have submitted TENs and will still be able to benefit from the Order.

Will existing licence conditions apply to the extended opening hours?

Yes. For example, if there is a licence condition requiring premises to provide door staff, this will still apply during the extension of the licensing hours.