



department for  
**culture, media  
and sport**



# DCMS National Statistics Bulletin

Alcohol, Entertainment and Late Night Refreshment Licensing

England and Wales, April 2009 – March 2010

Peter Antoniadou and Victoria Thompson

DCMS Evidence & Analysis Unit

**29 September 2010**

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of life for all

Our aim is to improve the quality of life for all through cultural and sporting activities, support the pursuit of excellence, and champion the tourism, creative and leisure industries.

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# Background

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During the period of this collection the Secretary of State for Culture, Olympics, Media and Sport has policy responsibility in Government for licensing law relating to the sale of alcohol, the provision of regulated entertainment and the provision of late night refreshment in England and Wales under the Licensing Act 2003 (the 2003 Act). The 2003 Act combined six regulatory regimes into one system to be run by a single Licensing Authority (LA) in each area (mainly local authorities). This meant transferring responsibility for alcohol licensing from the Courts to local authorities in order to establish a more democratically accountable system which gives local communities a greater say in the decisions that affect them. The 2003 Act put four licensing objectives at the centre of licensing decisions: public safety, the prevention of crime and disorder, the prevention of public nuisance, and the protection of children from harm. The new system aimed to balance greater freedom and flexibility for licensed sectors with tough measures to control problem premises. The Act came into force on 24<sup>th</sup> November 2005.

The Prime Minister announced on 20 July that responsibility for the Licensing Act 2003, except for regulated entertainment, was being transferred to the Home Office<sup>1</sup>.

## Purpose of the collection

The main purpose of this collection is to monitor the impact of the Licensing Act. It provides information to help Licensing Authorities benchmark their position and provide understanding in the context of the national picture. The information collected asks for most of the regularly requested information about licensed premises, and is used to monitor this licensing regime.

These data have been collected from Licensing Authorities that completed a statistical return. This collection is in line with the first Licensing Act 2003 data collection, which was conducted in 2007. The data are consistent with the previous three collections (2007, 2008 and 2009), but with some new questions to reflect additional changes to the licensing regime. Coverage includes licences for the sale of alcohol, regulated entertainment or provision of late night hot food and drink.

- This collection ***is not*** a collection on the number of public houses, as the Act does not legally define these. Due to difficulties in classification Licensing Authorities do not collect details of whether a premises is a pub, bar, club, store etc. The Act defines activities *not* premises types.
- A premises licence or club premises certificate with permissions to sell or supply alcohol, late night hot food and drink or allowing provision of any regulated entertainment does not necessarily mean that the premises is actually providing such a service. For example a 'public house' has a licence allowing recorded music but may not actually play recorded music.

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<sup>1</sup> <http://www.number10.gov.uk/news/statements-and-articles/2010/07/written-ministerial-statement-machinery-of-government-changes-53629>

# Information on this year's collection

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## Data reported in this bulletin

The main data presented in this bulletin are based on the actual returns submitted by LAs. However, in order to provide an accurate comparison with previous years, modelled estimates are used in the section 'Headline annual comparisons' to control for individual questions where there was a non-response in one or more of the previous two years. Modelled figures have been used to calculate change between years. If change is referred to within the commentary, this is also based on the modelled figures.

A full version of the questionnaire and the individual response rates for each question start on page 59. Comparisons of headline national totals have again been made for key statistics against previous years' modelled estimates. These are provided on pages 12 -13 in tables A and B.

[A full glossary](#) explaining all terms used in this statistical bulletin can be found on page 49.

## Changes from the 2009 collection

Some questions have been removed since the [2009 collection](#) (statistics that have shown little variation between previous years); helping reduce the statistical burden on LAs. A few questions were added to reflect changes to the licensing act. These included:

- Applications for Minor Variations to Licence or Certificate (whether granted or refused) and how many of these were adding or amending authorisation of live music provisions.
- Applications to remove Designated Premises Supervisor (DPS) mandatory condition (Community Premises) and whether they were granted or refused.
- Following a completed review or expedited review, the action "DPS mandatory condition reinstated" was added.
- The wording in Q2b changed to emphasise "Any Premises Licences with Late Night Refreshment".
- Overall the 2009 collection received a full 100% response rate from Licensing Authorities in England and Wales. In this year's collection 99% of all Licensing Authorities in England and Wales responded. The response rate differed for each question (please see questionnaire with individual response rates on page 59 for full details).

## Reporting methodology

Within the commentary figures have been rounded to two significant figures, i.e. if greater than 1,000, figures have been rounded to the nearest hundred; between 1,000 and 100, figures have been rounded to the nearest ten; all figures below 100 have not been rounded and are shown in full. The figures in all supporting tables, both within this bulletin and online, have not been rounded (Except Table A and Table B, which has been rounded to the nearest hundred).

Some percentages in the tables and figures may not add up to 100% due to rounding.

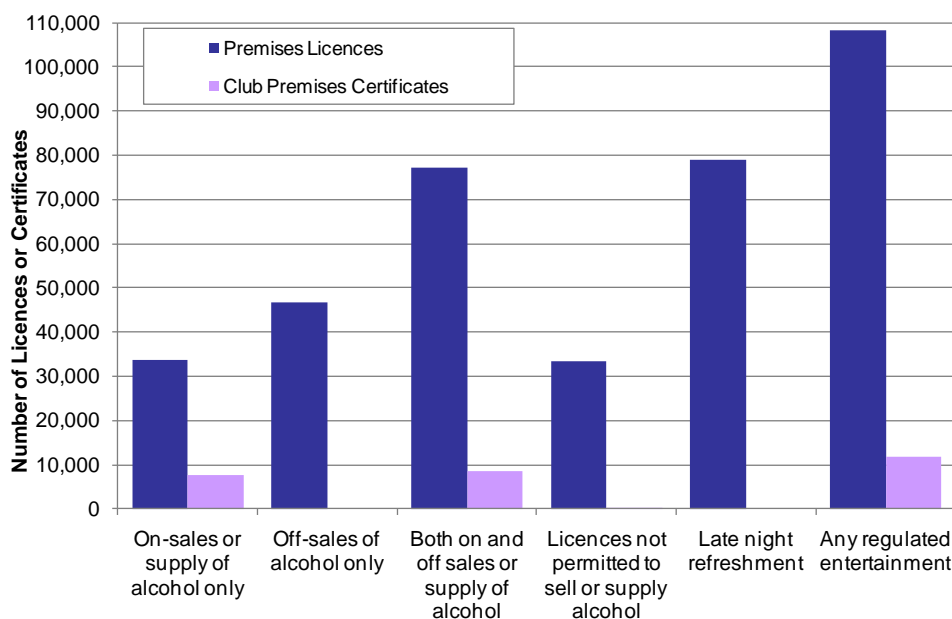
Also within the commentary, percentage splits correspond to the percentage of *valid responses*, i.e. the split shown adds up to 100% but excludes unknown values. Therefore these splits should **not** be used to scale up to a total. The tables at the back of this bulletin report total and sub-total percentages including and excluding unknowns.

# Executive Summary

The following results are based only on the completed returns received and therefore in some questions will be an **underestimate** of the full picture in England and Wales. Returns from 99% of LAs were received in total, but the response rate differed for each question.

- 216,200 licences and certificates were in force in England and Wales on 31<sup>st</sup> March 2010. 199,400 were premises licences and 16,700 were club premises certificates. There were also 428,700 personal licences. [Based on 99% of all LAs]
- 178,600 licences and certificates in force were authorised to sell alcohol, and 33,700 were not permitted to sell alcohol. 46,700 premises licences were authorised for off-sale of alcohol only. 41,100 licences authorised on-sale of alcohol only, of which 7,500 were club premises certificates, and an additional 85,700 allowed both on and off sales, of which 8,500 were club premises certificates. [approx. 96% response rate]
- Around 78,900 premises were licensed for late night refreshment. [93% response]
- 108,200 premises licences and 11,900 club premises certificates were authorised for any form of entertainment. Over 460,000 regulated entertainment activities were authorised; the most common types of which were playing recorded music and staging live music. [This is based on 91% and around 79% of all LAs respectively]

**FIGURE 1: PREMISES LICENCES AND CLUB PREMISES CERTIFICATES BY ACTIVITY AUTHORISED<sup>2</sup>, ENGLAND AND WALES, 31st MARCH 2010**

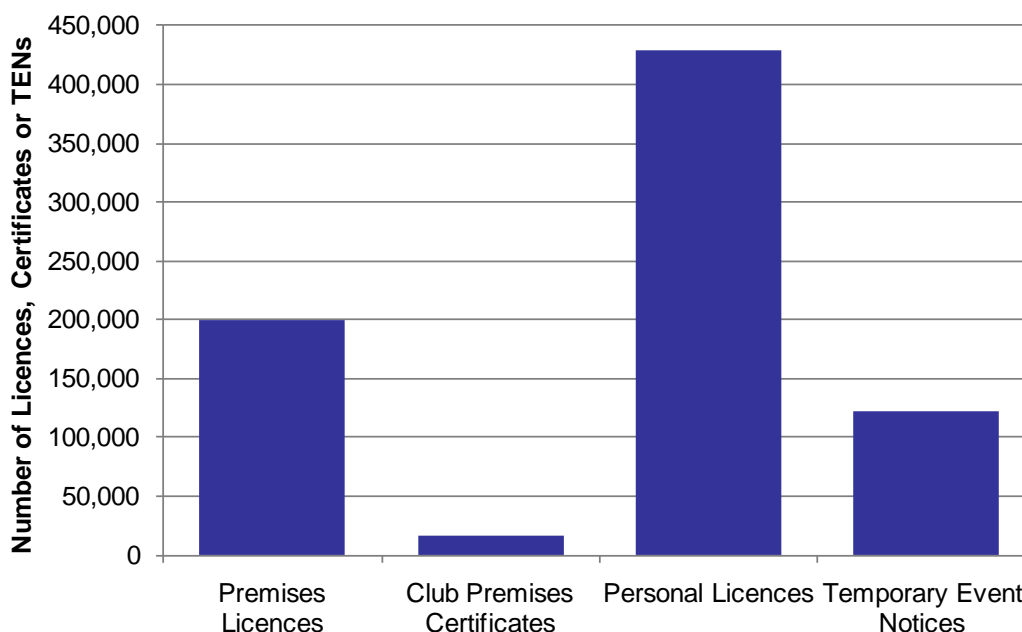


<sup>2</sup> A premises licence can authorise any, a combination, or all of i) the sale or supply of alcohol ii) late night refreshment iii) any regulated entertainment. A club premises certificate can authorise either i) or iii) or both.



- There were 7,600 premises with 24-hour licences of which 4,200 were hotel bars<sup>3</sup>, 1,700 supermarkets and stores, 950 pubs, bars and nightclubs, and 740 other premises types. [95% response]
- There were 9,900 new applications for premises licences (slightly down on the previous year). 97% of all decided outcomes resulted in the licence being granted. New premises licences granted in the year to 31 March 2010 made up 5% of the total number of premises licences [around 99% response rate].
- Just 125 new club premises certificates were granted in 2009/10 and nearly 43,000 new personal licences were granted with less than 1% refused. [99% response]
- Over 1,300 reviews were completed in this reporting period, 8 in 10 were premises licences following an application for a review and nearly 150 completed reviews for premises licences followed an application by police for expedited review. 6 in 10 were instigated by the Police, and the main reason for completed review was 'Crime and Disorder'. [99% and 98% of all LAs respectively]
- Following a completed review, in over 200 cases the operating hours for the licence was modified and 910 reviews resulted in other conditions being added or modified. Additionally, 190 licences or certificates were suspended and 150 premises licences were revoked or club premises certificates withdrawn. [99% response]
- 4,300 premises licences and club premises certificate applications, and 230 personal licence applications went to a committee hearing in 2009/10. [approx. 99% response]
- There were 122,500 Temporary Event Notices in the year to March 2010. [100% response]

**FIGURE 2: PREMISES LICENCES, CLUB PREMISES CERTIFICATES AND TEMPORARY EVENT NOTICES, ENGLAND AND WALES, 2009/10**



<sup>3</sup> Around 3,600 of which are available 24 hours to residents and their private guests only. Prior to the 2003 Act, hotels were similarly authorised to sell alcohol outside of permitted licensing hours and were able to apply to keep this provision under 'grandfather rights'.

# Headline Annual Comparisons

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As this is the fourth consecutive year of this statistical bulletin we are able to make some comparisons of key statistics between collections. However, as the number of Licensing Authorities answering each question was different between years (see Annex A), we needed to model the data to allow for meaningful and accurate comparisons.

2010 and previous year's figures have been scaled up for some of the key questions so that they represent the estimated total figures for England and Wales (please see "licensing collection methodology – modelling to national totals" on page 46 for full details).

Comparisons between 31<sup>st</sup> March 2009 and 31<sup>st</sup> March 2010 for England and Wales have been **estimated**, and are as follows (rounded to the nearest hundred):

- The total number of premises licences in England and Wales (scaled up to 100%, i.e. all Licensing Authorities) was 198,000 on 31<sup>st</sup> March 2009 and 202,000 on 31<sup>st</sup> March 2010. Therefore there was an estimated 2% increase in the number of premises licences but around 100 Licensing Authorities recorded a decrease over the 12 month period.
- The total number of club premises certificates in England and Wales was 17,300 in 2009 and 17,000 in 2010; an estimated 2% decrease in the total number of club premises certificates over the 12 month period (with over 300 certificates being surrendered).
- There were 434,200 personal licences in force on 31<sup>st</sup> March 2010. This means an estimated 11% increase in the total number of personal licences compared to 12 months ago.
- The total number of premises licences with 'on-sales of alcohol only' was 35,300 in 2009 and 35,100 in 2010, less than a 1% decrease.
- The number of 'off-sales alcohol only' premises licences was 47,500 in 2009 and 48,700 in 2010 (an increase of 1,200). The number of premises licences with 'both on and off sales increased by around 1% from 81,500 in 2009 to 82,300 in 2010.
- The total number of 'on-sales alcohol only' club premises certificates in 2009 was 8,200. This decreased by around 4% to 7,800 in 2010. However there was also an estimated 1% increase over the same 12 month period for club premises certificates with 'both on and off-sales of alcohol only' from 8,700 in 2009 to 8,900 in 2010.
- The total number of licences permitting late night refreshment increased by 3,300 to 84,900 in 2010, an approximate 4% increase over the year and nearly 10% more than in 2008.
- The estimated total number of premises licences permitted for any regulated entertainment was 116,800 in 2009 and 120,100 in 2010 (a 3% increase). The number of club premises certificates with provisions for any regulated entertainment fell to 13,300 in 2010 (around 2% decrease), in line with the decrease in club premises certificates over the 12 month period.
- The estimated total for premises licences with live music provisions was 84,500 in 2009 and 85,900 in 2010 (an estimated 2% increase). There were 10,800 club premises certificates with

provisions for live music in 2010 (an estimated fall of under 1% on 2009). Overall the estimated total number of live music licences or certificates was 96,700 as at March 31<sup>st</sup> 2010 (more than a 1% annual increase). An increase in licences with live music provisions does not necessarily mean an increase in the amount of live music being put on; it's just a proxy for that measure.

- The number of premises with 24-hour alcohol licences in England and Wales was 7,600 in 2009 and 7,800 in 2010. This represents an increase of around 4%, and was driven by an estimated increases in Supermarkets and Stores with 24 hour alcohol provisions (around 100 more), and pubs, bars and nightclubs with 24 hour alcohol provisions (around 100 more). Hotels – the main premises types that have 24 hour licences to sell or supply alcohol – remained constant at 4,400 over the last couple of years.
- The number of completed reviews had increased by over 200 to 1,300 in the 12 Month period from 1<sup>st</sup> April 2009 – 31<sup>st</sup> March 2010. 100 more of these were for premises licences following an application for a review, and premises licences following an application by police for expedited review had doubled compared to 2008/09.
- The number of Temporary Event Notices increased by 2% from 122,100 in the 12 month period up to 31<sup>st</sup> March 2009 to 124,400 this year. Since 1<sup>st</sup> April 2006 in total over 483,000 TENs have been used by premises choosing to carry out licensable activity on unlicensed premises (or operate outside the terms of their existing licence) in England and Wales.
- On 31st March 2010 the number of premises licences authorised to sell alcohol reached a record high (in over 100 years), with off-sales premises licences having more than doubled in 50 years.
- Club premises certificates have continued to decline since their peak in 1983, with fewer of them in force in March 2010 than at any period since 1950.

### **Regional Table: Breakdown of change since March 2009**

	South West	East of England	South East	West Midlands	North West	North East	London	East Midlands	Yorkshire and The Humber	Wales
Premises Licences	↑	↑	↑	↑	↑	↓	↑	↑	↑	↑
Club Premises Certificates	↑	↓	↓	↓	↓	↓	↓	↓	↓	↓
Personal Licences	↑	↑	↑	↑	↑	↑	↑	↑	↑	↑
Licences selling alcohol	↑	↑	↑	↑	↓	↓	↑	↑	↓	↓
Licences not selling alcohol	↑	↑	↑	↓	↑	↑	↑	↑	↑	↑
Late Night Refreshment	↑	↑	↑	↑	↑	↑	↑	↑	↑	↑
Any Regulated Entertainment	↑	↓	↓	↑	↑	↑	↑	↑	↑	↑
Live Music provisions	↑	↑	↑	↓	↓	↑	↑	↑	↓	↑
Recorded Music provisions	↑	↑	↑	↓	↑	↑	↑	↑	↓	↑
24 Hour Alcohol licences	↑	↔	↑	↑	↑	↑	↑	↑	↑	↑
Valid TENs	↓	↓	↑	↓	↑	↓	↑	↓	↑	↓

NB. Bold Arrows indicate change from 2009 of greater than +/- 5%

The above chart shows that there were a number of differences between Government Office Regions and Wales compared to the overall pattern. Licensing activity across England and Wales varied, with some Licensing Authorities reporting increases and decreases compared to the same time in 2009. Change within each region and Wales is calculated using only Licensing Authorities which submitted a response to each individual question in both 2009 and 2010.

