



Home Office

Relaxation of Licensing Hours for the Royal Wedding 2018

Government response to the consultation

March 2018

Government response

Introduction

1. The *Relaxation of licensing hours for the Royal Wedding* public consultation ran from 7 January to 4 February 2018. This included a proposal to make a licensing hours order under section 172 of the Licensing Act 2003 ('the 2003 Act') to extend opening hours on the nights of Friday 18 May and Saturday 19 May to 1AM the following mornings for the sale of alcohol for consumption on licensed premises in England and Wales.

Background

2. The Government considers the Royal Wedding an event of national significance and wishes for everyone to be able to celebrate fully. The Royal Wedding will also coincide with the FA Cup Final taking place on Saturday 19 May. As such, it is likely that many pubs and other licensed premises will wish to extend their licensing hours over the Royal Wedding weekend in order to sell alcohol and hot food later than their traditional licensed hours allow and to make the most of the celebrations.
3. There are two ways under the 2003 Act to extend premises' licensed hours: through premises using Temporary Event Notices (TENs) or through a national relaxation. TENs enable those with or without existing licences, including people who run pubs and bars, to give notice to the council, for a fee of £21, that they intend to sell alcohol at times when this would not otherwise be authorised, on a 'one-off' limited basis. This system is designed to balance offering people and organisations flexibility in selling alcohol and carrying on other licensable activities¹, with protecting local people from the problems this can cause, including crime and disorder and public nuisance. For this reason, the police and environmental health authorities can object to a TEN on the basis of the licensing objectives² and potentially prevent the event to which it relates to from going ahead.
4. Alternatively, under section 172 of the 2003 Act, the Secretary of State may make an order relaxing licensing hours for licensed premises in relation to a 'celebration period' to mark an occasion of 'exceptional international, national or local significance'. Since the introduction of the 2003 Act, this national power has been used to extend licensing hours for the Royal Wedding in 2011, the Queen's Diamond Jubilee in 2012, the FIFA World Cup in 2014 and the Queen's 90th Birthday celebrations in 2016.

¹ Licensable activities include the sale and supply of alcohol, the provision of late night refreshment and regulated entertainment.

² The licensing objectives under the Licensing Act 2003 are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.

Summary of responses

5. The consultation sought views on the proposal to extend licensing hours for the Royal Wedding as set out above. During the consultation process, the general public were invited to submit formal responses to four closed questions on whether they agree with the scope, duration and geographical extent of the order, and one open question inviting those who disagreed with the proposal to give reasons. There was also one question about the respondent. Responses to the questions were submitted either via an online survey or by sending written responses by email or post.
6. The Home Office received a total of 182 responses to the online consultation from a range of stakeholders including community or voluntary groups, social clubs, charities, the police, licensing authorities, licensed trade and trade associations, the health sector and members of the public. 174 responses were submitted via the online survey³, three responses were submitted by email⁴ and five were sent by post. Those who provided written responses may also have responded to the online survey.
7. We also sought more detailed written responses from the Local Government Association, the National Association of Licensing and Enforcement Officers, the Institute of Licensing, Alcohol Concern, the Institute of Alcohol Studies, the Association of Police and Crime Commissioners, the National Police Chiefs' Council's Licensing Group, the National Organisation of Residents Associations, the British Beer and Pub Association, the Association of Licensed Multiple Retailers, the Wine and Spirits Trade Association and the Welsh Government.
8. Substantive comments are summarised in the analysis below and a list of respondents is at Annex B. All responses were treated as public, unless stated otherwise.

Responses to specific questions

Question 1: Do you agree that the order should apply to the sale of alcohol for consumption on the premises?

9. 73% of respondents to the consultation (133) agreed that the order should apply to the sale of alcohol for consumption on the premises and 26% of respondents (48) disagreed. One respondent asked whether the order could be extended to cover takeaway establishments until 2am as they are also licensed under the same regime but are exempt from any national relaxations since they do not sell alcohol. The order does not cover late night refreshment licences where the premises does not hold a licence to sell alcohol. As late-night refreshment venues are, by definition, already licensed to open late at night they would not benefit from a relaxation in licensing hours.

³ Excluding 5 respondents who began the online survey but did not complete any questions.

⁴ Excluding 1 miscellaneous response which did not address the consultation document.

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Question 2: Do you agree that the order should apply to England and Wales?

10. 73% of respondents to the consultation (133) agreed that the order should apply across England and Wales and 27% of respondents (49) disagreed. Around ten of the respondents who disagreed with this proposal identified themselves as residential or community groups and individual members of the public. Of these ten respondents, two residents living in cities with high concentrations of late-night drinking felt that any form of national relaxation would generally increase consumption levels and associated anti-social behaviour. One resident felt the order should not apply to the whole region as they felt some cities outside of Windsor would have no connection to the Royal Wedding.
11. One respondent asked whether the order could also cover Northern Ireland and Scotland. As the Licensing Act 2003 applies to England and Wales only, it would be a matter for the Scottish Government and Northern Ireland Department of Justice to make any similar arrangements for extended licensing hours.

