

department for culture, media and sport



## **DCMS Statistical Bulletin**

# Alcohol, Entertainment and Late Night Refreshment Licensing

England and Wales, April 2006 – March 2007

Peter Antoniades, Benedetta Maggi and Ed Pickering DCMS Evidence & Analysis Unit November 2007

> improving the quality 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.

## Contents

	Page
Background	5
History of the Collection	5
Summary of Changes in the Licensing Law	6
Methodology	7
Changes to the Collection	7
Reporting Methodology	7
Data Quality	7
Executive Summary	8
COMMENTARY PART 1 – LICENSED PREMISES AT MARCH 07	10
Premises Licences	10
Club Premises Certificates	11
Personal Licences	11
Regulated Entertainment and Late Night Refreshment	12
24-Hour Alcohol Licences	13
Cumulative Impact areas	13
COMMENTARY PART 2 – LICENCE ACTIVITY IN 2006/7	14
Premises Licences Activity	14
Club Premises Certificates Activity	15
Personal Licences Activity	16
Hearings, Appeals and Reviews	17
Temporary Event Notices	18
Survey Methodology	26
Questionnaire with Response Rates	28
Glossary	31
Further information	35

FIG 1	URES PREMISES LICENCES AND CLUB PREMISES CERTIFICATES BY ACTIVITY	Page
		8
2	PREMISES LICENCES, CLUB PREMISES CERTIFICATES AND TEMPORARY EVENT NOTICES	9
3	PREMISES LICENCES BY FEE BAND	10
4	CLUB PREMISES CERTIFICATES BY FEE BAND	11
5	PREMISES LICENCES AND CLUB PREMISES BY AUTHORISED REGULATED ENTERTAINMENT	12
6	PREMISES WITH 24-HOUR ALCOHOL LICENCES	13
7	PREMISES LICENCE ACTIVITY, BY OUTCOME	14
8	PERSONAL LICENCE ACTIVITY BY OUTCOME	15
9	CLUB PREMISES CERTIFICATE ACTIVITY BY OUTCOME	16
10	ACTIONS TAKEN FOLLOWING COMPLETED REVIEWS	17

TAB	BLES	Page
1	Number of Premises Licences, Club Premises Certificates and Personal Licences by Fee Band, England and Wales in 2006/7	19
2	Number of Premises Licences and Club Premises Certificates by licensable activity - England and Wales, 31st March 2007	20
3	Number of Premises Licences and Club Premises Certificates by regulated entertainment type - England and Wales, 31st March 2007	21
4	Number of Premises Licences with 24 hour alcohol provisions by premise type - England and Wales, 31st March 2007	22
5	Number of Cumulative Impact Areas - England and Wales, 31st March 2007	22
6	Licence Activity by outcome for England and Wales in 2006/7	23
7	Number of police objections, committee hearings, appeals and judicial reviews for- England and Wales in 2006/7	24
8	Number of completed reviews by type of licence - England and Wales in 2006/7	24
9	Action taken following completed reviews - England and Wales in 2006/7	24
10	Number licences surrendered, lapsed, suspended, revoked, forfeited or withdrawn by licence type, 2006/07	25
11	Number of Temporary Event Notices - England and Wales in 2006/7	25
	Key Findings by Local Authority Area in 2006/7 ONLINE ONLY, link on page	ge 25

### Background

The Secretary of State for Culture, 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).

When the 2003 Act came into force on 24 November 2005, it represented 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 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.

#### History of the collection

#### **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. The last bulletin was published in October 2004, "Liquor Licensing in England and Wales, July 2003 – June 2004"<sup>1</sup>. 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> March in line with the financial year.

#### 'Anniversary' Statistics

In October 2006 DCMS released a summary of <u>licensing key facts</u>, 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 Statistics data collection.

<sup>1</sup> 

http://www.culture.gov.uk/Reference\_library/rands/statistics/alcohol\_entertainment\_licensing\_statistics.ht <u>m</u>

#### Summary of changes in the licensing law

The new Licensing Act 2003 changed the way alcohol and entertainment licensing is administered in England and Wales when it came into effect in 24 November 2005. 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.

The new 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.

#### Methodology

The information in the new bulletin reflects the changes to licensing law and will form the basis for future collections. The questionnaire (page 28) asked for some of the most regularly requested information about licensed premises which will help inform our ongoing monitoring of the impact of the new Licensing Act. This year's data collection provides a baseline following implementation. In particular, the bulletin is no longer confined to licences for the sale of alcohol but, for the first time, is a central collection of data on licences required to put on regulated entertainment or provide late night hot food and drink.