**Table A: Modelled Estimates for Key Statistics, March 2010 and Estimated Change\***

	31st March 2010	Change Since 31st March 2009	Estimated Percentage Change
Premises Licences	202,000	+4,000	2%
Club Premises Certificates	17,000	-300	-2%
Personal Licences	434,200	+42,600	11%
Premises Licences On-sales of alcohol only	35,100	-200	-1%
Premises Licences Off-sales or supply of alcohol only	48,700	+1,200	3%
Premises Licences Both on and off sales or supply of alcohol	82,300	+700	1%
Club Premises Certificates On-sales of alcohol only	7,800	-400	-4%
Club Premises Certificates Both on and off sales or supply of alcohol	8,900	+100	1%
Any Premises Licences with Late Night Refreshment	84,900	+3,300	4%
Premises Licences with any regulated entertainment	120,100	+3,400	3%
Premises Licences with live music provisions	85,900	+1,400	2%
Premises Licences with recorded music provisions	104,500	+1,500	1%
Club Premises Certificates with any regulated entertainment	13,300	-200	-2%
Club Premises Certificates with live music provisions	10,800	-100	-1%
Club Premises Certificates with recorded music provisions	12,000	-100	-1%
Premises with 24 hour alcohol licences	7,800	+300	4%
of which: Pubs, Bars and Nightclubs	1,000	+100	11%
Supermarkets and Stores	1,700	+100	8%
Hotel Bars	4,400	0	0%
Other premises type	800	+100	10%
Total number of completed reviews	1,300	+200	18%
Valid Temporary Event Notices given to Licensing Authority	124,400	+2,400	2%

\*Figures in Table A have been rounded to the nearest hundred.

# Headline Annual Time Series

The model has been reapplied to 2009 and 2008 figures for the following reasons:

- The model includes data collected in 2010. In some cases more accurate information is available for some LAs which answered one of these questions for the first time.
- 2007 data is no longer used within the model.
- A few Licensing Authorities flagged up that there were some errors in previous year's returns. In these cases the errors were rectified within the modelling process.

Please see "licensing survey methodology – modelling to national totals" on page 47 for full details.

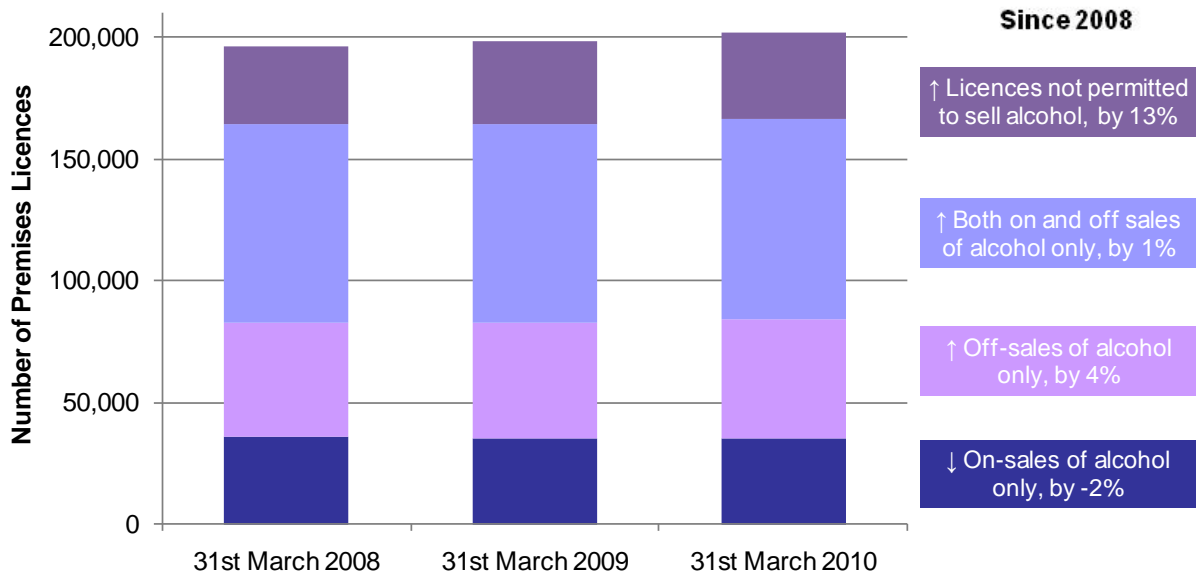
**Table B: Modelled Estimates for Key Statistics, March 2008, March 2009, March 2010\***

	31st March 2008	31st March 2009	31st March 2010
Premises Licences	195,800	198,000	202,000
Club Premises Certificates	17,600	17,300	17,000
Personal Licences	347,100	391,600	434,200
Premises Licences On-sales of alcohol only	35,700	35,300	35,100
Premises Licences Off-sales or supply of alcohol only	46,600	47,500	48,700
Premises Licences Both on and off sales or supply of alcohol	81,600	81,500	82,300
Club Premises Certificates On-sales of alcohol only	8,000	8,200	7,800
Club Premises Certificates Both on and off sales or supply of alcohol	9,200	8,700	8,900
Any Premises Licences with Late Night Refreshment	77,400	81,600	84,900
Premises Licences with any regulated entertainment	116,400	116,800	120,100
Premises Licences with live music provisions	81,300	84,500	85,900
Premises Licences with recorded music provisions	99,100	103,000	104,500
Club Premises Certificates with any regulated entertainment	13,700	13,500	13,300
Club Premises Certificates with live music provisions	10,900	10,900	10,800
Club Premises Certificates with recorded music provisions	12,000	12,100	12,000
Premises with 24 hour alcohol licences	6,900	7,600	7,800
of which: Pubs, Bars and Nightclubs	700	900	1,000
Supermarkets and Stores	1,400	1,600	1,700
Hotel Bars	4,300	4,400	4,400
Other premises type	700	700	800
Total number of completed reviews	1,000	1,100	1,300
Valid Temporary Event Notices given to Licensing Authority	118,600	122,100	124,400

\*Figures in Table B have been rounded to the nearest hundred.

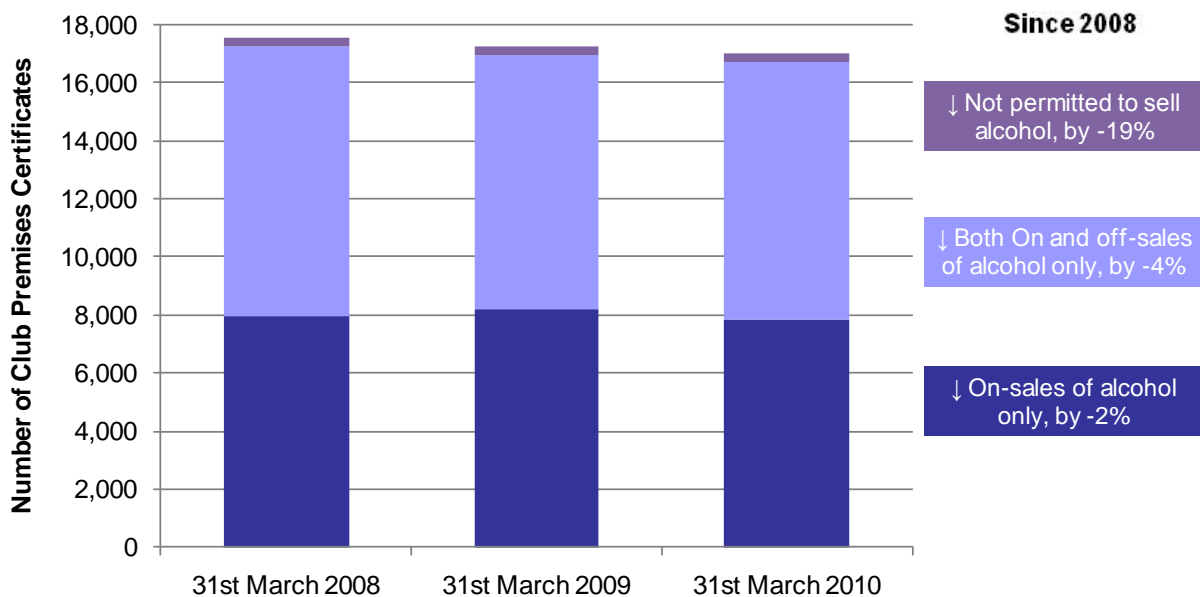
# Annual Time Series Charts

**FIGURE A<sup>4</sup>: PREMISES LICENCES BY ALCOHOL PERMISSIONS, ENGLAND & WALES, 2008, 2009, 2010**



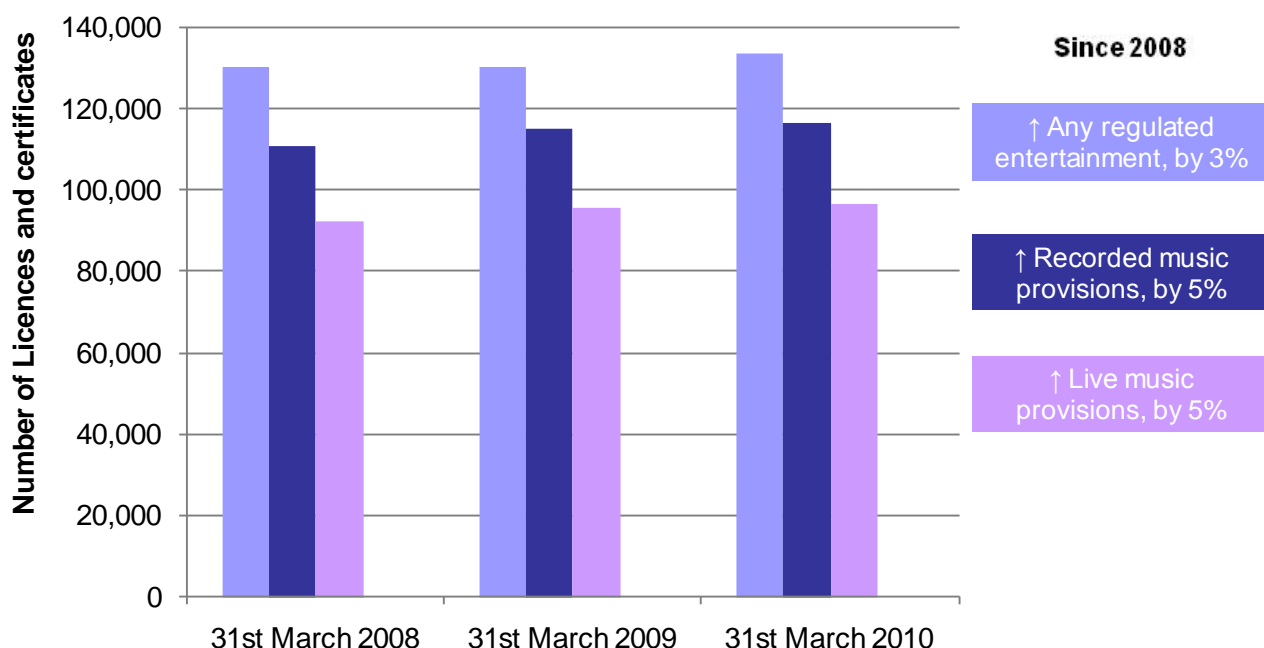
The estimated number of premises licences not permitted to sell alcohol have increased by nearly 13% since 2008 now out-numbering premises licences with on-sales only alcohol provisions.

**FIGURE B: CLUB PREMISES CERTIFICATES BY ALCOHOL PERMISSIONS, ENGLAND & WALES, 2008, 2009, 2010**

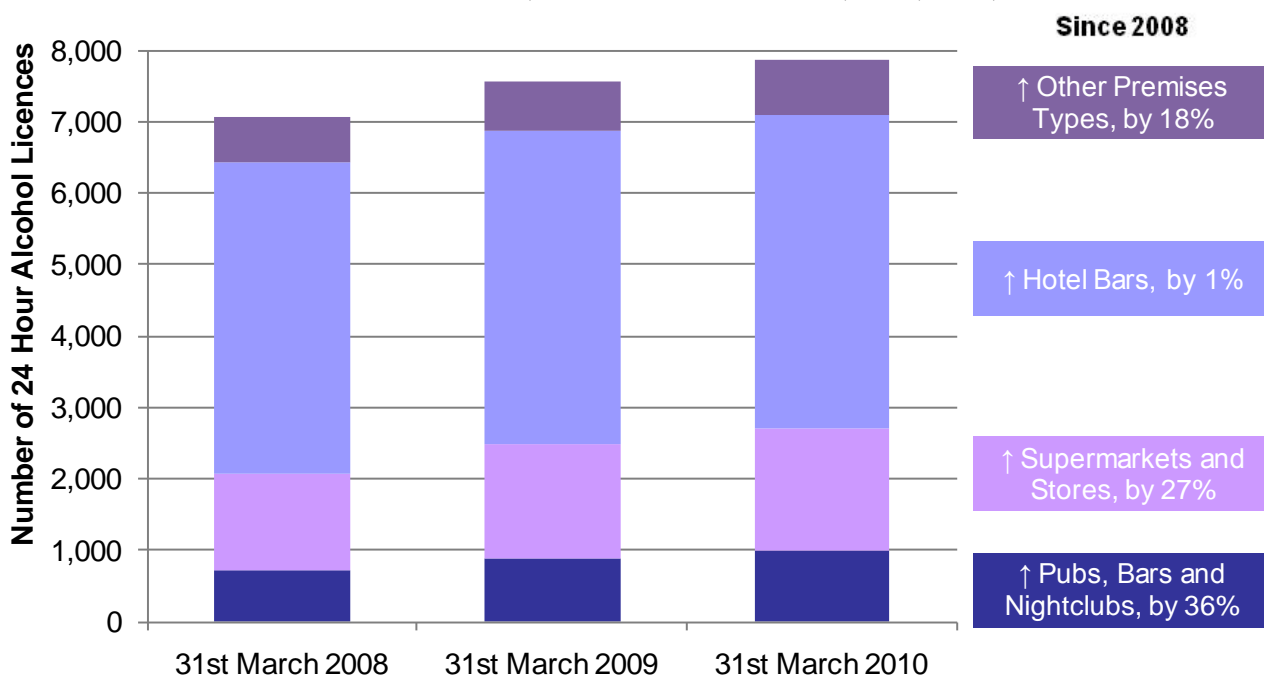


<sup>4</sup> Percentages in legend are change from 2008 to 2010

**FIGURE C: LICENCES AND CERTIFICATES WITH REGULATED ENTERTAINMENT TYPES, ENGLAND AND WALES, 2008, 2009, 2010**



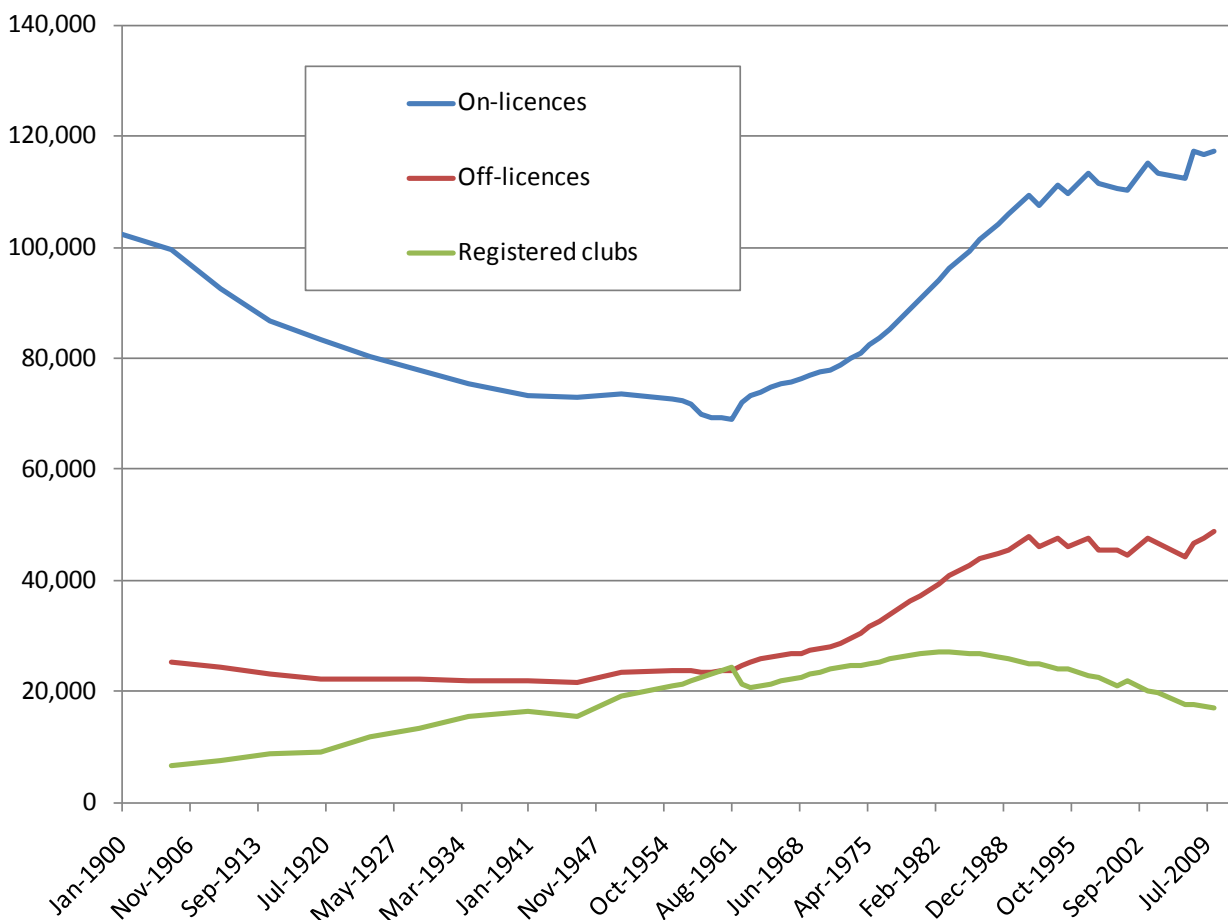
**FIGURE D: 24 HOUR ALCOHOL LICENCES, ENGLAND AND WALES, 2008, 2009, 2010**



The estimated number of 24 hour alcohol licences have increased year on year since the introduction of the Licensing Act 2003. The largest increases were in supermarket and stores and pubs, bars and nightclubs. Hotel bars make up the majority of 24 hour alcohol licences although this has dropped from around 61% of all 24 hour alcohol licences in 2008 to 56% in 2010.