Question 3: Do you agree that the order should extend licensing hours until 0100AM on Saturday 19 May 2018?

Taken with

Question 4: Do you agree that the order should extend licensing hours until 0100AM on Sunday 20 May 2018?

12. 69% of respondents to the consultation (126) were in favour of the order extending licensing hours to 0100AM on the Saturday, and 30% of respondents (55) disagreed.
13. 64% of respondents to the consultation (117) were in favour of the order extending licensing hours to 0100AM on the Sunday, and 36% of respondents (65) disagreed.
14. The majority of members belonging to the National Organisation of Residents Associations (NORA)⁵ supported the proposed licensing hours extension. A minority of its members only supported the extension of licensing hours for one night and felt the proposal for two nights was unreasonable.
15. Licensed trade bodies believed that pubs across England and Wales would significantly benefit from a relaxation of licensing hours on both nights as a result of attracting more customers over a longer period of time. The British Beer and Pub Association (BBPA)⁶ calculated that an extension of licensing hours during the Royal Wedding could offer the pub sector an estimated boost of up to £10million in trade.

⁵ The National Organisation of Residents Associations represents nearly two million residents in cities, towns and villages across England and Wales.

⁶ The British Beer and Pub Association is the leading organisation representing the brewing and pub sector. Its members account for over 90% of the beer brewed in the United Kingdom and own around 20,000 of Britain's public houses.

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16. The BBPA also pointed out that a large number of licensed premises already have later permissions on their licences for Friday and Saturday nights and therefore any relaxation in licensing hours would not automatically result in a surge of public nuisance and alcohol-related anti-social behaviour. Conversely, NORA felt the proposed licensing hours order seemed unnecessary if its aim was to extend hours for the minority of licensed venues without extended hours.

General comments

17. A number of residential organisations and community groups were concerned about the potential impact of extending the licensing hours on overstretched public resources and the capacity to fund additional policing to deal with increased late-night drinking, as well as the emerging pressures on A&E departments.
18. Individual members of the public raised concerns about the Royal Wedding coinciding with the FA Cup Final and the effects of this combination in promoting excessive drinking and football-related disorder. One representative from North Wales Police said large football events such as the FA Cup Final with elevated levels of intrinsic rivalry between fans were likely to create a greater propensity for violent conduct, however the National Police Chiefs' Council's Licensing Group had no concerns.
19. Several respondents who categorised themselves as residential or community groups felt a blanket relaxation of closing times would prevent any local assessment of nuisance using the TENs system and considered the impact on residents living near licensed premises.
20. Licensing authorities were generally in favour of the proposed licensing hours order, as were social clubs and licensed trade bodies. Both the BBPA and the Working Men's Club and Institute Union noted that there had not been any history of increased disorder following previous extensions to licensing hours. Members of the licensed trade also noted that the advanced notice given for the national relaxation would mean well-supervised licensed premises will have sufficient time to prepare.
21. The BBPA were extremely supportive of the proposed order and felt the extension of licensing hours for pubs during the Royal Wedding will be a great way to celebrate, as well as having an extremely positive effect on the pub sector.
22. The Association of Licensed Multiple Retailers⁷ said it overwhelmingly supports the moderate extension of licensed hours proposed saying that it will contribute to promoting a spirit of national celebration and unity around the Royal Wedding. It added that previous instances of the extension of licensing hours have proved that there have been tangible benefits for hospitality businesses, throughout the day, and no evidence of any disorder associated with the extension. They felt that the main advantage of this proposal would be in reducing the administrative burden and costs

⁷ The Association of Licensed Multiple Retailers is the national body representing hospitality retailers such as pubs, branded restaurants, coffee shops, bars and nightclubs.

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associated with licensed outlets having to apply for TENs, combined with the cultural and financial benefits that the extension of hours would bring.