#### Changes to the collection

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

- Much information is collected for the first time in this report, including the split of licences by fee band.
- A number of new sectors are now covered by Premises Licences such as takeaways, boats and circuses.
- A change in overall response rate from over 99% to 87%<sup>2</sup> due to a new collection process. We expect the number of responses and the data quality to improve in future collections
- 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.

Initially, we intend to publish bulletins annually, until activity under the new system settles down, after which we will return to less frequent collections.

#### Reporting methodology

Within the commentary, figures have been rounded. If greater than 1,000, figures have been rounded to the nearest hundred, whereas figures between 1000 and 100 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.

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

Also within the commentary, where a percentage split is shown it corresponds 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 both valid percentages and total percentages including these unknowns so, once non-response has been take into account, can be used to scale up to the total number.

#### Data quality

The questionnaire was sent out to 378 Licensing Authorities, with 327 completed returns received, and every effort has been made to ensure that the data reported in this bulletin is as robust as possible. As this is the first formal collection under the new Licensing Act, the questionnaire was tested with a number of Licensing Authorities prior to being sent out (both in face-to-face meetings and by e-mail testing). Additionally, clear and easy-to-use guidance was included with the electronic form and some automatic validation checks built in. However, the quality of the data varied noticeably from question to question and there were a number of inconsistencies between Licensing Authority returns. A number of errors were flagged up in further validity checks and each LA was contacted where necessary in an attempt to rectify these. Alterations were made to some answers where LAs were unable to correct themselves or could not be recontacted. Comments from individual LAs on the collection process have been published as notes alongside the online tables.

Further explanation of survey methodology can be found on page 26.

<sup>&</sup>lt;sup>2</sup> The response rate varies for each question and is noted throughout the bulletin.

### **Executive Summary**

The following results are based only on the completed returns received and therefore will be an **underestimate** of the full picture in England and Wales.

Returns from 87% of LAs were received in total, but the response rate differed for each question asked which should be taken into account in any attempt to scale up these figures.

- 177,200 licences and certificates were in force in England and Wales on 31<sup>st</sup> March 07. 162,100 were premises licences and 15,200 were club premises certificates. There were also over a quarter of a million Personal Licences. [Based on 86% of all LAs]
- 123,700 licences and certificates in force were authorised to sell alcohol. 32,900 premises licences were authorised for off-sale of alcohol only. 28,100 licences authorised on-sale of alcohol only, of which 4,900 were club premises certificates, and 62,700 allowed both on and off sales, of which 7,300 were club premises certificates. [approx. 70% response rate]
- Just over 50,000 premises were licensed for late night refreshment. [72% response]
- 72,600 premises licences and 9,100 club premise certificates were authorised for any form
  of entertainment. Over 260,000 regulated entertainment activities were authorised; the most
  common types of which were playing of recorded music and the staging of live music. [This
  is based on 68% of all LAs]
- There were 5,100 premises with 24-hour licences of which 3,300 were hotel bars<sup>3</sup>, 920 supermarkets, 470 pubs, bars and nightclubs, and 420 other premise types. [83% response]

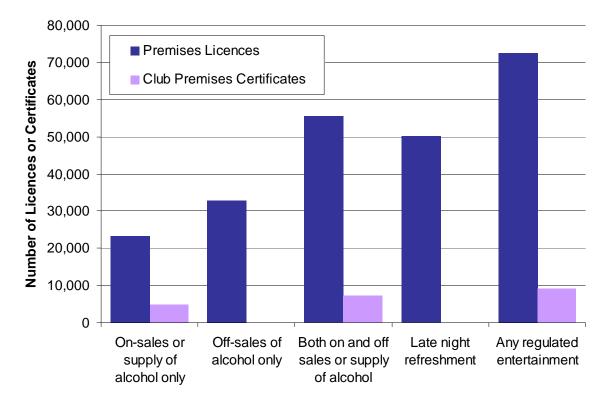
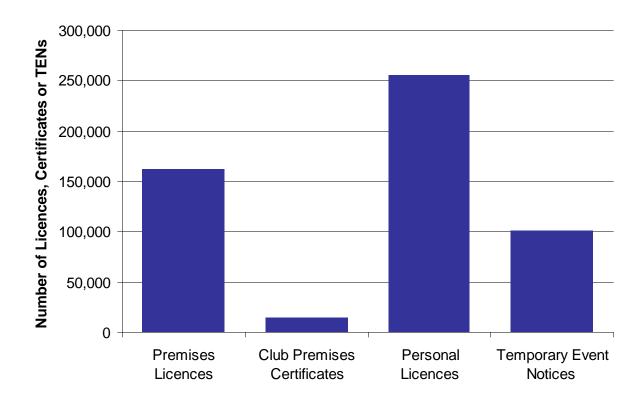