# Liquor Licensing Statistics Historical Time Series

**FIGURE E: HISTORICAL TIME SERIES OF PREMISES LICENCES WITH ON-LICENCES TO SELL ALCOHOL (INCLUDES ON-SALES ONLY, AND BOTH ON AND OFF SALES ONLY), WITH OFF SALES ONLY OF ALCOHOL, AND REGISTERED CLUBS (CLUB PREMISES CERTIFICATES SINCE LICENCE ACT 2003)**



On 31<sup>st</sup> March 2010 the number of premises licences with on-sales only alcohol licences and both on and off sales of alcohol licences in force were at the highest level recorded in over 100 years. Premises licences with off sales only alcohol licences also reached a record high and have more than doubled compared with 50 years ago.

Club premises certificates (previously registered clubs) have continued to decline since their peak in 1983, with fewer of them in force in March 2010 than at any period since 1950.



## Commentary Part 1

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# LICENSED PREMISES AT 31st MARCH 2010

# Premises Licences

99% of LAs submitted a figure for premises licences.

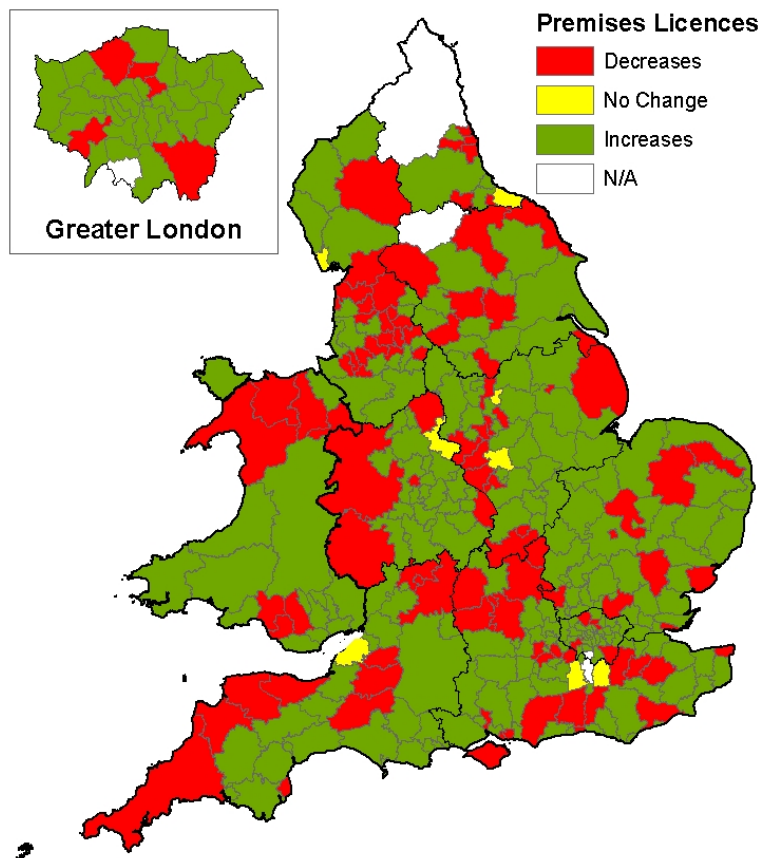
A premises licence can be used for the sale or supply of alcohol, the provision of regulated entertainment or the provision of late night refreshment or any combination of these activities.

On 31 March 2010 there were 199,700 premises licences in force in England and Wales.

Notable regional variation show 15% of all premises licences in force in England and Wales are in London with just 4% in the North East. Cornwall Unitary Authority<sup>5</sup> is now the Licensing Authority with the highest number of premise licences (3,067) followed by London Borough of Westminster (3,029).

Figure 3 below shows the change in number of premises licences reported since last year's collection, for LAs who supplied the number of premises licences in both years.

**FIGURE 3: PREMISES LICENCES CHANGE BY LA BETWEEN 31 MARCH 2009 AND 31 MARCH 2010**



<sup>5</sup> Cornwall Unitary Authority was created on 1<sup>st</sup> April 2009 as part of the local government reorganisation. It comprises the following former LAs: Caradon, Carrick, Kerrier, North Cornwall, Penwith and Restormel.

# Club Premises Certificates

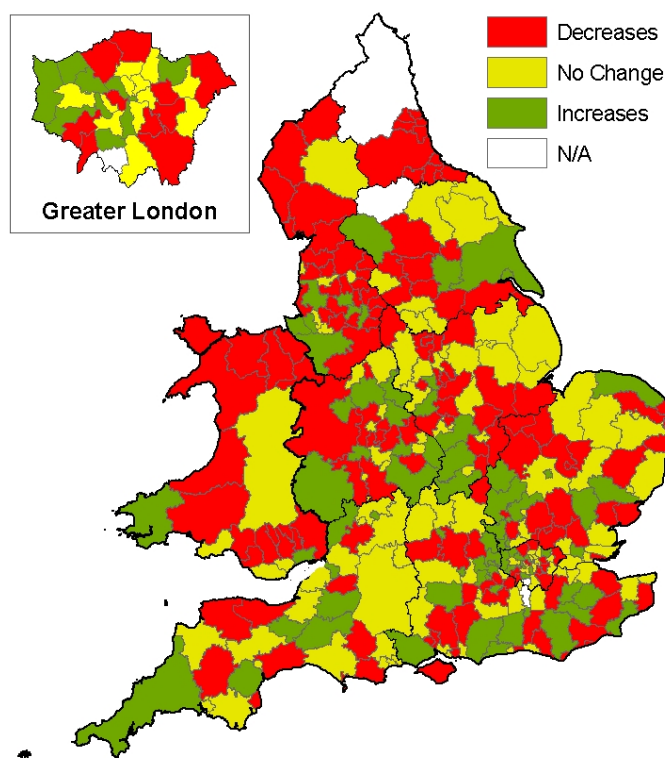
99% of LAs submitted a figure for club premises certificates.

A club premises certificate authorises a 'qualifying club' to carry out 'qualifying club activities'. This includes time limited certificates. A qualifying club is established & conducted in good faith as a club; has at least 25 members; and does not supply alcohol to members on the premises otherwise than by or on behalf of the club. These qualifying clubs (such as the Royal British Legion, working men's clubs, cricket clubs) are generally organisations where members join together for a particular social, sporting or political purpose and then the club purchases alcohol in bulk for its members.

On 31 March 2010 there were 16,700 club premises certificates in force<sup>6</sup> in England and Wales.

Geographic variations show 17% of all club premises certificates were in the South East, and nearly half of all club premises certificates were in force in District Licensing Authorities. Durham Unitary Authority<sup>7</sup> Licensing Authority had the highest number of club premises certificates (279).

**FIGURE 4: CLUB PREMISES CERTIFICATES CHANGE BY LA BETWEEN 31 MARCH 2009 AND 31 MARCH 2010**



<sup>6</sup> Some clubs have a premises licence instead of a club premises certificate (therefore are included in the previous section). A small number may have both (therefore are included in both sections).

<sup>7</sup> Durham Unitary Authority was created on 1<sup>st</sup> April 2009 as part of the local government reorganisation. It comprises the following former LAs: Chester-le-Street, Derwentside, Durham, Easington, Sedgefield, Teesdale and Wear Valley.

# Personal Licences

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99% of LAs submitted a figure for personal licences.

The personal licence is separate from the licence which authorises the premises to be used for the supply of alcohol.

In the year ending March 2010 there were 428,700 personal licence holders.

Over 69,000 personal licence holders were in the South East, and 62,700 were in London.

All Licensing Authorities except ten reported an increase in the number of personal licence holders compared to the number in the year ending March 2009.

# Alcohol Permissions

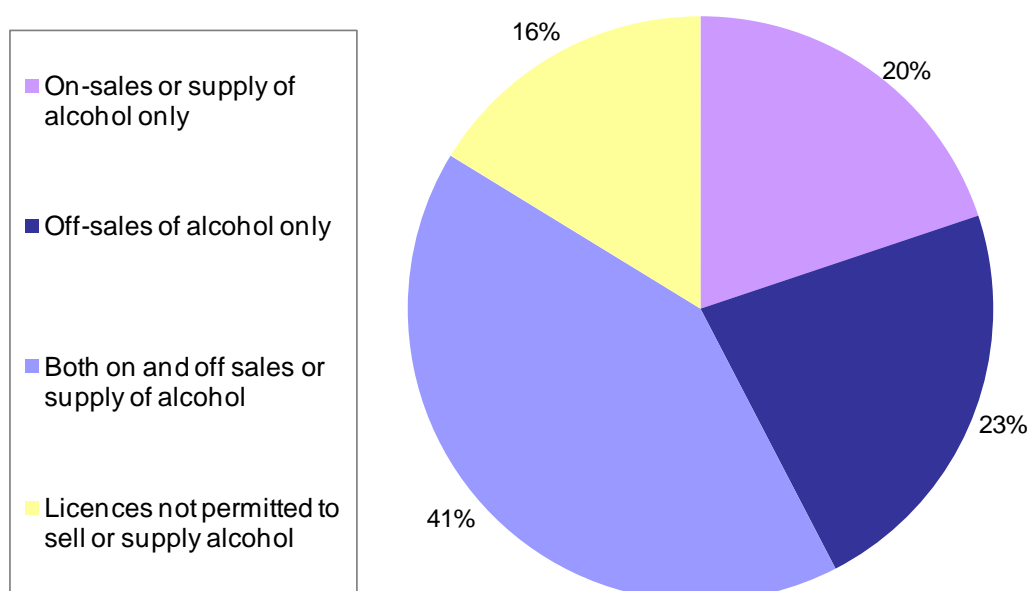
93% of LAs provided information on alcohol permissions for premise licences, and 94% for club premises certificates.

A premises licence can be used for the sale by retail of alcohol and the supply of alcohol (by clubs) for consumption on the premises, off the premises, or both on and off the premises.

Around 8 in 10 premises licences have authorisation to sell alcohol<sup>8</sup>. On 31<sup>st</sup> March 2010 there were 31,900 premises licences with on-sales only alcohol licences and 44,400 with off sales only alcohol licences. 74,600 licences had both on and off sales of alcohol licences in force, and a further 5,000 had permissions to sell or supply alcohol but did not specify in what capacity. 30,900 premises licences were not permitted for the sale or supply of alcohol, and alcohol permissions were not reported in 11,000 premises licences.

More than nine in ten club premises certificates had a permission to supply alcohol<sup>9</sup>. 7,700 club premises certificates authorised on-sale or supply only alcohol licences, 8,100 were authorised for both off and on sales or supply of alcohol and a further 170 had permissions to sell alcohol but did not specify in what capacity. 380 club premises certificates were not permitted for the sale or supply of alcohol. Alcohol permissions were not reported in 1,000 club premises certificates.

**FIGURE 5: PREMISES LICENCES AND CLUB PREMISES CERTIFICATES COMBINED BY ALCOHOL PERMISSIONS<sup>10</sup>, ENGLAND AND WALES, 31 MARCH 2010**



<sup>8</sup> For 5% of premises licences the alcohol permissions were not reported.

<sup>9</sup> For 6% of Club Premises Certificates the alcohol permissions were not reported.

<sup>10</sup> Off-sales of alcohol only apply only to premises licences.

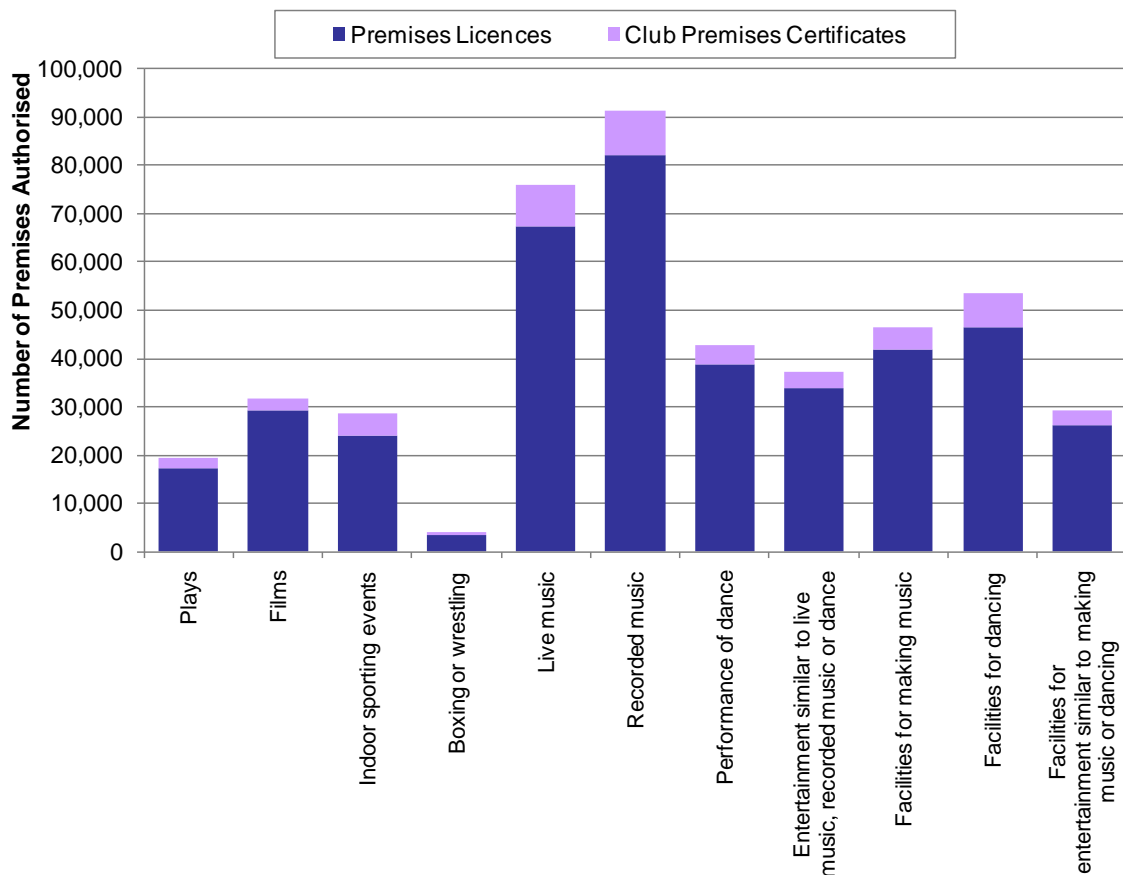
# Regulated Entertainment and Late Night Refreshment

91% of LAs submitted a total for regulated entertainment, with around just 79% of LAs providing a split by licensable activity. 93% of LAs provided a total for late night refreshment.

The provision of regulated entertainment covers the provision of entertainment (plays, films, indoor sporting events, boxing or wrestling, live music, recorded music and dance) as well as the provision of entertainment facilities (facilities provided for enabling people to take part in making music, dancing and similar activities). "Regulated entertainment" takes place in the presence of a public audience or members and guests of a qualifying club, whether a charge is made or not. Entertainment which takes place in the presence of a private audience is only regulated entertainment when a charge is made with a view to making a profit.

Late night refreshment is the provision of hot food or drink to the public, for consumption on or off the premises, between 11pm and 5am or the supply of hot food or hot drink to any persons between those hours on or from premises to which the public has access.

**FIGURE 6: PREMISES LICENCES AND CLUB PREMISES CERTIFICATES BY AUTHORISED REGULATED ENTERTAINMENT, ENGLAND AND WALES, 31 MARCH 2010**



A premises licence or club premises certificate authorised with regulated entertainment types, does not necessarily mean that the premises is actually offering such a service. This is a measure of the number of premises that *could* legally put on such regulated entertainment types.

108,200 premises licences and 11,900 club premises certificates in force were licensed for some type of regulated entertainment (over half of all premises licences in force, and three quarters of all club premises certificates in force).

The most popular forms of entertainment for premises licences were recorded music (82,000), live music (67,500), facilities for dancing (46,500) and facilities for making music<sup>11</sup> (41,900).

For club premises certificates, the most popular forms were recorded music (9,300 club certificates), live music (8,400), facilities for dancing (7,000), facilities for making music (4,500) and indoor sporting events (4,400).

On 31 March 2010, around 460,300 licensable activities were authorised with a premises licence or club premises certificate.

78,900 premises licences (four in ten of all premises licences in force) had late night refreshment activity authorised. An interesting regional variation shows that 17% of these were in Greater London Authorities and 20% were in other metropolitan districts.

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<sup>11</sup> Entertainment facilities are facilities that are provided 'for the purpose or for purposes which include the purpose of being entertained' (i.e. members of the public entertaining themselves by making music). Regulated entertainment (e.g. the performance of live music) is entertainment that takes place in the presence of an audience and is provided 'for the purpose, or for purposes which include the purpose, of entertaining that audience'. It is therefore perfectly legal and possible for a venue to have authorisation for regulated entertainment, but not for entertainment facilities.