Conclusion

23. The consultation generated a high level of interest and the Government would like to thank all those who took part. The results of the consultation and comments received across different sectors have been invaluable in the consideration of this proposal.
24. The Royal Wedding is an occasion of exceptional national significance. Many people will wish to come together to enjoy celebrating this occasion in pubs and bars, as demonstrated by the support for the proposal to extend licensing hours from the majority of those who responded to the consultation.
25. There are benefits to business from an increase in the sale of alcohol and late night refreshment during the weekend of the Royal Wedding. Each TEN carries a fee of £21.00 and licensed premises wishing to extend their licensed hours for the Royal Wedding would benefit from not having to pay this fee, nor having to spend time completing a TEN. The Government has estimated that this will save businesses between £0.3 million to £0.5 million⁸.
26. Licensing hours have previously been extended for national occasions. While the Royal Wedding also coincides with the FA Cup Final, there were no reports of increased football-related disorder as a result of previous extensions to licensing hours, for example, during the weekend of Her Majesty The Queen's 90th birthday which coincided with two Euro 2016 matches involving England and Wales, nor as a result of the licensing hours extension during the World Cup in 2014.
27. The Government has listened to the views received in response to this consultation and separately from partners, and for the reasons outlined above has decided to proceed with the proposal to relax licensing hours for the Royal Wedding.
28. The relaxation will apply in England and Wales. The Order will apply to premises licensed for the sale of alcohol for consumption on the premises including the provision of late night refreshment where those premises are already licensed to provide this. The Government believes that 0100AM is an acceptable cut-off time and premises wishing to extend their hours beyond this can do so using a TEN.

⁸ Home Office impact assessment: extension of licensing hours for the Royal Wedding is available at: www.gov.uk/government/consultations/relaxation-of-licensing-hours-for-the-royal-wedding

Consultation principles

The principles that government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the consultation principles.

<https://www.gov.uk/government/publications/consultation-principles-guidance>

Annex A – Analysis of responses to the online consultation

29. The consultation document asked four closed questions about the proposal, one open-ended question and a final question about the respondent.
30. Percentages for the questions below are based on the total number of people who clearly answered the questions. Unanswered questions have been excluded from the percentage totals. Percentages have been rounded to the nearest whole number and therefore totals may not always add up to 100 per cent.
31. This section relates to all consultation responses⁹ including to the online survey and responses sent by email and post.
32. For further information about the analysis of the data, please see Annex C.

Question 1: Do you agree that the order should apply to the sale of alcohol for consumption on the premises?

Response options	Response Percentage	Response Total
Yes	73%	133
No	26%	48
<i>One respondent did not answer this question.</i>		

Question 2: Do you agree that the order should apply to England and Wales?

Response options	Response Percentage	Response Total
Yes	73%	133
No	27%	49

⁹ Excluding five respondents who began the online survey but did not complete any questions and one miscellaneous response which did not address the consultation document.

Question 3: Do you agree that the order should extend licensing hours until 0100 on Saturday 19 May?

Response options	Response Percentage	Response Total
Yes	69%	126
No	30%	55
<i>One respondent did not answer this question.</i>		

Question 4: Do you agree that the order should extend licensing hours until 0100 on Sunday 20 May?

Response options	Response Percentage	Response Total
Yes	64%	117
No	36%	65

Question 5: If you disagree with this proposal, please give reasons.

Responses to this question are summarised in the 'general comments' section of this consultation document.

Response options	Response Total
This was an open-ended question.	60

Question 6: Information about you: please indicate in what capacity you are responding to this consultation.

This question was added to the online survey on 22 January, so any responses received before that date were unidentified.

Response options	Response Total
Police	2
Local authority	2
Licensing lawyer	1

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Licensed trade or trade organisation	30
Health sector	2
Residents' group or member of public	24
Other (included charities, taxis, community or voluntary groups and social clubs)	6
Total identified	67
Unidentified ¹⁰	115

¹⁰ Excluding five respondents who began the online survey but did not complete any questions and one miscellaneous response which did not address the consultation document.

Annex B – List of respondents

Respondents to the consultation included representatives of the following organisations:¹¹

Association of Licensed Multiple Retailers
British Beer and Pub Association
British Institute of Innkeeping
Caledonian Heritable Ltd
Fuller's Smith and Turner Brewery
Fuller's Inns
iHOPE Fellowship Church
Kingswood Community Baptist Church
London Baptist Association
National Organisation of Residents' Associations
National Police Chiefs' Council's Licensing Group
North Wales Police
The White Star Tavern
Townsend Residents' Association
Working Men's Club and Institute Union Ltd

¹¹ This list excludes individual members of the public, miscellaneous responses and responses where no sector or organisational details were provided.

Annex C – The consultation process

33. A total of 182 consultation responses were received. This included 174 responses to the online survey and eight replies by email and post. All online, email and postal responses referring to the consultation proposal and received during the consultation period were considered.
34. Data from responses to the consultation were recorded and analysed. In cases where a respondent left an answer to one of the questions blank, these responses have been categorised as unanswered. The analysis in Annex A relates to all responses¹² to the consultation including to the online survey and responses sent by email and post.
35. Percentages have been rounded to the nearest whole number and therefore totals may not always add up to 100 per cent. Unanswered questions have been excluded from the percentage totals.
36. We have summarised in this document the key themes from the returns received as written responses.

¹² Excluding five respondents who began the online survey but did not complete any questions and one miscellaneous response which did not address the consultation document.



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