FIGURE 1: PREMISES LICENCES AND CLUB PREMISES CERTIFICATES BY ACTIVITY AUTHORISED<sup>4</sup>, ENGLAND AND WALES, 2006/07

<sup>&</sup>lt;sup>3</sup> Around 2,500 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'.

<sup>&</sup>lt;sup>4</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 nearly 14,800 new applications for premises licences and around 98% of outcomes resulted in the licence being granted. New premises licences granted in the year to 31 March 07 made up nine percent of the total number of premises licences. [around 83% response rate]
- 360 applications were made for club premises certificates, with 6 refused. Also 59,000 applications were made for new personal licences with 57,400 granted. [81% response]
- Around 680 reviews were completed in this reporting period. In around 110 of these cases, the operating hours for the licence was modified following the review and 400 reviews resulted in other conditions were added or modified. [85% response]
- Following a completed review, 91 licences or certificates were suspended and 92 premises licences were revoked or club premises certificates withdrawn. [85% response]
- Over 6,600 applications went to a committee hearing in 2006/07. [81% response]



• There were over 100,000 Temporary Event Notices in the year to March 07. [85% response]

FIGURE 2: PREMISES LICENCES, CLUB PREMISES CERTIFICATES AND TEMPORARY EVENT NOTICES, ENGLAND AND WALES, 2006/07

## Commentary – Part 1

#### **Premises Licences**

86% of LAs submitted a figure for premises licences. However just 75% provided a split by fee band, and 69% provided a number with no fee applicable.

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, under the Licensing Act 2003.

- On 31 March 2007 there were 162,100 Premises Licences in force in England and Wales.
- Approximately seven in ten premises licences have authorisation to sell alcohol<sup>5</sup>. On 31<sup>st</sup> March 2007 there were 23,200 premises licences with on-sales only alcohol licences, 32,900 with off sales only alcohol licences and 55,400 licences with both on and off sales of alcohol licences in force.

Each premises licence has a fee band which is based on its non-domestic rateable value. The fee bands give a broad indication of the size of the premises, the scale of the business, turnover etc. The number of Premises Licences split by premises fee band were 30,800 in Band A; 74,700 in Band B; 16,700 in Band C; 3,700 in Band D [no multiplier]; 720 in Band D with multiplier<sup>6</sup>; 8,900 in Band E [no multiplier] and 690 in Band E with multiplier. This includes some premises licences that didn't attract a fee but still had a fee band based on the non-domestic rateable value.

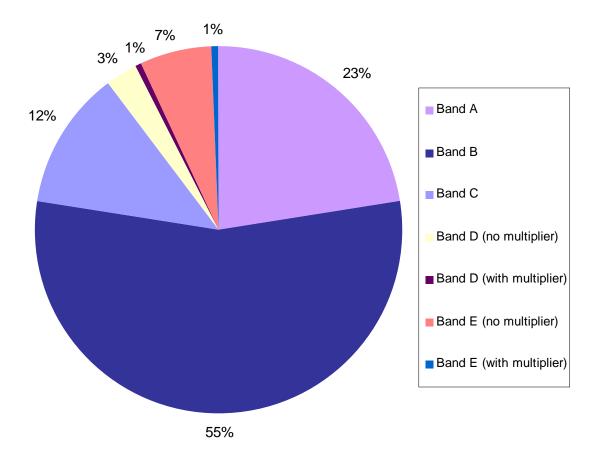


FIGURE 3: PREMISES LICENCES BY FEE BAND, ENGLAND AND WALES, 31 MARCH 2007 (Percentages in figure 3 do not add up to 100% due to rounding)

<sup>&</sup>lt;sup>5</sup> A number of LAs double counted the number of premises with an alcohol licence. When providing a figure for "on-sales **only**" and "off-sales **only**", they had recorded these in "both" as well. Amendments were made to these so that the total number of alcohol licensed premises was no more than the total number of premised licences, but some LAs may still have over-reported the number of premises licences with authorised sale of alcohol.