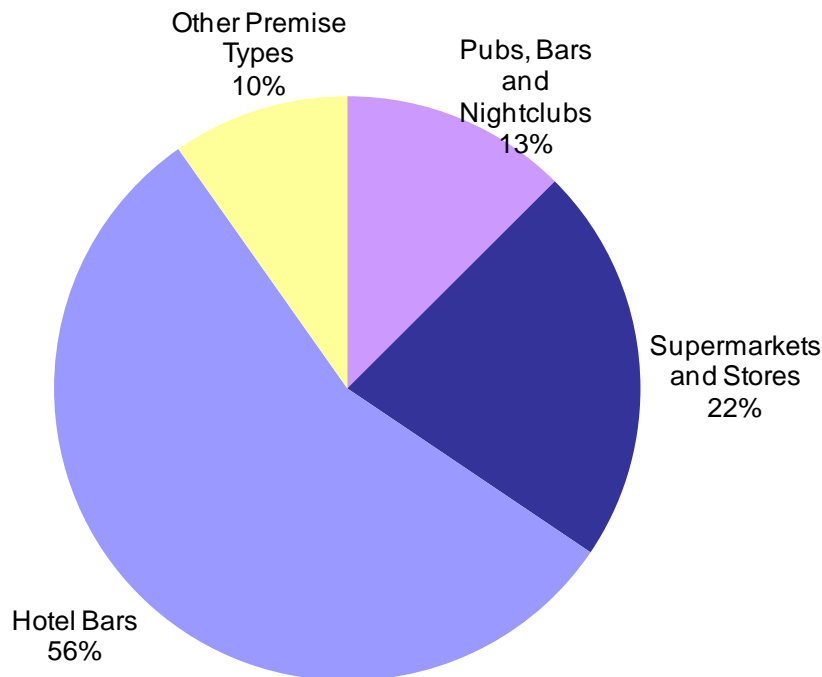
# 24-Hour Alcohol Licences

95% of LAs submitted a total for 24-hour alcohol licences, see page 60 for more details

There were approximately 7,600 premises licensed for the sale or supply of alcohol for 24 hours in their standard timings, on 31 March 2010. They represent just over 4% of all premises licences and club premises certificates authorised to sell alcohol. **The possession of a 24 hour licence does not necessarily mean that the premises will choose to open for 24 hours.** Prior to the 2003 Act, hotels were authorised to sell alcohol to residents and their private guests only, outside of permitted licensing hours and were able to apply to keep this provision under 'grandfather rights'.

The results by Government Office Region showed that the South West had 24% of all 24-hour alcohol licences in England and Wales. The North West had 18%, South East had 13%, London and the East of England both had 10%. The other regions and Wales had less than 7% of the total in their area.

**FIGURE 7: PREMISES WITH 24-HOUR ALCOHOL LICENCES BY PREMISES TYPE, ENGLAND AND WALES, 31 MARCH 2010**



Around 56% of all 24 hour alcohol licences were in hotel bars (4,200), of which around 85% were open to guests only and the remaining 15% open to guests and public. Over half of all hotel bars with a 24 hour licence were in the North West or the South West. A large number of hotels are located in leisure resort areas and therefore these areas would also have a large proportion of hotel bars with 24 hour alcohol licences for guests.

Nearly 1,700 Supermarkets and Stores had 24-hour alcohol licences, of which 54% were large supermarkets and the remaining 46% were other convenience stores. 45% of all 'other' convenience stores with 24 hour licences were in London (340 licences).



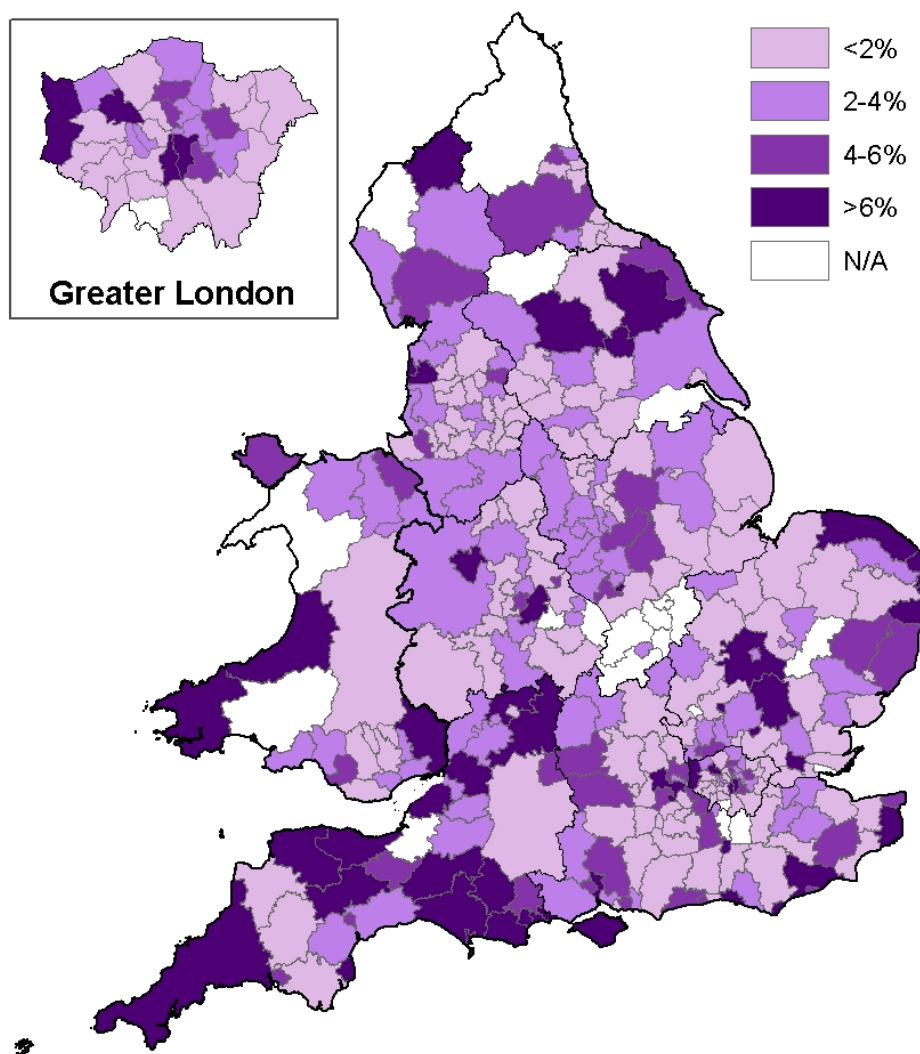
140 Licensing Authorities had at least one Pub, Bar or Nightclub with a 24-hour alcohol licence (950 such premises in total), but 190 LAs had none. One third of these licences were in the South West (320), with only 18 in the North East.

760 other premises types were licensed for the sale or supply of alcohol for 24 hours. This category included casinos, warehouses, village halls, cafés and restaurants, cinemas, holiday camps, and private member clubs as well as various other premises types. The South West also had the highest number of these, with around three in ten (230 licences).

Figure 8 shows licences permitted for the sale or supply of alcohol for 24 hours in their standard timings as a proportion of the total number of alcohol licences (and certificates) in force per authority area. It shows that the majority of LAs with 6% or more of their licences with 24 hour timings are coastal LAs. Many of these are leisure resort areas and will have a larger number of hotels (see Annex D on page 64 for maps showing 24hr alcohol licences by premises type).

Around 1.3% of all licences/certificates are authorised to sell alcohol for consumption on the premises for 24 hours to the public (excluding all supermarkets and stores and hotel bars open 24 hours to guests only). Most LAs have less than 4% of their licences permitted to sell alcohol for 24-hours, (Figure 8).

**FIGURE 8: TOTAL 24-HOUR ALCOHOL LICENCES AS A PROPORTION OF LICENCES PERMITTED TO SELL OR SUPPLY ALCOHOL BY LOCAL AUTHORITY (GREATER LONDON ENLARGED – Not to Scale)**



# Cumulative Impact Areas

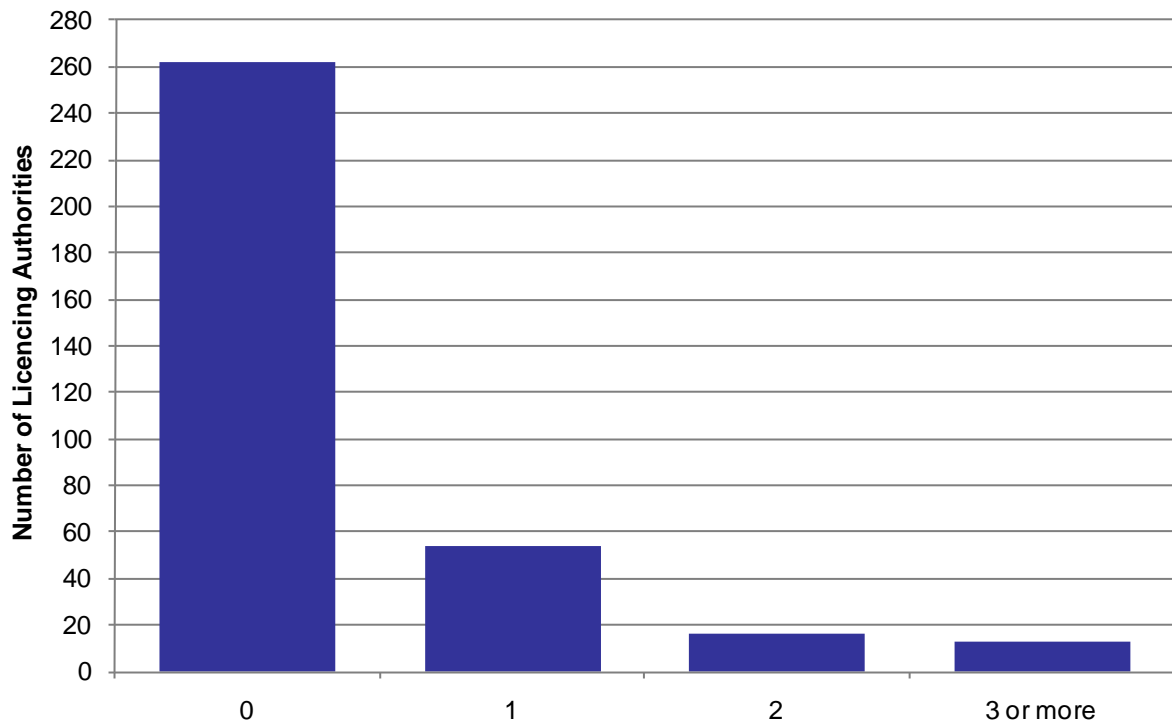
99% of LAs submitted a figure for cumulative impact areas

A cumulative impact area is an area that the Licensing Authority has identified in their licensing policy statement where there is a saturation of licensed premises and the 'cumulative impact' of any additional licensed premises could affect the licensing objectives.

As on 31st March 2010 there were 134 cumulative impact areas (CIA) of which 22% (29 CIAs) were in Greater London Authorities and 19% (26 CIAs) in other metropolitan districts.

83 Licensing Authorities had at least one cumulative impact area, including 29 Licensing Authority areas which had two or more cumulative impact areas.

**FIGURE 9: NUMBER OF CUMULATIVE IMPACT AREAS PER LICENSING AUTHORITY, ENGLAND AND WALES, 31<sup>ST</sup> MARCH 2010**



## Commentary Part 2

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# LICENCE ACTIVITY BETWEEN 1 APRIL 2009 AND 31 MARCH 2010

# Temporary Event Notices

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99% of LAs submitted a total for Temporary Event Notices, see page 63 for more details

Temporary Event Notices (TENs) have replaced the temporary permissions that were available under the old regimes such as occasional permissions, occasional licences, special hours' certificates, or temporary public entertainment licences. They are a light touch permission that allows licensable activities to be undertaken which last no more than 96 hours and must involve no more than 499 people. There are also restrictions on the number of TENs an individual can give in a year and the number of events that can be held under a TEN each year on an individual premise.

There were nearly 122,500 TENs used in year to March 2010. The South East region had the highest proportion of TENs in England and Wales (21%), followed by London (15%) and the South West (14%).

Almost 1,200 TENs were withdrawn and around 250<sup>12</sup> were received following modification with police consent.

Further to this, 220 counter notices were given by the licensing authority following police objection. A counter notice is a notice given by the licensing authority which prevents a temporary event notice having effect.

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<sup>12</sup> This figure is affected by 45 withdrawn TENS that South Holland Licensing Authority estimated they had had in this 12 month period.

# Premises Licences Activity

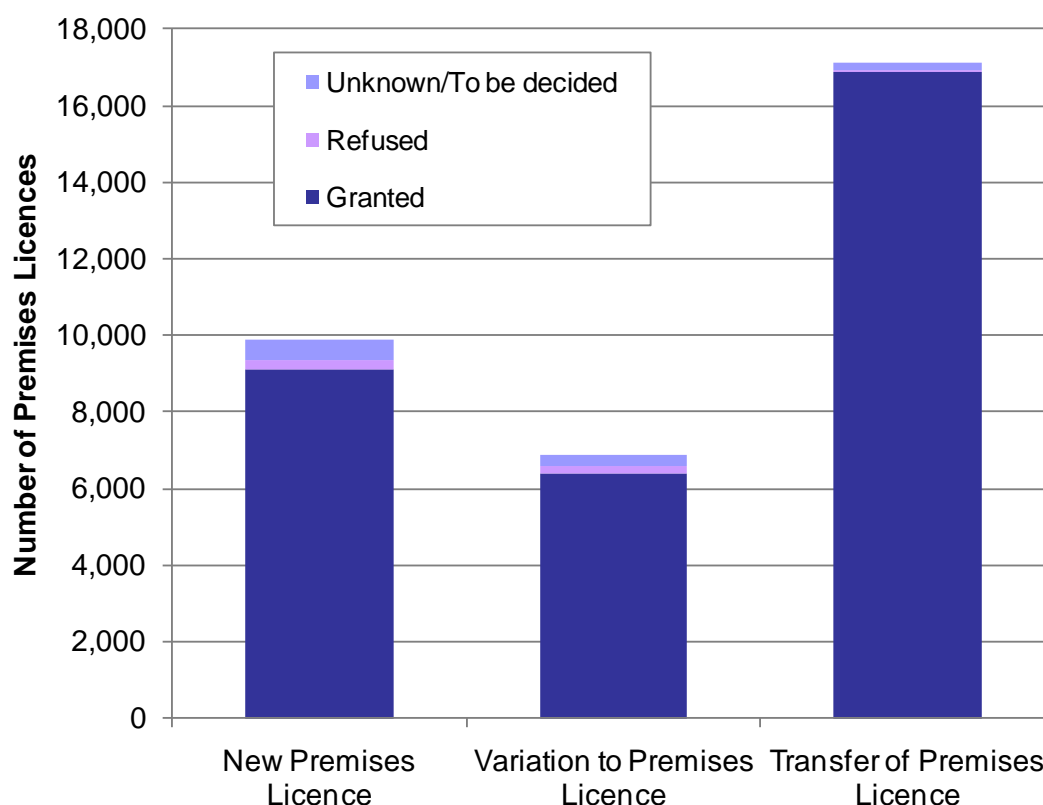
99% of LAs reported a total for premises licence applications, see page 61 for more details

2009/10 was the fourth full financial year where the Licensing Act was in effect. In this period there were 9,900 new premises licences applied for, of which 9,100 were granted<sup>13</sup> (97% of all decided outcomes) and 250 were refused. Newly granted premises licences accounted for around 4.5% of the total number of premises licences in force on 31<sup>st</sup> March 2010.

There were 6,900 variation applications made to change the terms of a licence, for example the opening hours, the licensable activities or the conditions. 6,400 of these variations were granted (97%), with 170 refused (3%).

Over 17,100 applications were made for transfers of premises licences. 16,900 were granted in this period and 63 were refused (less than half a percent).

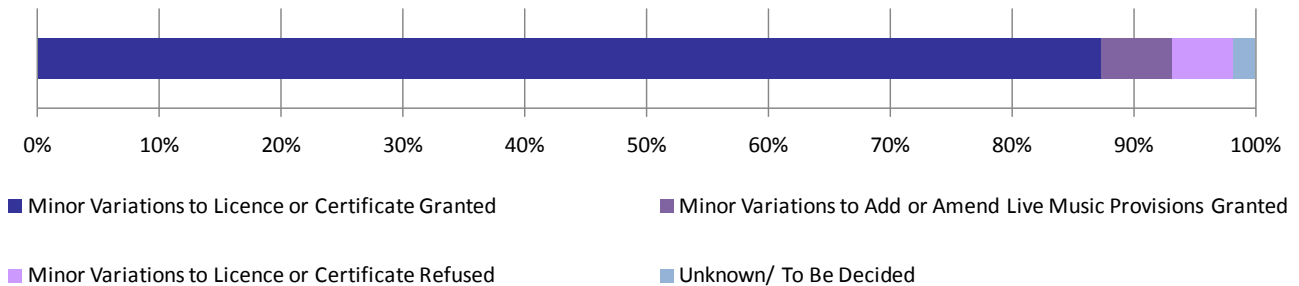
**FIGURE 10: PREMISES LICENCE ACTIVITY, BY OUTCOME, ENGLAND AND WALES 2009/10**



<sup>13</sup> Some licences granted would have been from applications prior to 1 April 2009, and some applications applied for may not be granted until after the reporting period, which explains why the number granted and refused does not match the total number applied for. This also affects the percentage granted/refused.

On the 27<sup>th</sup> July 2009 the 'minor variations' process came into force, allowing Licensing Authorities to make small changes to premises licence or club premises certificate<sup>14</sup>. From 27<sup>th</sup> July 2009 to 31<sup>st</sup> March 2010 there were 2,700 Minor variation applications made, these are to permit low risk changes to the terms of a licence or club premises certificate. 2,400 were granted, and 130 were refused (around 5%). 160 of these minor variations were to add or amend live music provisions (based on 90% of reporting Licensing Authorities), with 150 granted and 10 refused (about 6%)

**FIGURE 11: MINOR VARIATIONS BY OUTCOME, ENGLAND AND WALES 2009/10**



Other findings for premises licences in the year to 31<sup>st</sup> March 2010 were:

4,900 premises licences were surrendered, whilst 840 lapsed due to the death, incapacity, insolvency etc. of the licence holder. The number of surrendered and lapsed premises licences was considerably higher than in previous years and may be as a result of the recession.

2 were suspended by a court for the sale or supply of alcohol (one in Hart Licensing Authority and one in Bournemouth Licensing Authority), following an offence of persistently selling to underage children; and 100 premises licences were prohibited from selling alcohol for 48 hours following a closure notice<sup>15</sup>.

There were 240 applications to remove the mandatory Designated Premises Supervisor condition in community premises, which were all granted. This allows the supervision of the supply of alcohol by community premises to be included in the licence (to enable every supply of alcohol under the premises licence to be made or authorised by the management committee).

<sup>14</sup> [http://www.culture.gov.uk/images/publications/Application\\_for\\_a\\_Minor\\_Variation.pdf](http://www.culture.gov.uk/images/publications/Application_for_a_Minor_Variation.pdf)

<sup>15</sup> Leeds Licensing Authority reported 56 of these in this period.

# Club Premises Certificates Activity

99% of LAs submitted a total for club premises certificate applications

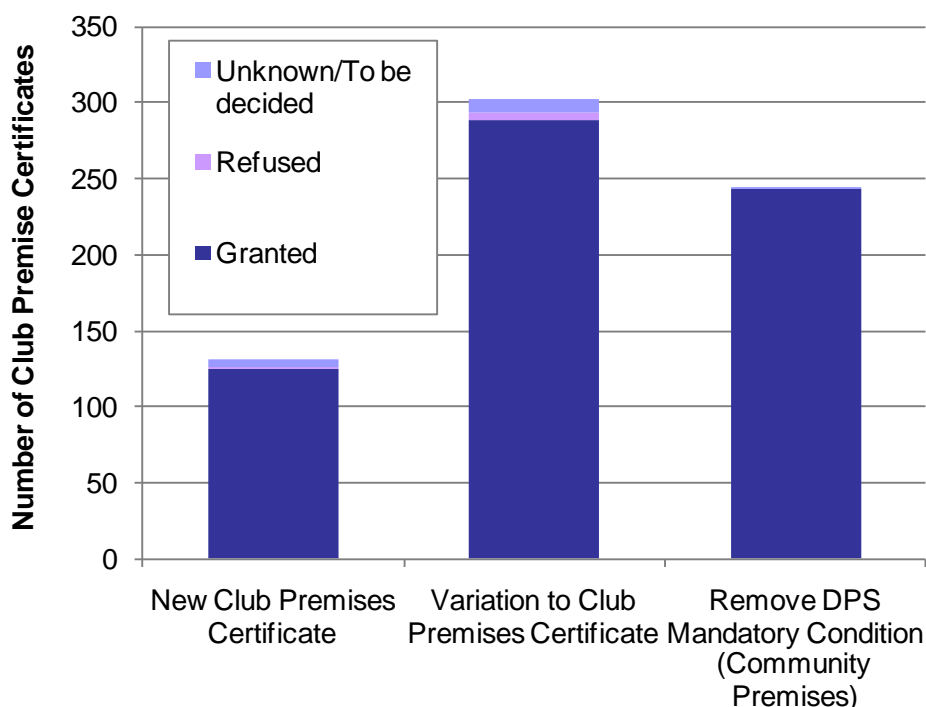
During the twelve months ending 31 March 2010 there were 131 new applications for club premises certificates. 125 were granted<sup>16</sup> (99% of all decided outcomes) and 1 was refused. The newly granted club premises certificates accounted for less than 1% of the total number of club premises certificates in force on 31<sup>st</sup> March 2010.

Other findings for club premises certificates in the year to 31<sup>st</sup> March 2010 were:

300 variations to club premises certificates were applied for. Variations include changing the activities of the qualifying club, or the conditions of the certificate. 290 were granted (99%) in this reporting period and 4 were refused.

320 club premises certificates were surrendered; 7 lapsed as they were only in effect for a limited period which has since expired. 21 were withdrawn where the club was no longer a qualifying club.

**FIGURE 12: CLUB PREMISES CERTIFICATE ACTIVITY, BY OUTCOME, ENGLAND AND WALES 2009/10**



<sup>16</sup> Some certificates granted would have been from applications prior to 1 April 2009, and some applications applied for may not be granted until after the reporting period, which explains why the number granted and refused does not match the total number applied for. This also affects the percentage granted/refused.

# Personal Licences Activity

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99% of LAs submitted a total for personal licence applications

A personal licence authorises an individual to supply or authorise the supply of alcohol in accordance with a premises licence under the Licensing Act 2003.

In the year ending 31<sup>st</sup> March 2010, 43,500 new personal licences were applied for, of which 43,000 were granted (99% of decided outcomes) and 220 were refused.

The new personal licences granted account for 10% of the total number of personal licences in force on 31<sup>st</sup> March 2010.

The Act provides the police and licensing authorities with powers to deal with errant personal licence holders.

Other findings for personal licences in the year to 31<sup>st</sup> March 2010 were:

250 personal licences were surrendered; 22 were revoked; 12 were forfeited; and 10 were suspended by a court.

There were 240 committee hearings following a personal licence application. 90 of these committee hearings were in the East of England (38% of the total).



# Completed Reviews

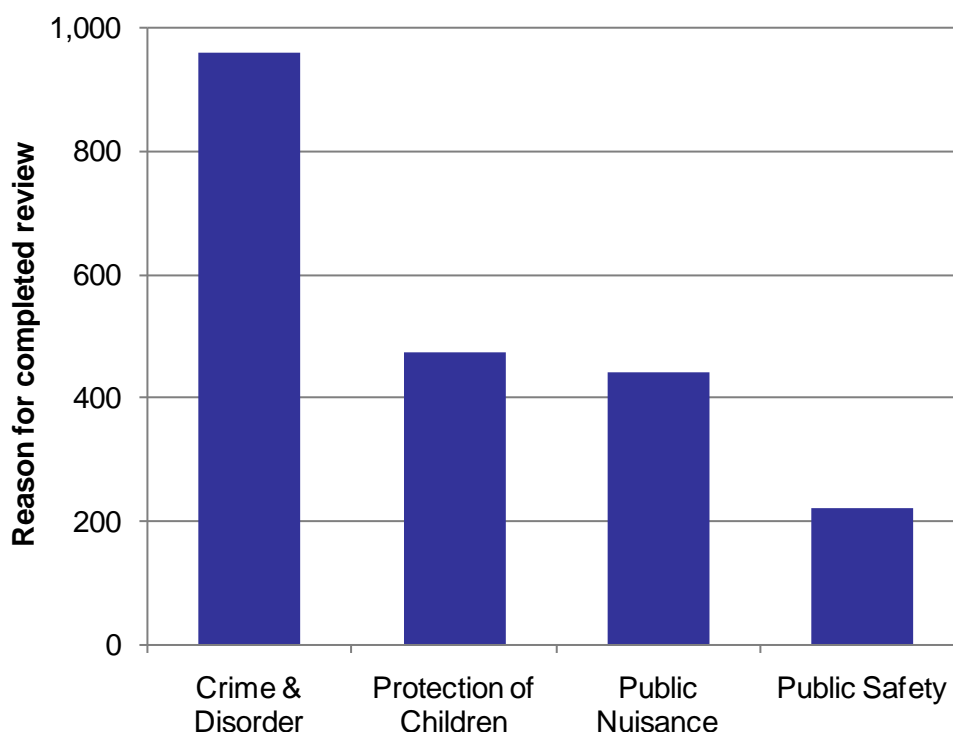
99% Licensing Authorities responded to number of completed reviews, and reason for the completed review. 98% reported who instigated the review.

A Licensing Authority can be asked to review a licence by those living or working in the vicinity of premises who are complaining of adversely being affected by the operation of the licence.

There have been over 1,300 completed reviews in 2009/10. 1,100 were for premises licences following an application for a review, around 150 were for premises licences following an application by police for expedited review and 28 were premises licences following closure orders under section 161 of the 2003 Licensing Act. This was the second full year the expedited review powers were in force. 19 completed reviews were for club premises certificates following an application for a review.

The main reason for completed reviews (as reported by the licensing objectives and the stated grounds of the review) was crime & disorder (960 reviews), this was followed by protection of children (480 reviews), public nuisance (440 reviews), and the least common reason was public safety (220 reviews)<sup>17</sup>.

**FIGURE 13: REASON FOR COMPLETED REVIEW, ENGLAND AND WALES 2009/10**

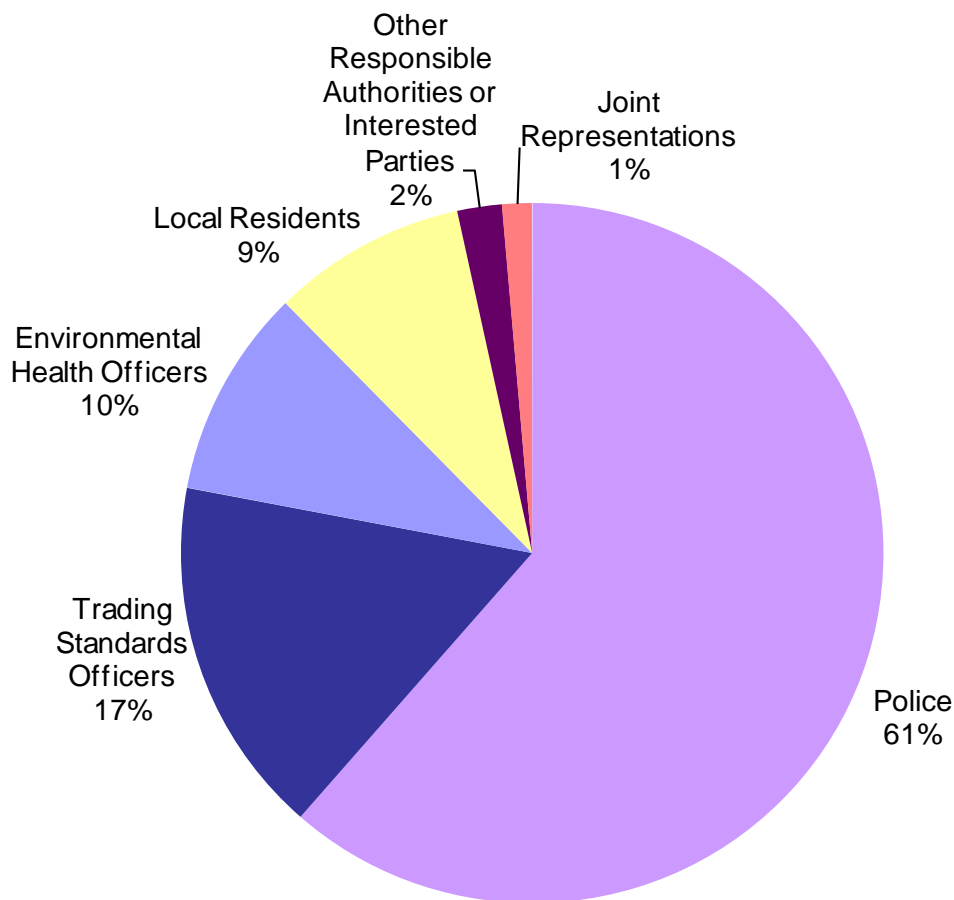


<sup>17</sup> Note: more than one reason may apply to each review

The geographical split showed the North West had the highest number of completed reviews with over 250 of the 1,334 reported in 2009/10. This included 30% of all reviews following an application by police for expedited review. 21% of all reviews stating "Public Nuisance" under the grounds of the review were in London.

The police were the main responsible authority for instigating the review, (800 reviews, 62%). 220 reviews were instigated by Trading Standards Officers (17%), Environmental Health Officers instigated 130 reviews (10%), Local Residents instigated 120 reviews (9%) and Other Responsible Authorities or Interested Parties instigated 27 reviews (2%). These totals include 18 cases where more than one authority instigated the review. Other Responsible Authorities or Interested Parties included the Fire and Rescue Authorities, Residents Association, members of the public and local businesses. In 62 reviews the instigating authority/party was not reported.

**FIGURE 14: COMPLETED REVIEWS INSTIGATED BY RESPONSIBLE AUTHORITY, ENGLAND AND WALES 2009/10**



Following a completed review, 190 licences or certificates were suspended and 150 premises licences were revoked or club premises certificates withdrawn.

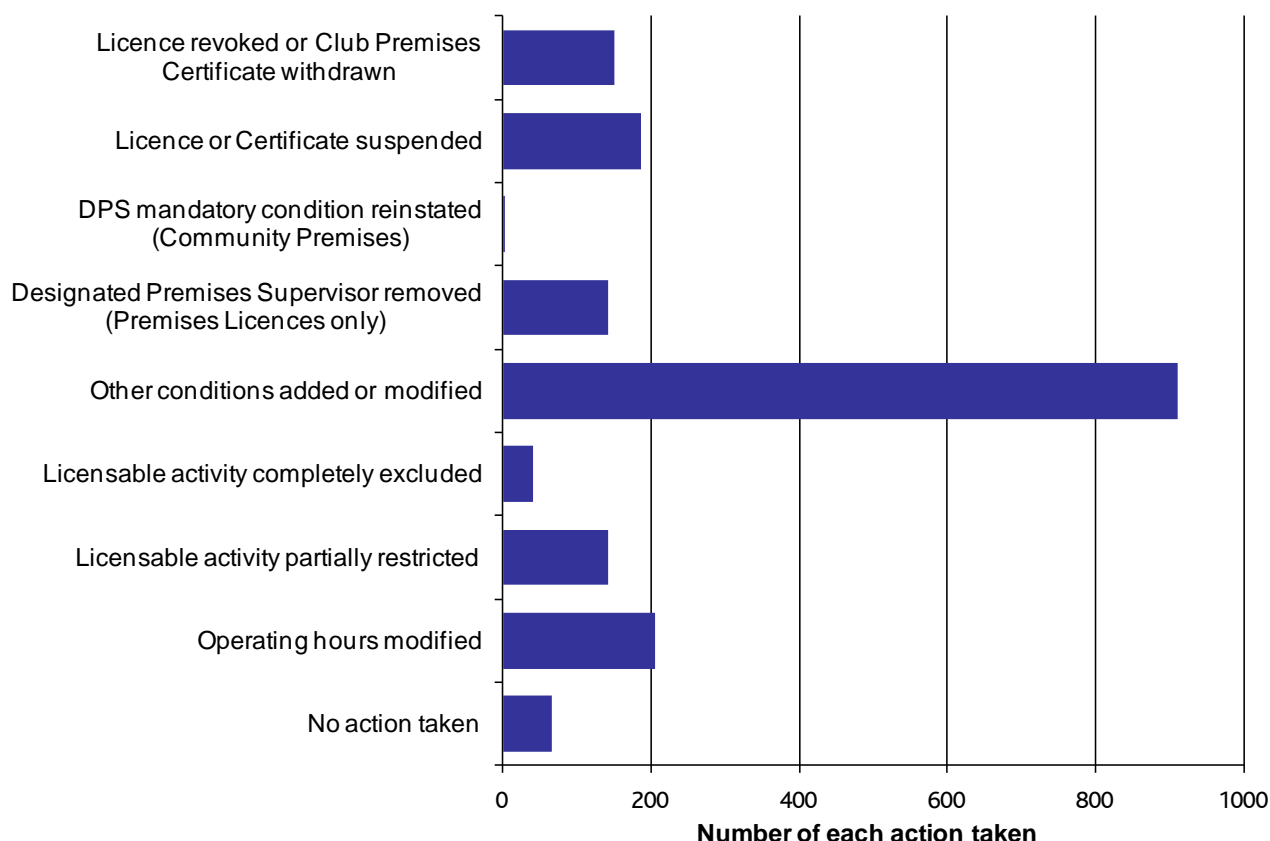
Around 210 cases resulted in a licence modifying their operating hours and in over 910 cases other conditions were added or modified following a completed review.

In over 140 cases the licensable activity was partially restricted, and in over 40 the licensable activity was completely excluded.

In over 140 premises licences reviews the designated premises supervisor was removed, however in just 3 cases was the designated premises supervisor condition reinstated (for community premises only).

Following just 5% of completed cases no action was taken following a review (66 reviews).

**FIGURE 15: ACTIONS TAKEN FOLLOWING COMPLETED REVIEWS, ENGLAND AND WALES 2009/10**



A notable regional difference is that around a quarter of licences or certificates suspended following a completed review were from Licensing Authorities in the South East. London Licensing Authorities reported around a quarter of the 150 licences revoked or club premises certificates withdrawn following a review.

# Expedited Reviews

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99% of LAs responded to the questions on expedited reviews and actions taken.

Expedited review powers allow the police to trigger a fast track process to review a premises licence where the police consider that the premises are associated with serious crime or serious disorder (or both); and the licensing authority to respond by taking interim steps quickly, where appropriate, pending a full review. Expedited review powers came into force from 1st October 2007, so this is the second full year expedited review powers were available. The new powers apply only where a premises licence authorises the sale of alcohol. They do not apply in respect of other premises licences, nor to those operating under a club premises certificate. The purpose of the powers is to complement existing procedures in the Licensing Act 2003 for tackling crime and disorder associated with licensed premises.

Between 1<sup>st</sup> April 2009 and 31<sup>st</sup> March 2010 there were 152 applications by the chief officer of police for an expedited/summary review of a premises licence because of serious crime and/or serious disorder under S.53A of the 2003 Act. Four of these applications were withdrawn or rejected.