<sup>&</sup>lt;sup>6</sup> See Glossary for definition of the Band D and E multiplier.

#### **Club Premises Certificates**

86% of LAs submitted a figure for club premises certificates and personal licences. However just 74% provided a split by fee band, and just 59% provided a number with no fee applicable.

The Licensing Act 2003 recognises that non-profit making members clubs give rise to different issues for licensing law than commercially run premises selling direct to the public. These qualifying club (such as the Royal British Legion, working men's or cricket or rugby clubs) are generally organisations where members join together for a particular social, sporting or political purpose and then combine to purchase alcohol in bulk for its members.

- On 31 March 2007 there were 15,200 club premises certificates in force<sup>7</sup> in England and Wales.
- Approximately eight in ten club premises certificates had a permission to supply alcohol.<sup>8</sup> 4,900 club premises certificates authorised on-sale or supply of alcohol licences only, and 7,300 were authorised for both off and on sales or supply of alcohol.

The split of these club premises by their fee band which is based on its non-domestic rateable value are as follows: 3,900 were in Band A; 7,900 in Band B; 810 in Band C; 110 in Band D; and 240 in Band E. This includes some club premises certificates that didn't attract a fee, but still had a band.

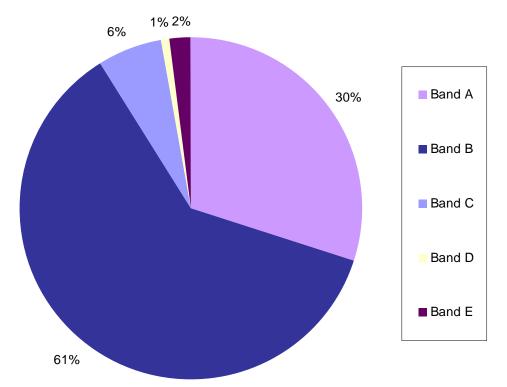


FIGURE 4: CLUB PREMISES CERTIFICATES BY FEE BAND, ENGLAND AND WALES, 31 MARCH 2007

#### **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 2007 there were over quarter of a million personal licence holders (255,400).

<sup>&</sup>lt;sup>7</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>&</sup>lt;sup>8</sup> Some club premises certificates provided a figure for "on-sales **only**" but had also recorded these in "both" as well. Amendments were made to remove double counting, but some LAs may still have over-reported the number of certificates with authorised sale of alcohol.

#### **Regulated Entertainment and Late Night Refreshment**

Just 68% of LAs submitted a total for regulated entertainment, with just over half of LAs provided a split by licensable activity. 72% 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). 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.

- 72,600 premises licences and 9,100 club premises certificates in force were licensed for some type of regulated entertainment.
- The most popular forms of entertainment for premises licences were recorded music (49,000), live music (38,100), facilities for dancing (26,900) and facilities for making music (23,900).
- For club premises certificates, the most popular forms were recorded music (6,000 club certificates), live music (5,500), facilities for dancing (4,600), facilities for making music and indoor sporting events (both with 2,900 club certificates each).
- On 31 March 2007 over 260,000 licensable activities were authorised with a premises licence or club premises certificate.

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.

• 50,100 premises licences (under a third of all premises licences in force) had late night refreshment activity authorised. 17% of these were in Greater London Authorities and 20% were in other metropolitan districts.

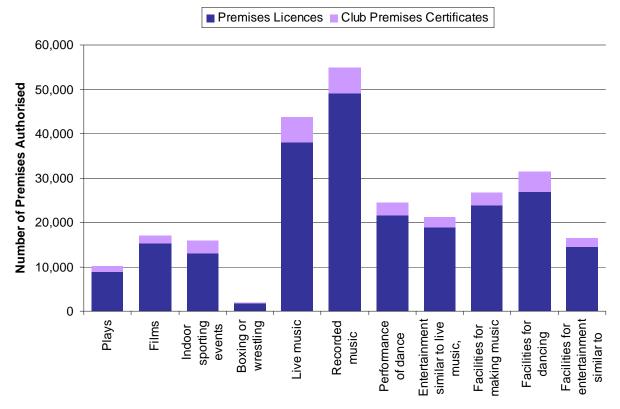


FIGURE 5: PREMISES LICENCES AND CLUB PREMISE CERTIFICATES BY AUTHORISED REGULATED ENTERTAINMENT, ENGLAND AND WALES, 31 MARCH 2007

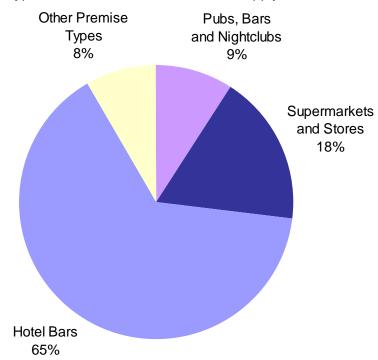
#### **24-Hour Alcohol Licences**

#### 83% of LAs submitted a total for 24-hour alcohol licences, see page 28 for more details

In 2006/07 there were approximately 5,100 premises licensed for the sale or supply of alcohol for 24 hours in their standard timings. 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 North West had 29% of all 24 hour alcohol licences in England and Wales. The South West had 21%, South East 13% and East of England and London had 8% each. The other regions and Wales had 5% of the total or less in their area.

- Around two thirds of all 24 hour alcohol licences were in hotel bars (3,300), of which 95% were
  open to guests only and the remaining 5% open to guests and public. Four in ten hotel bars with
  a 24 hour licence were in the North West, with over 99 percent of these open to guests only. 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.
- 920 Supermarkets and Stores had 24 hour alcohol licences, of which 65% were large supermarkets and the remaining 35% were other convenience stores. Around a quarter of the total, and over half of the 'other' convenience stores with 24 hour licences, were in London.
- Just over 100 Licensing Authorities had a Pub, Bar or Nightclubs with a 24 hour alcohol licence (with 470 such premises in total). One third of these licences were in the South West.



• 420 other premises types were licensed for the sale or supply of alcohol for 24 hours.

FIGURE 6: PREMISES WITH 24-HOUR ALCOHOL LICENCES BY PREMISE TYPE

#### **Cumulative Impact Areas**

A cumulative impact area is an area that the Local 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 2007 there were 71 cumulative impact areas of which 17% were in Greater London Authorities and 18% in other metropolitan districts. [Based on 80% of all LAs]

## Part 2 – Licence Activity in 2006/7

#### **Premises Licences**

83% of LAs reported a total for premises licence applications, see page 29 for more details

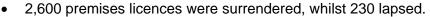
2006/07 was the first full financial year where the new Licensing Act was in effect. In this period there were 14,800 new premises licences applied for, of which 14,200 were granted<sup>9</sup> (98 percent of all decided outcomes)) and 220 were refused. Newly granted premises licences accounted for 9% of the total number of premises licences in force on 31<sup>st</sup> March 2007.

There were 9,500 applications made to change the terms of a licence, for example the opening hours, the licensable activities or the conditions. 9,100 of these variations were granted (98 percent), with 170 refused (2 percent). There were 37,200 requests to specify a different individual as the designated premise supervisor and 35,100 were granted (99.7 percent) with 96 refused (less than half a percent).

Provisional statements are applications where the premises are being constructed, extended or altered for use for licensable activities. 93 were applied for in 2006/07, and 88 were granted (98 percent), 2 were refused.

Other findings for premises licences in the year to 31<sup>st</sup> March 2007 were:

- 16,500 applications made for transfers of premises licences, 15,700 were granted in this period and 110 were refused (less than 1%).
  - 40,000 35,000 Unknown/To be decided



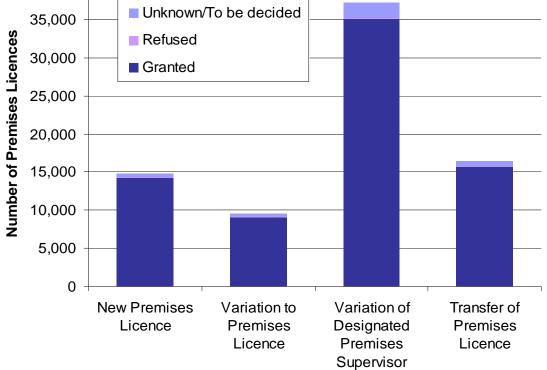


FIGURE 7: PREMISES LICENCE ACTIVITY, BY OUTCOME, ENGLAND AND WALES 2006/07

<sup>&</sup>lt;sup>9</sup> Some licences granted would have been from applications prior to 1 April 2006, 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.