148 cases resulted in a completed review of the premises licence (following an application by police for an expedited/summary review under S.53A of the 2003 Act).

In 144 expedited reviews, interim steps were taken following the successful application for the review. Interim steps are temporary measures which have to be taken within 48 hours of the expedited review being accepted under one specific review power. These measures then fall (unless they are re-imposed at the review hearing). In 4 cases no interim steps were taken.

In 90 cases the interim step was to suspend the premises licence. In 30 cases the interim step was to modify the operating hours, and other conditions were added or modified in 45 cases. The other interim steps were licensable activity partially restricted in 16 cases, licensable activity was completely excluded in 8 cases and in 28 cases the Designated Premises Supervisor was removed. 43 expedited reviews were in the North West (28%) and 29 were in London (19%).

# Hearing and Appeals

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Around 97% of LAs responded to number of applications that went to a hearing, 98% responded to number of appeals completed.

Licensing Authorities have one month, following the end of the advertising period, to hold a hearing to consider the review application. Everyone who has made representations, as well as the licence holder, will be invited to attend the hearing which will be open to the public. All papers relevant to the hearing will also be publicly available. This will include details of who applied for the review.

The licence holder will be able to respond to the request for the review and can be legally represented at the hearing. Both parties can call witnesses. The review panel find out all the facts about the problem that has happened as a result of the operation of the premises, and will ask questions of the applicant, his or her witnesses and of the licence holder and their witnesses.

The applicant for the review, the premises licence holder and any person who submitted a representation all have a right of appeal against the panel's decision.

In the year ending 31<sup>st</sup> March 2010 there were over 4,300 premises licence or club premises certificate applications that went to a committee hearing. These include applications that went to a hearing for a premises licence, provisional statements, club premises certificates or to vary a licence<sup>18</sup>. Nearly 1,200 of these were in London.

Over the same 12 month period there were 170 completed appeals against the application decision (where the Magistrates Court notified parties of its decision in the time period specified). There were also 140 completed appeals against the licence review decision. In this period there were nearly 230 Licensing Authorities that had not reported a single appeal against any decision. London had the highest number of appeals with 29% of all appeals (either against the application decision or the licence review decision) in England and Wales.

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<sup>18</sup> But exclude applications for a change to DPS, transfer of premises licence, review, or cancellation of interim authority notices following police objections that went to a hearing.

# Tables

**Table 1: Number of Premises Licences, Club Premises Certificates and Personal Licences by Fee Band – England and Wales, 31<sup>st</sup> March 2010**

	<b>Total</b>
Premises Licences	<b>199,449</b>
Club Premises Certificates	<b>16,707</b>
Personal Licences	<b>428,657</b>

**Table 2: Number of Premises Licences and Club Premises Certificates by licensable activity - England and Wales, 31<sup>st</sup> March 2010**

	<b>Total</b>	Percentage valid	Total percentage (including unknown)
Premises Licences	<b>199,449</b>		100%
Premises Licences Selling Alcohol	<b>162,358</b>	83%	81%
On-sales or supply of alcohol only	33,615	17%	17%
Off-sales of alcohol only	46,660	24%	23%
Both on and off sales or supply of alcohol	77,278	39%	39%
<i>On/off/both sales unspecified</i>	4,805	2%	2%
Licences not permitted to sell or supply alcohol	33,383	17%	17%
<i>Alcohol Permissions Not Reported</i>	3,708		2%
Any Premises Licences with Late Night Refreshment	<b>78,879</b>		40%
Club Premises Certificates	<b>16,707</b>		100%
Club Premises Certificates Selling Alcohol	<b>16,194</b>	98%	97%
On-sales or supply of alcohol only	7,523	46%	45%
Both on and off sales or supply of alcohol	8,463	51%	51%
<i>On/both sales unspecified</i>	208	1%	1%
Licences not permitted to sell or supply alcohol	268	2%	2%
<i>Alcohol Permissions Not Reported</i>	245		1%

\*The percentages in the table may not add up to 100% due to rounding.

**Table 3: Number of Premises Licences and Club Premises Certificates by regulated entertainment<sup>19</sup> type - England and Wales, 31<sup>st</sup> March 2010**

	<b>Total</b>	Percentage of entertainment licences	Percentage of all licences
<b>Premises Licences</b>	<b>199,449</b>		100%
Premises Licences with any regulated entertainment	<b>108,187</b>	100%	54%
Plays	17,404	16%	9%
Films	29,145	27%	15%
Indoor sporting events	24,107	22%	12%
Boxing or wrestling	3,535	3%	2%
Live music	67,506	62%	34%
Recorded music	82,037	76%	41%
Performance of dance	38,781	36%	19%
Entertainment similar to live music, recorded music or dance	33,727	31%	17%
Facilities for making music	41,876	39%	21%
Facilities for dancing	46,508	43%	23%
Facilities for entertainment similar to making music or dancing	26,344	24%	13%
<b>Club Premises Certificates</b>	<b>16,707</b>		100%
Club Premises Certificates with any regulated entertainment	<b>11,864</b>	100%	71%
Plays	1,972	17%	12%
Films	2,583	22%	15%
Indoor sporting events	4,408	37%	26%
Boxing or wrestling	507	4%	3%
Live music	8,445	71%	51%
Recorded music	9,297	78%	56%
Performance of dance	4,150	35%	25%
Entertainment similar to live music, recorded music or dance	3,515	30%	21%
Facilities for making music	4,471	38%	27%
Facilities for dancing	6,973	59%	42%
Facilities for entertainment similar to making music or dancing	3,011	25%	18%

Note: Multiple activities can apply to a particular premise.

<sup>19</sup> The provision of regulated entertainment covers the provision of entertainment (plays, films, indoor sporting events, boxing or wrestling, live music, recorded music and dance) as well as the provision of entertainment facilities (facilities provided for enabling people to take part in making music, dancing and similar activities). Entertainment is "regulated entertainment" when it takes place in the presence of a public audience or members and guests of a qualifying club, whether a charge is made or not. Entertainment which takes place in the presence of a private audience is only regulated entertainment when a charge is made with a view to making a profit. The performance of live music and incidental playing of recorded music is not regarded as regulated entertainment under the 2003 Act where they are incidental to another activity which is not itself regulated entertainment. The spontaneous performance of music, singing or dancing does not amount to the provision of regulated entertainment and is not a licensable activity. There are also some exemptions for activities in certain premises, such as Churches.

**Table 4: Number of Premises Licences with 24 hour alcohol provisions by premises type - England and Wales, 31<sup>st</sup> March 2010**

	<b>Total</b>	<b>Percentage valid</b>	<b>Total percentage (including unknown)</b>
<b>Premises with 24 hour alcohol licences</b>	<b>7,567</b>	<b>100%</b>	<b>100%</b>
Pubs, Bars and Nightclubs	946	13%	13%
Supermarkets and Stores	1,659	22%	
<i>Large supermarkets</i>	892		12%
<i>Other convenience stores</i>	756		10%
<i>Not reported</i>	11		0%
Hotel Bars	4,219	56%	
<i>Open 24 hours to guests and public</i>	603		8%
<i>Open 24 hours to guests only</i>	3,554		47%
<i>Not reported</i>	62		1%
Other premises type	739	10%	10%
<i>Premises type not reported</i>	4		0%

\*The percentages in the table do not add up to 100% due to rounding.

**Table 5: Number of Cumulative Impact Areas - England and Wales, 31<sup>st</sup> March 2010**

	<b>Total</b>
<b>Number of Cumulative Impact Areas</b>	<b>134</b>



**Table 6 – Licence Activity by outcome for England and Wales in 2009/10**

	Applied	Granted	Refused	<i>Unknown / To Be Decided</i>	Percentage valid where decision known		Percentage totals including unknowns		
					Granted	Refused	Granted	Refused	<i>Unknown / To Be Decided</i>
New Premises Licence	9,881	9,105	245	531	97%	3%	92%	2%	5%
Variation to Premises Licence	6,883	6,404	169	310	97%	3%	93%	2%	5%
New Club Premises Certificate	131	125	1	5	99%	1%	95%	1%	4%
Variation to Club Premises Certificate	302	289	4	9	99%	1%	96%	1%	3%
Minor Variations to Licence or Certificate	2,551	2,377	127	47	95%	5%	93%	5%	2%
of which Minor Variations to Add or Amend Live Music Provisions	159	149	10	0	94%	6%	94%	6%	0%
Remove DPS Mandatory Condition (Community Premises)	244	243	0	1	100%	0%	100%	0%	0%
New Personal Licence	43,546	42,980	224	342	99%	1%	99%	1%	1%
Transfer of Premises Licence	17,144	16,885	63	196	100%	0%	98%	0%	1%

\*The percentages in the table may not add up to 100% due to rounding.

**Table 7: Number of committee hearings - England and Wales in 2009/10**

Number of applications that went to a committee hearing	Total
Premises Licence/Club Premises Certificate applications	4,322
Personal Licence applications	237

**Table 8a: Number of completed reviews by type of licence - England and Wales in 2009/10**

	Total	Percentage valid	Total percentage (including unknown)
<b>Completed reviews</b>	<b>1,334</b>	<b>100%</b>	<b>100%</b>
Premises Licences (following application)	1100	85%	82%
Premises Licences (following application by police for expedited review)	148	11%	11%
Premises Licences (following closure orders under S.161 of Act)	28	2%	2%
Club Premises Certificates - following application	19	1%	1%
<i>Review type not reported</i>	39		3%

**Table 8b: Reason for completed review - England and Wales in 2009/10**

	Total	Percentage
Crime & Disorder	959	72%
Protection of Children	475	36%
Public Nuisance	442	33%
Public Safety	222	17%

Note: more than one reason may apply to each review, so the percentages will not add to 100%

**Table 8c - Number of completed reviews instigated by each Responsible Authority - England and Wales in 2009/10**

	Total	Percentage valid	Total percentage (including unknown)
Police	804	62%	60%
Trading Standards Officers	216	17%	16%
Environmental Health Officers	126	10%	9%
Local Residents	117	9%	9%
Other Responsible Authorities or Interested Parties	27	2%	2%
<i>Not Reported</i>	62		5%

\*The percentages in the table do not add up to due to rounding and in 11 cases more than one responsible authority instigated the review.

**Table 9: Action taken following completed reviews - England and Wales in 2009/10**

	Total	Percentage
<b>Completed reviews</b>	<b>1,334</b>	<b>100%</b>
No action taken	66	5%
Operating hours modified	206	15%
Licensable activity partially restricted	143	11%
Licensable activity completely excluded	41	3%
Other conditions added or modified	911	68%
Designated Premises Supervisor removed (Premises Licences only)	142	11%
DPS mandatory condition reinstated (Community Premises)	3	0%
Licence or Certificate suspended	187	14%
Licence revoked or Club Premises Certificate withdrawn	151	11%

Note: more than one action may apply to each completed review, so the percentages will not add to 100%

**Table 10: Number of Expedited review applications, applications withdrawn and interim steps taken - England and Wales in 2009/10**

	Total	Percentage of expedited reviews where interim steps taken	Percentage of expedited reviews
<b>Total number of applications for expedited reviews</b>	<b>152</b>		<b>100%</b>
Number of expedited review applications withdrawn or rejected	4		3%
Number of cases where no interim steps were taken	4		3%
Number of cases where interim steps were taken	144		95%
Operating hours modified	30	21%	
Licensable activity partially restricted	16	11%	
Licensable activity completely excluded	8	6%	
Other conditions added or modified	45	31%	
Designated Premises Supervisor removed	28	19%	
DPS mandatory condition reinstated	0	0%	
Licence suspended	90	63%	

Note: more than one interim step may apply per review, so the percentages will not add to 100%

**Table 11: Number licences surrendered, lapsed, suspended, revoked, forfeited or withdrawn by licence type, 2009/10**

	Surrendered	Lapsed	Suspended by a court	Closure notice
<b>Premises Licences</b>	<b>4,902</b>	<b>836</b>	<b>2</b>	<b>100</b>
	Surrendered	Lapsed	Withdrawn	
<b>Club Premises Certificates</b>	<b>323</b>	<b>7</b>	<b>21</b>	
	Surrendered	Revoked	Forfeited	Suspended by a court
<b>Personal Licences</b>	<b>251</b>	<b>22</b>	<b>12</b>	<b>10</b>

**Table 12: Number of appeals and judicial reviews for- England and Wales in 2009/10**

	<b>Total</b>
Number of appeals against application decision	<b>118</b>
Number of appeal against licence review decision	<b>132</b>

**Table 13: Number of Temporary Event Notices - England and Wales in 2009/10**

	<b>Total</b>
Valid Temporary Event Notices given to Licensing Authority	<b>122,490</b>
Temporary Event Notices withdrawn	1,155
Temporary Event Notices received following modification with police consent	245
Counter Notices given following police objection	222

**Table Breakdowns for each question by Licensing Authority Area in 2009/10**

Information at Licensing Authority level is available in Excel format - online only.

[http://www.culture.gov.uk/what\\_we\\_do/research\\_and\\_statistics/4865.aspx](http://www.culture.gov.uk/what_we_do/research_and_statistics/4865.aspx)

# Licensing Collection Methodology

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1. Overall there was a 99% response rate to the MS Excel questionnaire that was sent by e-mail to each Licensing Authority (LA) in England and Wales. However the response rate differed for each question asked, as only partial returns were received for some sections.
  - Authorities were initially given over 3 months to submit their completed questionnaire, though late returns were accepted.
  - Some changes were made from the last collection, and the new questionnaire was piloted to a small sample of LAs. They were asked to inform us of any difficulties in providing the new information required. The pilot was sent out in March 2010 to all nine unitary authorities in England that were created on 1<sup>st</sup> April 2009 as part of the local government reorganisation<sup>20</sup>, which reduced the number of Licensing Authorities in England and Wales to 350..
  - Each submitted data response was checked and validated.
  - In total we received 345 completed returns out of a possible 349, and every effort has been made to ensure that the data reported in this bulletin is as robust as possible. Some LAs did not respond or informed us they will not be sending a return<sup>21</sup>. However DCMS received over 240 fully completed returns, more than in any of the previous collections.
  - Conwy Licensing Authority and Denbighshire Licensing Authority submitted a joint response as they had done in 2007/08 and in 2008/09; therefore the total number of Licensing Authorities in the collection was reduced by 1 to 349.
  - The questionnaire was structured in 2 parts – one asking for information of the number of licences in force on 31<sup>st</sup> March 2010 and the other asking for detail of associated activity over the 12 months to this date.
  - The questionnaire sent to each licensing authority is shown in Annex C (without the extensive instructions that were provided). It was requested that all white cells should be completed, and as many yellow cells as possible. The questionnaire stated that all values entered should be numerical, and to use 0 where the answer is 'none'. Any cells that were left blank were assumed to be unknown, and are treated as a non-response to that part of the question.
  - Clear and easy-to-use guidance was included with the electronic form and further automatic validation checks were built in, along with an error summary sheet highlighting any errors or missing values throughout the questionnaire.
  - As some categories were optional, they were not completed for all licensing authorities. There were lower response rates for type of licensable activity authorised in question 2b. This was an optional part of the question and only around eight in ten of all LAs were able to provide an accurate breakdown of this category.
  - In some cases the data returned were not consistent, for example, sometimes the totals did not match the sum of the different types of licences. These errors were followed up with the Licensing Authority and amendments to the figures were made.
  - The quality of the data varied noticeably from question to question and there were some inconsistencies between Licensing Authority returns, such as reporting the number of premises licences with only late night refreshment rather than any with late night refreshment

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<sup>20</sup> ONS Guidance on Local Government changes [http://www.statistics.gov.uk/geography/admin\\_areas.asp](http://www.statistics.gov.uk/geography/admin_areas.asp)

<sup>21</sup> The following 4 Licensing Authorities did not submit a data response:

Northumberland Unitary Authority, Reigate and Banstead, Richmondshire, and Sutton.

provisions. A number of errors were flagged up in further validity checks and each LA was contacted where necessary in an attempt to rectify these.

- A number of LAs informed us of inaccuracies with figures submitted in last year's collection. Some of the reasons stated were miscoding of categories, the way in which the data was recorded on their systems, human error, double counting some licences where there had been variations, lack of experience answering the statistical return.
- A common reason for poor quality returns was the diversity of computer systems in place within the Licensing Authorities. Some of these systems were not set up to easily allow responses to some of the questions asked. In these cases, in order to provide answers it would have required a large amount of time and effort to find out the information manually and in many cases was not possible at all.
- In a few instances Licensing Authorities were only able to provide estimates, or could not provide figures for the period requested. These comments and caveats provided from individual LAs have been published as notes alongside the full online tables.
- Figures in the main commentary of this bulletin are aggregates of those reported by Licensing Authorities for this exercise. Only the section on "Headline Annual Comparisons" reports scaled up modelled figures to the complete total in England and Wales.

## Data amendments

2. As this is the fourth year of this collection, the data quality has generally improved as Licensing Authorities have had time to develop their licensing software systems to record the information required in an accurate way, and they have had experience of completing this exercise before. Work with licensing software providers has helped minimise the burden on LAs, and make the statistics required easier to extract from their systems.

DCMS ran an extensive number of data quality checks on each return received. The questionnaire had an increased number of automatic error checks compared with previous collections, including a summary sheet that flagged up the reason for each error. Where an error was found and had not been corrected, the LA was contacted in an attempt to amend the incorrect figures. Error checks included:

- The "any regulated entertainment" total was no higher than the total number of licences that the authority had in force, and no lower than the highest entertainment type category.
- Sub-category splits equalled the totals, e.g. the sum of premises licences with alcohol provisions and non-alcohol provisions equalled the total number of premises licences in force.
- The total number of applications for expedited reviews, excluding any withdrawn applications, equalled the total number of completed reviews following application by police for expedited review.

In cases where the LA was unable to make corrections or could not be contacted, assumptions were made in order to amend the figures as necessary.