#### **Club Premises Certificates**

83% of LAs submitted a total for club premises certificate applications, see page 29 for more details

During the twelve months ending 31 March 2007 there were just under 360 new applications for club premises certificates, 330 were granted (98 percent of all decided outcomes) and 6 were refused in England and Wales. The new granted club premises certificates accounted for 2% of the total number of club premises certificates in force on 31<sup>st</sup> March 2007.

Other findings for club premises certificates in the year to 31<sup>st</sup> March 2007 were:

- 630 variations to club premises certificates were applied for. Variations include changing the activities of the qualifying club, or the conditions of the certificate. 610 were granted (99 percent) in this reporting period and 4 were refused.
- 210 club premises certificates were surrendered; 2 lapsed and 13 were withdrawn where the club was no longer a qualifying club.

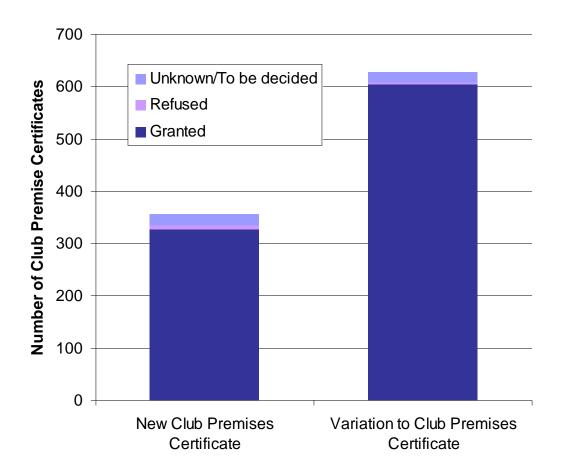


FIGURE 8: CLUB PREMISES CERTIFICATE ACTIVITY BY OUTCOME, ENGLAND AND WALES 2006/07

#### **Personal Licences**

83% of LAs submitted a total for personal licence applications, see page 29 for more details

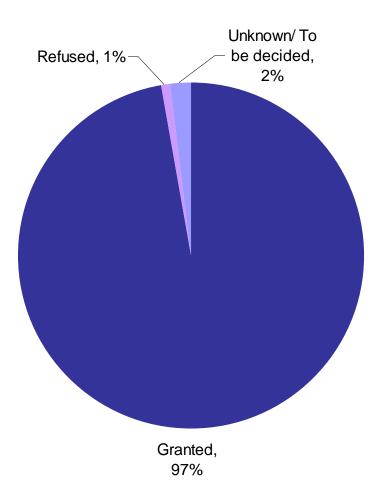
A personal licence authorises an individual to supply or authorise the supply of alcohol in accordance with a premises licence under the Licensing Act 2003.

- In the year ending in March 2007, 59,000 new personal licences were applied for, of which 57,400 were granted (99 percent of decided outcomes) and 440 refused.
- The new personal licences granted account for 22% of the total number of personal licences in force on 31<sup>st</sup> March 2007.

The Act provides the police and licensing authorities with powers to deal with errant personal licence holders. In the year ending March 2007 there were 290 Police objections<sup>10</sup>.

Other findings for personal licences in the year to 31<sup>st</sup> March 2007 were:

• 190 personal licences surrendered; 11 revoked; 13 forfeited; and 13 suspended.



#### FIGURE 9: PERSONAL LICENCE ACTIVITY BY OUTCOME, ENGLAND AND WALES 2006/07

<sup>&</sup>lt;sup>10</sup> If the police make no objections within a 14 day period, the licence must be granted.

#### Hearings, Appeals and Reviews

81% of LAs submitted a total for hearings, 83% responded to number of appeals completed and 85% responded to number of completed reviews.

In 2006/07 6,400<sup>11</sup> premises licence and/or club premises certificate applications and 210 personal licence applications went to a committee hearing.

- There were 680 completed reviews. 590 were premises licences following an application for a review and 44 were premises licences following closure orders. 11 completed reviews were in club premises certificates following an application for a review.
- Following a completed review, 91 licences or certificates were suspended and 92 premises licences were revoked or club premises certificates withdrawn.
- Around 110 cases resulted in a licence modifying their operating hours and in 400 cases other conditions were added or modified following a completed review. In 51 cases no action was taken following a review.

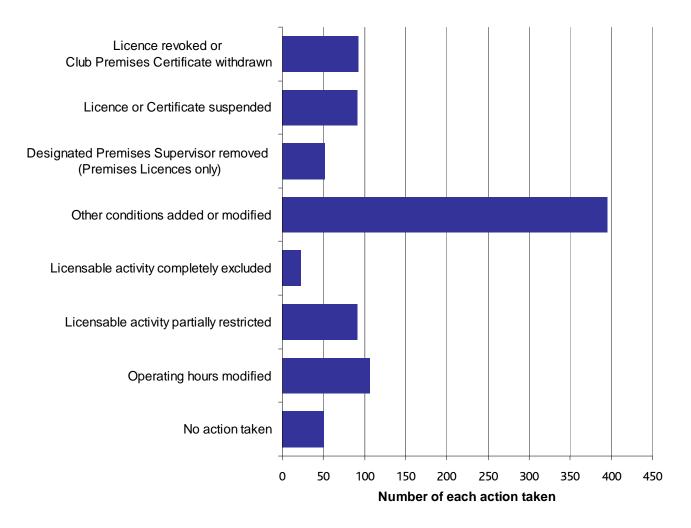


FIGURE 10: ACTIONS TAKEN FOLLOWING COMPLETED REVIEWS, ENGLAND AND WALES 2006/07

- In the year ending 31<sup>st</sup> March 2007 there were 570 completed appeals in the magistrate courts.
- There were three completed judicial reviews in the higher courts.

<sup>&</sup>lt;sup>11</sup> 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.

#### **Temporary Event Notices**

#### 85% of LAs submitted a total for Temporary Event Notices, see page 30 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 around 101,100 TENs used in year to March 07. The South East region had the highest proportion of TENs in England and Wales (19 percent), followed by the South West and London (14 percent each).
- Just over 1,000 TENs were withdrawn and 490 were received following modification with police consent.
- Further to this, 180 counter notices were given by the licensing authority following police objection and 250 counter notices were given where limits were exceeded.
- 160 TENs resulted in a committee hearing.

## Tables

## Table 1: Number of Premises Licences, Club Premise Certificates and Personal Licences by Fee Band – England and Wales, 31<sup>st</sup> March 2007

	Total	Percentage valid	Total percentage (including unknown)
Premises Licences	162,053		100%
Band A	30,789	23%	19%
Band B	74,731	55%	46%
Band C	16,659	12%	10%
Band D (no multiplier)	3,678	3%	2%
Band D (with multiplier)	723	1%	0%
Band E (no multiplier)	8,941	7%	6%
Band E (with multiplier)	692	1%	0%
Band unknown	25,840		16%
Number with no fee applicable	7,338		5%
Club Premises Certificates	15,187		100%
Band A	3,880	30%	26%
Band B	7,899	61%	52%
Band C	812	6%	5%
Band D	107	1%	1%
Band E	242	2%	2%
Band unknown	2,247		15%
Number with no fee applicable	147		1%
Personal Licenses	255,396		100%

## Table 2: Number of Premises Licences and Club Premise Certificates by licensable activity -England and Wales, 31<sup>st</sup> March 2007

	Total	Percentage* Selling Alcohol	Percentage of Licenses
Premises Licences	162,053		100%
Premises Licences Selling Alcohol	111,567	100%	69%
On-sales or supply of alcohol only	23,218	21%	14%
Off-sales of alcohol only	32,917	30%	20%
Both on and off sales or supply of alcohol	55,432	50%	34%
Late Night Refreshment	50,114		31%
Club Premises Certificates	15,187		100%
Club Premises Certificates Selling Alcohol	12,137	100%	80%
On-sales or supply of alcohol only	4,870	40%	32%
Both on and off sales or supply of alcohol	7,267	60%	48%

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

## Table 3: Number of Premises Licences and Club Premises Certificates by regulated entertainment<sup>12</sup> type - England and Wales, 31<sup>st</sup> March 2007