- In some questions where there were blank cells which were obviously zero (i.e. a split was provided to an aggregate total, but some parts were left blank) then they were edited to "0".
- In question 9, amendments were made to the number of "no action taken" following completed reviews where it was evident that actions had not been taken.
- All amendments are highlighted in the online tables by individual Licensing Authority.
- The 2010 exercise highlighted some errors and anomalies in a small number of previous years' returns but no amendments are being made to previously published figures, apart from the remodelled estimates reported on pages 12 -13. The modelling methodology takes into account LAs that informed us of some errors in their 2009 return and their 2008 return. In these cases, modelled estimates replaced previously stated incorrect figures.

## Modelling to National Totals

3. In the 2007 Alcohol, Entertainment and Late Night Refreshment statistics, a full response was not received from some Licensing Authorities, with 51 Licensing Authorities not responding at all to the data request. In 2008 the response rate for each question was higher, with only 10 Licensing Authorities not responding at all. In 2009 all Licensing Authorities in England and Wales submitted a full or partial response and in 2010 all except four licensing Authorities submitted a response and more of the questions were answered than in previous years (94% of all possible questions received an answer). In order to make meaningful comparisons between years, figures were scaled up to national totals for England and Wales, therefore accounting for the different levels of response.

The modelling process was discussed with external experts and is summarized below:

- Licensing Authorities informed us that 2010 figures were more accurate, so the model uses 2010 figures wherever possible, and then figures from 2009 or 2008. Figures from 2007 were not used in this year's modelling process (as they were not as accurate as the three more recent years' data).
- The average percentage change was calculated ( by using data from LAs that had submitted data in both years for the particular question) for each LA type<sup>22</sup> between those licensing authorities that had responded in both 2010 and 2009; 2010 and 2008; and 2009 and 2008
- For each individual LA, missing figures (unknowns) were imputed using the following criteria:
  - Imputed figures for 2010:
    - If a response had been provided in 2009, then the percentage change between 2009 and 2010 for the corresponding licensing authority type was applied to the 2009 figure to give an estimate for 2010.
    - If a response had been provided in 2008, and not 2009, then the percentage change between 2008 and 2010 for the corresponding LA type was applied to the 2008 figure to give an estimate for 2010.
    - If there was no response in any year, then the average for that LA type was calculated for 2010 and used as the estimate.
  - Imputed figures for 2009:
    - If a response had been provided in 2010 then the percentage change between 2010 and 2009 for the corresponding licensing authority type was applied to the 2010 figure to give an estimate for 2009.
    - If a response had been provided in 2008, and not 2010, then the percentage change between 2008 and 2009 for the corresponding LA type was applied to the 2008 figure to give an estimate for 2009.
    - If there was no response in any year, then the average for that LA type was calculated for 2010 and then the percentage change between 2010 and 2009 or 2008 applied to calculate the estimate.
  - Imputed figures for 2008:
    - If a response had been provided in 2010, then the percentage change between 2010 and 2008 for the corresponding licensing authority type was applied to the 2010 figure to give an estimate for 2008.

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<sup>22</sup> There are five main LA types which share similar characteristics such as size and therefore they hold similar licensing statistics. There are 56 Unitary Authority; 36 Metropolitan Districts; 201 District Authorities; 21 Welsh Unitary Authorities (as Conwy and Denbighshire submitted a joint response); 33 London Boroughs and 2 Unspecified (Inner Temple and Middle Temple within Greater London).

- If a response had been provided in 2009, and not 2010, then the percentage change between 2009 and 2008 for the corresponding LA type was applied to the 2009 figure to give an estimate for 2008.
- If there was no response in any year, then the average for that LA type was calculated for 2010 and then the percentage change between 2010 and 2008 applied to calculate the estimate.

This produced an estimate for each missing figure, with all the figures then aggregated to provide an *estimated* total for England and Wales for the key headline statistics.

The modelled estimates are used for comparison of key statistics between 2009 and 2010, shown on pages 12 (Table A), as well as for briefing purposes. Remodelled national totals<sup>23</sup> for 2008 and 2009 are shown in Table B (page 13). Imputed figures for individual LAs were only used to calculate the aggregated national totals, and will not be published separately.

## National Statistics

4. Alcohol, Entertainment and Late Night Refreshment Licensing statistics are classed as National Statistics. As such, every effort is made to ensure that they conform to standards of high quality, as well as relevance and integrity. For more information on National Statistics, see:

<http://www.statisticsauthority.gov.uk/about-the-authority/uk-statistical-system/history/key-historical-documents/framework-for-national-statistics.pdf>

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<sup>23</sup> The extrapolated 2008 and 2009 national totals reported in this bulletin are different to the published modelled figures reported in the 2009 licensing bulletin. This is because of figures being remodelled based on more current data (2007 data was excluded from this year's model) and in many cases better available data (outlined above), with amendments to some previously reported figures by individual LAs where they have informed us of errors.



# Glossary

This glossary has been put together for the purposes of this report and largely replicates the definitions/instructions that accompanied the questionnaire when it was sent to Licensing Authorities. The terms appear roughly in the order they appeared within the questionnaire.

Licensing Authority Area	The geographical area where an authority exercises its functions under the Licensing Act 2003. The Licensing Authority <sup>24</sup> is responsible for the licensing of alcohol, regulated entertainment and late night refreshment.
Government Office Region (GOR)	There are nine geographical Government Office Region areas in England: North East, North West, Yorkshire and The Humber, East Midlands, West Midlands, East of England, South East, London, and the South West.
Premises Licence	Authorising a premises to be used for the sale or supply of alcohol, the provision of regulated entertainment or the provision of late night refreshment, under the Licensing Act 2003. This includes time limited premises licences. A premises licence fee is based on its non-domestic rateable value. Application fees vary from £100 (Band A) to £1,905 (Band E with multiplier); renewal fees vary from £70 to £1,050.
Club Premises Certificate	Authorising a ' <a href="#">qualifying club</a> ' to carry out 'qualifying club activities' under the Licensing Act 2003. This includes time limited certificates. A number of criteria must be met to be considered a qualifying club. These are: <ul style="list-style-type: none"> <li>○ That under the rules of the club, persons may not be admitted to membership or be admitted as candidates for membership, to any of the privileges of membership without an interval of at least two days between their nomination for membership and their admission</li> <li>○ That the club is established &amp; conducted in good faith as a club</li> <li>○ That the club has at least 25 members</li> <li>○ That alcohol is not supplied to members on the premises otherwise than by or on behalf of the club</li> </ul>
Personal Licence	Authorising an individual to supply or authorise the supply of alcohol in accordance with a premises licence or temporary event notice under the Licensing Act 2003. The annual fee for a personal licence is £37.
Licensed to sell or supply alcohol (On-sales only)	The sale by retail of alcohol and the supply of alcohol (by clubs) for consumption on the premises.

<sup>24</sup> [http://www.culture.gov.uk/what\\_we\\_do/alcohol\\_and\\_entertainment/4052.aspx](http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/4052.aspx)

Licensed to sell or supply alcohol (Off-sales only)	The sale by retail of alcohol for consumption off the premises.
Both on and off sales or supply of alcohol	The sale by retail of alcohol for consumption both on and off the premises only. This category should not include premises licensed for on sales only, or off sales only of alcohol.
Licences not permitted to sell or supply alcohol	Premises licences or club premises certificates not permitted to sell or supply alcohol.
Late Night Refreshment	The provision of hot food or drink to the public, for consumption on or off the premises, between 11pm and 5am or the supply of hot food or hot drink to any persons between those hours on or from premises to which the public has access.
Regulated Entertainment <sup>25</sup>	This includes a total number of licences and certificates providing any form of regulated entertainment. The provision of entertainment includes the following plays, films, indoor sporting events, boxing or wrestling, live music, recorded music, dance, something similar to live or recorded music or dance as well as the provision of entertainment facilities (facilities for making music or dancing, or similar).
24 Hour Licence	Premises that are licensed for the sale or supply of alcohol for 24 hours in their standard timings. This includes premises that have 24 hour licences for specific days of the week in their standard timings (e.g. Fridays/Saturdays only), but doesn't include premises that only have 24-hour licences as a 'seasonal variation' or 'non-standard timing' (e.g. a supermarket that has a 24-hour licence at Christmas only, or a pub with special New Year hours).
Pubs, Bars and Nightclubs	Pubs, Bars and Nightclubs permitted to sell or supply alcohol for 24 hours in their standard timings. Does not include hotel bars (separate category).
Large Supermarkets	Supermarkets to which Sunday trading restrictions apply.
Other Convenience Stores	Other stores not classed as large supermarkets, permitted to sell or supply alcohol for 24 hours in their standard timings. This includes petrol stations.
Hotel Bars	The total number of hotel bars with a 24-hour licence and, including a breakdown of this number into those hotel bars that are open to both guests and public and those which are open to guests only. For further explanation see <a href="#">'Frequently Asked Questions'</a> .
Other Premises Types	The total number of other premises types with a 24-hour licence which have not been recorded in another category (e.g. sports clubs, village halls, beach huts etc.).

<sup>25</sup> [http://www.culture.gov.uk/what\\_we\\_do/alcohol\\_and\\_entertainment/4060.aspx](http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/4060.aspx)

Cumulative Impact Area	Area that the Licensing Authority has identified in their licensing policy statement where there is a saturation of licensed premises and the 'cumulative impact' of any additional licensed premises could affect the licensing objectives. Further information on cumulative impact areas is available in Sections 13.24 - 13.39 of the Revised Guidance to Licensing Authorities on the DCMS website ( <a href="http://www.culture.gov.uk">www.culture.gov.uk</a> ).
Time Period	This report's time period relates to the licence activity over a 12 month period between 1st April 2009 and 31st March 2010.
Applications Made	Correctly and properly made applications received by the Licensing Authority in the time period specified. Excludes applications that were rejected because of mistakes in the form and/or failure to advertise properly.
Granted	Licences, Certificates and Statements granted in the time period specified - i.e. licences which were applied for before 1 <sup>st</sup> April 2009 but granted within the 12 months specified, excluding licences applied for before 31 <sup>st</sup> March 2010 but granted later (excluding pending appeals).
Refused	Licences, Certificates and Statements refused in the time period specified - i.e. licences which were applied for before 1 <sup>st</sup> April 2009 but refused within the 12 months specified, excluding licences applied for before 31 <sup>st</sup> March 2010 but refused later (excluding pending appeals).
Variation to Premises Licence	Applications made under Section 34 of the Act to change the terms of a licence, for example the opening hours, the licensable activities or the conditions.
Variation to Club Premises Certificate	Applications made under Section 84 of the Act to change the terms of a club premises certificate, for example the qualifying club activities or the conditions. The fee for a variation of DPS is £23.
Minor Variations to Licence or Certificate	Applications made under Section 41A or Section 86A of the Act to make low risk changes to the terms of a licence or club premises certificate. The fee for a minor variation is £89.
Remove DPS Mandatory Condition (Community Premises)	Applications made under section 17 or section 34 which include an application for the alternative licence condition relating to the supervision of the supply of alcohol by community premises to be included in the licence (to enable every supply of alcohol under the premises licence to be made or authorised by the management committee).
Transfer of Premises Licence	Applications made under Section 42 of the Act to obtain the consent of the existing premises licence holder to transfer a licence. The fee for a transfer of licence is £23.
Applications that went to a committee hearing	The number of applications that resulted in a hearing, rather than the number of committee hearings held.
Personal Licence applications that went to a hearing	Applications that went to a hearing for: [i] Determining applications for the grant of a personal licence - S.120(7)(a); [ii] Determining applications for the renewal of a personal licence - S.121(6)(a);

	[iii] Convictions coming to light after grant or renewal of a personal licence - S.124(4)(a).
Premises Licence and Club Premises Certificate applications that went to a hearing	Applications that went to a hearing for: [i] Determining applications for a premises licence - S.18(3)(a); [ii] Determining applications for provisional statements - S.31(3)(a); [iii] Determining applications to vary a premises licence - S.35(3)(a); [iv] Determining applications for club premises certificates - S.72(3)(a); [v] Determining applications to vary club premises certificates - S.85(3). Excludes applications for a change to DPS, transfer of premises licence, review, or cancellation of interim authority notices following police objections that went to a hearing.
Total completed reviews	Only includes reviews that have been completed - i.e. where the Licensing Authority notified parties of its decision in the time period specified. Excludes applications for a review that were withdrawn or reviews that were mediated and therefore did not go to a hearing.
Review of Premises Licence (following application)	Total completed reviews of premises licences - following an application for the review under Section 51 of the Licensing Act 2003.
Review of Premises Licence (following application by police)	Total completed reviews of premises licences - following an application for an expedited/summary review under S.53A of the 2003 Act.
Review of Premises Licence (following closure order)	Total completed reviews of premises licences under Section 167 of the Licensing Act 2003 - following a closure order under Section 161 of the Licensing Act 2003 for disorder or public nuisance.
Review of Club Premises Certificate	Total completed reviews of club premises certificates - following an application for the review under Section 87 of the Licensing Act 2003.
Reason for completed review	The number of completed reviews resulted from concerns about each licensing objective. The reason(s) for each review is included as a review can result from concerns about one of more of the licensing objectives.
Crime & Disorder; Protection of Children; Public Nuisance; Public Safety	The reasons for completed review are the licensing objectives, and the stated grounds of the review.
Completed reviews instigated by Police, Trading Standards, EHOs, Local Residents, other Responsible Authorities or Interested Parties	The breakdown of total completed reviews by the responsible authority (or interested parties) which initiated the review. Includes expedited reviews sought under S.53A of the 2003 Act (which will always be instigated by the police) and reviews following closure under S.161 of the 2003 Act (again, these would be instigated by the police).
Actions Taken	The actions taken following each completed review, including completed expedited reviews. Resulting action, or actions, taken for each completed review of a licence (with at least one action associated with each review, as well as multiple actions) being recorded.

Operating hours modified	For example, where the opening hours are reduced, or, where a pub has its hours for alcohol sales reduced, and this effectively reduces its operating hours.
Licensable activity partially restricted	For example, where regulated entertainment is restricted to shorter hours, or to particular days of the week.
Licensable activity completely excluded	For example, where authorisation for the sale of alcohol is completely removed from a licence.
Other conditions added or modified	For example, conditions relating to CCTV; sound proofing; door security etc.
Club Certificate withdrawn	Where a Club Premises Certificate is withdrawn under Section 88 of the Licensing Act 2003.
Total number of applications for expedited reviews	This relates to premises licences only. This is the number of applications by the chief officer of police for an expedited/summary review of a premises licence because of serious crime and/or serious disorder under S.53A of the 2003 Act. It may differ from information on the number of completed reviews by type of licence, as it seeks the number of applications under the new power, rather than completed reviews as a result.
Number of expedited review applications withdrawn or rejected	Record how often an expedited/summary review application has been rejected or withdrawn.
Number of cases where interim steps were taken	The number of cases where interim steps were taken following the successful application for an expedited review. Interim steps are temporary measures which have to be taken within 48hours of the expedited review being accepted under one specific review power. These measures then fall (unless they are re-imposed at the review hearing).
Number of cases where interim steps were not taken	The number of cases where no interim steps were taken following the successful application for an expedited review
Operating hours modified	For example, where the opening hours are reduced, or, where a pub has its hours for alcohol sales reduced, and this effectively reduces its operating hours.
Licensable activity partially restricted	For example, where regulated entertainment is temporarily restricted to shorter hours, or to particular days of the week.
Licensable activity completely excluded	For example, where authorisation for the sale of alcohol is temporarily removed from a licence.
Other conditions added or modified	For example, conditions relating to door security etc.
Designated Premises Supervisor removed	Where the DPS has been removed pending the outcome of the review hearing.
DPS mandatory condition reinstated (Community Premises)	Where the DPS mandatory condition reinstated to allow the supervision of the supply of alcohol by community premises to be included in the licence.

Licence suspended	Licence suspended pending the outcome of the review hearing.
Number of licences surrendered, lapsed, revoked, forfeited, suspended or withdrawn	This does not include licence and certificate suspensions following licence reviews. Similarly, licence suspensions following interim steps following serious crime and/or disorder are not recorded here.
Surrendered (Premises Licence)	Where a Premises Licence is surrendered under Section 28 of the Licensing Act 2003.
Surrendered (Club Certificate)	Where a club premises certificate is surrendered under Section 81(3) of the Licensing Act 2003.
Surrendered (Personal Licence)	Where a personal licence is surrendered under Section 116 of the Licensing Act 2003.
Lapsed (Premises Licence)	Where a premises licence has lapsed due to the death, incapacity, insolvency etc. of the licence holder, as set out under Section 27 of the Licensing Act 2003. Excludes instances where a Premises Licence was in effect for a limited period, but the period has since expired (e.g. one-off events).
Lapsed (Club Certificate)	Where a club premises certificates has lapsed because it had effect for a limited period, but that period has since expired.
Revoked (Personal Licence)	Where a Personal Licence is revoked under Section 124 of the Licensing Act 2003.
Forfeited (Personal Licence)	Where a Premises Licence has been forfeited following a court order under Section 129 of the Licensing Act 2003 in the time period specified (and where that order has not been suspended, pending an appeal under Sections 129(4) or 130 of the Licensing Act 2003).
Closure Notice (Premises Licence)	Where a premises is prohibited from selling alcohol for 48 hours following a closure notice under S.169A.
Suspended by a Court (Premises Licence)	Where a Premises Licence is suspended by a court, under Section 147B(1) of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006) for the sale or supply of alcohol, following an offence of persistently selling to underage children.
Suspended by a Court (Personal Licence)	Where a Personal Licence is suspended following a court order under Section 129 of the Licensing Act 2003 in the time period specified (and where that order has not been suspended, pending an appeal under Sections 129(4) or 130 of the Licensing Act 2003).
Withdrawn (Club Certificate)	Where a club premises certificate is withdrawn under Section 90 of the Licensing Act 2003.
Appeals	Appeals where the Magistrates Court notified parties of its decision in the time period specified. This includes the number of appeals against application decision and separately appeals against the licence review decision.

Valid <a href="#">Temporary Event Notices</a> given	A notice under Section 100 of the Licensing Act, used to authorise certain relatively small-scale events involving licensable activities, subject to certain criteria and limits. Includes only notices that have been correctly and properly given in the time period specified - i.e. exclude notices that were sent back because of mistakes on the form. This also includes notices that were subsequently withdrawn. The fee for a TEN is £21.
TENs withdrawn	Temporary Event Notices withdrawn before the event under Section 103 of the Licensing Act 2003.
TENs received following modification with police consent	Temporary Event Notices received under Section 106 of the Licensing Act 2003 following modification of a Temporary Event Notice with police consent.
Counter Notices following police objection	Counter Notices given under Section 105 of the Licensing Act 2003 following police objection. A counter notice is a notice given by the licensing authority which prevents a temporary event notice having effect.

# Annex A: History of the Collection

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## Liquor Licensing Statistics

'Liquor Licensing in Great Britain' was a statutory triennial publication which contained statistics on the number of applications for liquor licences and the number of licences in force under the 1964 Licensing Act (repealed by the Licensing Act 2003). These statistics were previously produced by the Home Office but DCMS inherited responsibility for presenting them to Parliament, as part of the responsibility for alcohol and entertainment legislation, in 2001. In October 2004, the "[Liquor Licensing in England and Wales, July 2003 – June 2004](#)"<sup>26</sup> was published. In previous bulletins liquor licensing statistics were compiled from returns submitted by Clerks to Justices in England and Wales, and had a reporting period of 1<sup>st</sup> July to 30<sup>th</sup> June. Due to changes in the Licensing law, they are now collected directly from all Licensing Authorities in England and Wales, with a reporting period of 1<sup>st</sup> April to 31<sup>st</sup> March in line with the financial year.

## 'Anniversary' Statistics

In October 2006 DCMS released a summary of [licensing key facts](#), approximately one year on from the implementation of the new Licensing Act. Following a small-scale data collection exercise, results based on the returns received from 28% of authorities were released as a fact sheet - as "interim estimates only". Feedback from this questionnaire was used to design and develop the questionnaire used in this National Statistic data collection.

## Changes from the 2008 collection

There are some minor changes since the [2008 collection](#), which include the following:

- An additional "Local Residents" category was included for the question on number of completed reviews instigated by each of the responsible authorities (previously this would have been within the "Other responsible authorities or Interested Parties" category).
- The overall response rate was 98% of all Licensing Authorities in England and Wales. The response rate differed for each question (please see questionnaire within the report for full details).

## Changes from the 2007 collection

There are some changes since the [2007 collection](#) (but in line with the 2008 collection), including:

- An addition to the question on alcohol provisions, asking specifically for licences not permitted to sell or supply alcohol.
- For completed reviews, the questionnaire included reviews for premises licences following application by police for expedited/summary review under S.53A of the 2003 Act.
- 2008 was the first time the reason for completed review was collected and which responsible authorities instigated the completed review.
- In accordance to new powers that came into force from 1st October 2007 (Licensing Act 2003, S.53A), since 2008 the number of applications by the chief officer of police for an

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<sup>26</sup> [http://www.culture.gov.uk/reference\\_library/research\\_and\\_statistics/4865.aspx](http://www.culture.gov.uk/reference_library/research_and_statistics/4865.aspx)



expedited/summary review of a premises licence because of serious crime and/or serious disorder are collected. Also collected are the interim steps taken following the successful application for an expedited review.

- There is a change to the question on suspended premises licences. Prior to 6 April 2007 these were suspended premises licences following a review, whereas now they are premises licence suspended by a court, under Section 147B(1) of the Licensing Act 2003.
- Closure notices for premises licences (prohibited from selling alcohol for 48 hours following a closure notice under S.169A) were collected for the first time in 2008 and continued in 2009.
- The number of Licensing Authorities answering each question differed (see bulletin for full details).

### **Changes to the Liquor Licensing collection**

It is not possible to make comparisons to previous "Liquor Licensing" series due to changes in collection methods and coverage of different statistics to previous reports. The major changes since the Liquor Licensing collection include:

- Much information collected in this report, had not been collected prior to 2006/07, including the split of licences by fee band.
- A number of new sectors are now covered by premises licences such as takeaways (outside London), boats and circuses.
- A change in reporting period from 1<sup>st</sup> July - 30<sup>th</sup> June to 1<sup>st</sup> April – 31<sup>st</sup> March in line with the financial year.
- The overall response rate in the Liquor Licensing collection was over 99%, through a different collection process. However this collection is the first central collection of entertainment licensing statistics.

# Annex B: Background and Summary of Changes in the Licensing Law

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The [Licensing Act 2003](#) changed the way alcohol and entertainment licensing is administered in England and Wales when it came into effect in 24<sup>th</sup> November 2005. The Act represents the biggest reform in alcohol, entertainment and late night refreshment licensing for over 40 years. At the time it was estimated that the reforms would impact on around 200,000 businesses, non-profit making clubs, charities, community and voluntary groups, and almost the entire population of England and Wales who live near, or visit, licensed premises. The Act established a single integrated scheme for licensing premises, which is used for the supply of alcohol, to provide regulated entertainment or to provide late night refreshment. Authorisation to carry on some or all of these licensable activities is now contained in a single licence – the premises licence or the club premises certificate.

This regime aims to provide a balanced package of freedoms and safeguards. It has an important role in the prevention of crime and disorder and public nuisance perpetrated by a minority, and gives the responsible majority more freedom and choice about how they spend their leisure time. The Act also provides certain rights of appeal to the magistrates' court for those who feel aggrieved by decisions made by licensing authorities.

Key measures contained in the Act include:

- Flexible opening hours for premises, with the potential for up to 24 hour opening, seven days a week, subject to consideration of the impact on local residents, businesses and the expert opinion of a range of authorities in relation to the licensing objectives. This will help to minimise public disorder resulting from fixed closing times.
- A single premises licence which can authorise premises to supply alcohol, to provide regulated entertainment and to provide refreshment late at night. This brings together six previous licensing regimes, thereby cutting down on red tape.
- A new system of personal licences relating to the supply of alcohol which enables holders to move more freely between premises where a premises licence is in force.
- Premises licences are issued by licensing authorities (usually local authorities) after scrutiny of all applications by the police and other responsible authorities. Those living in, and businesses operating in, the vicinity of the premises can also make representations about applications.
- Personal licences are issued by licensing authorities after scrutiny of applications by the police where the applicant has been convicted of certain offences.

The explanations of the main features of the licensing regime in this document are provided as an information guide only. They are not a full and authoritative statement of the law and do not constitute professional or legal advice. Any statements in this report do not replace, extend, amend or alter in any way the statutory provisions of the Licensing Act 2003 or any subordinate legislation made under it or statutory guidance issued in relation to it.

# Annex C: Questionnaire with Response Rates, England and Wales 2009/10

## Q1 Number of Premises Licences and Club Premises Certificates in Force (please include premises with no fee applicable here)

	Premises Licences	Club Premises Certificates	Personal Licences
<b>Total</b>	<b>99%</b>	<b>99%</b>	<b>99%</b>

## Q2a Number of Premises Licences and Club Premises Certificates permitted to sell or supply alcohol

	Premises Licences	Club Premises Certificates
<i>Total (taken from Q1a above)</i>		
Licensed to sell or supply alcohol ( <b>On-sales only</b> )	<b>95%</b>	<b>96%</b>
Licensed to sell or supply alcohol ( <b>Off-sales only</b> )	<b>95%</b>	
<b>Both</b> on and off sales or supply of alcohol	<b>95%</b>	<b>96%</b>
Licences <b>not</b> permitted to sell or supply alcohol	<b>97%</b>	<b>97%</b>
Unknown	<b>N/A</b>	<b>N/A</b>

## Q2b Number of Premises Licences and Club Premises Certificates by licensable activity authorised

	Premises Licences	Club Premises Certificates
Any Premises Licences with Late Night Refreshment	<b>93%</b>	
Any regulated entertainment	<b>91%</b>	<b>91%</b>
<i>of which:</i>		
(a) Plays	<b>79%</b>	<b>78%</b>
(b) Films	<b>80%</b>	<b>78%</b>
(c) Indoor sporting events	<b>79%</b>	<b>78%</b>
(d) Boxing or wrestling	<b>80%</b>	<b>78%</b>
(e) Live music	<b>80%</b>	<b>79%</b>
(f) Recorded music	<b>79%</b>	<b>79%</b>
(g) Performance of dance	<b>79%</b>	<b>78%</b>

(h) Entertainment similar to live music, recorded music or dance	79%	78%
(i) Facilities for making music	79%	77%
(j) Facilities for dancing	79%	77%
(k) Facilities for entertainment similar to making music or dancing	78%	77%

### Q3 Number of premises with 24-hour alcohol licences by premises type

	Premises with 24-hour licences
<b>Total</b>	95%
<i>of which, premises in:</i>	
<b>Pubs, Bars and Nightclubs</b>	95%
<b>Supermarkets and Stores</b>	95%
<i>of which:</i>	
Large supermarkets	94%
Other convenience stores	94%
<b>Hotel Bars</b>	95%
<i>of which:</i>	
Open 24 hours to guests and public	94%
Open 24 hours to guests only	94%
<b>Other Premises Type</b>	95%

### Q4 Number of Cumulative Impact Areas

<b>Total</b>	99%
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Questions 5-7 relate to the licence **application** activity over the 12 month period.

### Q5 Number of licences applied for, granted and refused by type of licence

	Applications made	Granted	Refused
New Premises Licence	99%	98%	98%
Variation to Premises Licence	99%	98%	98%
New Club Premises Certificate	99%	99%	99%
Variation to Club Premises Certificate	99%	99%	99%
Minor Variations to Licence or Certificate <i>of which to amend or add the authorisation of live music</i>	99%	99%	99%
	90%	90%	90%
Remove DPS Mandatory Condition (Community Premises)	98%	98%	98%
New Personal Licence	99%	99%	99%
Transfer of Premises Licence	98%	98%	98%

### Q6 Number of applications that went to a committee hearing

Premises Licence/Club Premises Certificate applications	97%
Personal Licence applications	98%

### Q7a Number of completed reviews by type of licence (Note: also include any completed expedited reviews here)

<b>Total completed reviews</b>	99%
<i>of which reviews of:</i>	
Premises Licences (following application)	98%
Premises Licences (following application by police for <u>expedited review</u> )	99%
Premises Licences (following closure orders under S.161 of Act)	98%
Club Premises Certificates (following application)	98%

### Q7b Reason for completed review (Note: more than one reason may apply to each review)

Crime & Disorder	98%
Protection of Children	98%
Public Nuisance	98%
Public Safety	98%

**Q7c Number of completed reviews instigated by each of the following Responsible Authorities**

Police	98%
Trading Standards Officers	98%
Environmental Health Officers	98%
Local Residents	98%
Other Responsible Authorities or Interested Parties (Please state in comments box below)	98%

**Q8 Action taken following completed reviews***(Note: more than one action may apply to each completed review)*

Total completed reviews (taken from Q8a above)	99%
No action taken	99%
Operating hours modified	99%
Licensable activity partially restricted	99%
Licensable activity completely excluded	99%
Other conditions added or modified	99%
Designated Premises Supervisor removed (Premises Licences only)	99%
DPS mandatory condition reinstated (Community Premises)	99%
Licence or Certificate suspended	99%
Licence revoked or Club Premises Certificate withdrawn	99%

**Q9 Number of Expedited review applications***(Note: more than one interim step may apply per review)*

Total number of <u>applications</u> for expedited reviews	99%
Number of expedited review applications withdrawn or rejected	99%
<b>Number of cases where no interim steps were taken</b>	99%
<b>Number of cases where interim steps were taken</b>	99%
<i>of which:</i>	
Operating hours modified	99%
Licensable activity partially restricted	99%
Licensable activity completely excluded	99%
Other conditions added or modified	99%
Designated Premises Supervisor removed	99%
DPS mandatory condition reinstated	99%
Licence suspended	99%

**Q10 Number of licences surrendered, lapsed, revoked, forfeited, suspended or withdrawn**

	Premises Licences	Club Premises Certificates	Personal Licences
Surrendered	98%	99%	99%
Lapsed	96%	96%	
Revoked			97%
Forfeited			97%
Suspended by a court	97%		97%
Closure notice	97%		
Withdrawn (section 90)		98%	

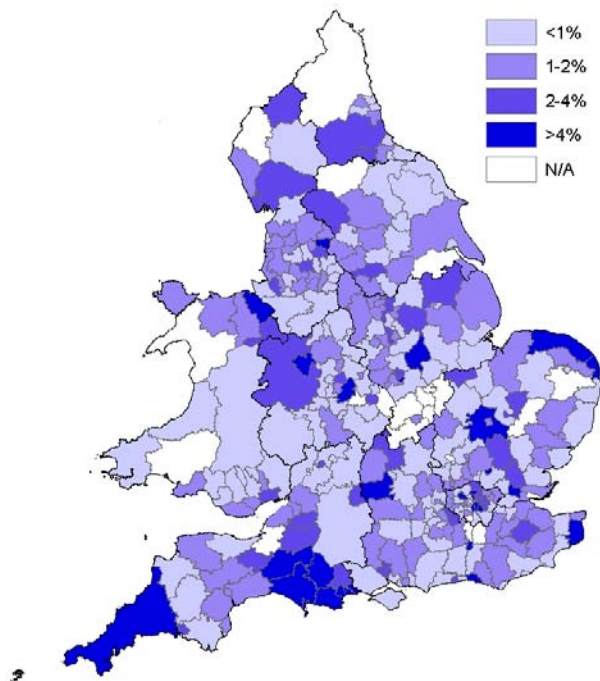
**Q11 Number of appeals completed**

Appeal against application decision	98%
Appeal against licence review decision	98%

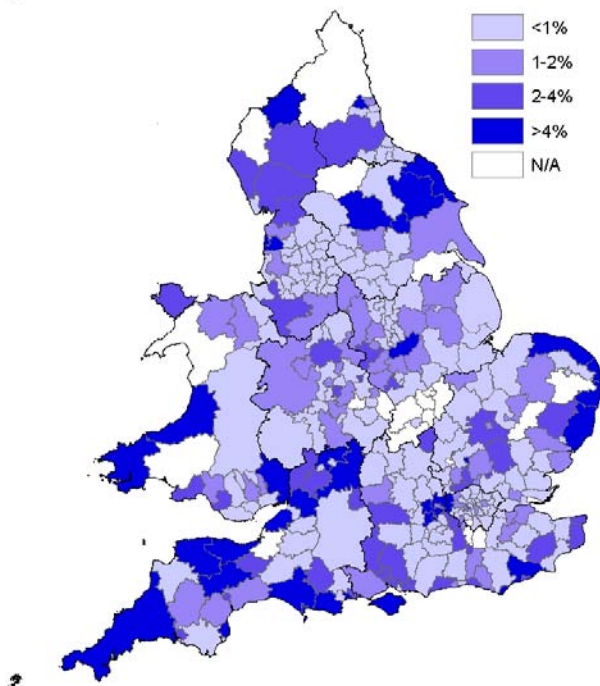
**Q12 Number of Temporary Event Notices**

Valid Temporary Event Notices given to Licensing Authority	99%
Temporary Event Notices withdrawn	98%
Temporary Event Notices received following modification with police consent	97%
Counter Notices given following police objection	99%

## Annex D: Maps Showing 24 Hour Alcohol Licences by Premises Type



**FIGURE F: TOTAL 24-HOUR ALCOHOL LICENCES (EXCLUDING HOTELS) AS A PROPORTION OF LICENCES AND CERTIFICATES PERMITTED TO SELL OR SUPPLY ALCOHOL BY LOCAL AUTHORITY**



**FIGURE G: HOTELS WITH 24-HOUR ALCOHOL LICENCES AS A PROPORTION OF LICENCES AND CERTIFICATES PERMITTED TO SELL OR SUPPLY ALCOHOL BY LOCAL AUTHORITY<sup>27</sup>**

<sup>27</sup> The map shows that coastal LAs have a higher amount of hotels with 24 hour alcohol licences as a proportion of all their licence and certificates selling alcohol. More of these are leisure resort areas with a higher number of hotels compared to other LAs.



# FURTHER INFORMATION

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The Alcohol, Entertainment and Late Night Refreshment Licensing Bulletin and online tables for 2006/07, 2007/08 and 2008/09 can be downloaded in electronic format free of charge from:

[http://www.culture.gov.uk/reference\\_library/research\\_and\\_statistics/4865.aspx](http://www.culture.gov.uk/reference_library/research_and_statistics/4865.aspx)

The Department inherited responsibility for these statistics, as part of the transition of responsibility for alcohol and entertainment legislation, in 2001. The web address above also has a link to the previous Liquor Licensing bulletin provided by DCMS (October 2004).

This bulletin was prepared by the Evidence & Analysis Unit in the Department for Culture, Media and Sport. If you have any enquiries about figures in this bulletin then please contact us:

Evidence & Analysis Unit  
Department for Culture, Media and Sport  
2-4 Cockspur Street,  
London SW1Y 5DH

Email: [licensing.statistics@culture.gsi.gov.uk](mailto:licensing.statistics@culture.gsi.gov.uk)

Press enquiries should be made to DCMS Press Office on 0207 211 6263.

Statistical queries should be made to Peter Antoniadou, on 0207 211 6188 (the responsible statistician).



department for  
**culture, media  
and sport**

2-4 Cockspur Street  
London SW1Y 5DH  
[www.culture.gov.uk](http://www.culture.gov.uk)