	Total	Percentage of entertainment licences	Percentage of all licences
Premises Licences	162,053		100%
Premises Licences with any regulated entertainment	72,643	100%	45%
Plays	8,798	12%	5%
Films	15,296	21%	9%
Indoor sporting events	13,119	18%	8%
Boxing or wrestling	1,692	2%	1%
Live music	38,096	52%	24%
Recorded music	48,977	67%	30%
Performance of dance	21,622	30%	13%
Entertainment similar to live music, recorded music or			
dance	18,953	26%	12%
Facilities for making music	23,864	33%	15%
Facilities for dancing	26,919	37%	17%
Facilities for entertainment similar to making music or			
dancing	14,579	20%	9%
Club Premises Certificates	15,187		100%
Club Premises Certificates with any regulated			
entertainment	9,100	100%	60%
Plays	1,257	14%	8%
Films	1,708	19%	11%
Indoor sporting events	2,895	32%	19%
Boxing or wrestling	341	4%	2%
Live music	5,548	61%	37%
Recorded music	5,953	65%	39%
Performance of dance	2,742	30%	18%
Entertainment similar to live music, recorded music or			
dance	2,202	24%	14%
Facilities for making music	2,944	32%	19%
Facilities for dancing	4,637	51%	31%
Facilities for entertainment similar to making music or dancing	1,893	21%	12%

Note: Multiple activities can apply to a particular premise.

<sup>&</sup>lt;sup>12</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. 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 premise typeEngland and Wales, 31<sup>st</sup> March 2007

	Total	Percentage valid	Total percentage* (including unknown)
Premises with 24 hour alcohol licences	5,126	100%	100%
Pubs, Bars and Nightclubs	465	9%	9%
Supermarkets and Stores	917	18%	
Large supermarkets	523		10%
Other convenience stores	280		5%
Unknown	114		2%
Hotel Bars	3,320	65%	
Open 24 hours to guests and public	140		3%
Open 24 hours to guests only	2,493		49%
Unknown	687		13%
Other premises type	424	8%	8%

\*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 2007

	Total
Number of Cumulative Impact Areas	71

#### Table 6 – Licence Activity by outcome for England and Wales in 2006/7

					where	age valid decicion own	Perc	centage tot unkno	als including wns
				Unknown / To Be					Unknown / To
	Applied	Granted	Refused	Decided	Granted	Refused	Granted	Refused	Be Decided
New Premises Licence	14,798	14,158	220	420	98%	2%	96%	1%	3%
Variation to Premises Licence	9,534	9,050	173	311	98%	2%	95%	2%	3%
Variation of Designated Premises Supervisor	37,197	35,120	96	1,981	100%	0%	94%	0%	5%
New Club Premises Certificate	356	328	6	22	98%	2%	92%	2%	6%
Variation to Club Premises Certificate	628	605	4	19	99%	1%	96%	1%	3%
New Personal Licence	59,000	57,371	435	1,194	99%	1%	97%	1%	2%
Provisional Statement	93	88	2	3	98%	2%	95%	2%	3%
Transfer of Premises Licence	16,518	15,699	111	708	99%	1%	95%	1%	4%

#### Table 7: Number of police objections, committee hearings, appeals and judicial reviews for-England and Wales in 2006/7

	Total
Number of police objections to Personal Licence applications	286
Number of applications that went to a committee hearing	6,618
Premises Licence/Club Premises Certificate applications	6,408
Personal Licence applications	210
Number of appeals completed	569
Number of judicial reviews completed	3

#### Table 8: Number of completed reviews by type of licence - England and Wales in 2006/7

	Total	Percentage valid	Total percentage* (including unknown)
Completed reviews	675		100%
Premises Licences - following application	591	91%	88%
Premises Licences - following closure orders under S.161 of Act	44	7%	7%
Club Premises Certificates - following application	11	2%	2%
Unknown	29		4%

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

#### Table 9: Action taken following completed reviews - England and Wales in 2006/7

	Total	Percentage
Completed reviews	675	100%
No action taken	51	8%
Operating hours modified	106	16%
Licensable activity partially restricted	91	13%
Licensable activity completely excluded	23	3%
Other conditions added or modified	395	59%
Designated Premises Supervisor removed (Premises Licences only)	52	8%
Licence or Certificate suspended	91	13%
Licence revoked or Club Premises Certificate withdrawn	92	14%

Note: more than one action may apply to each completed review

## Table 10: Number licences surrendered, lapsed, suspended, revoked, forfeited or withdrawn by licence type, 2006/07

	Surrended	Lapsed	Suspended	
Premises Licences	2630	232	70	
	Surrended	Lapsed	Withdrawn	
Club Premises Certificates	210	2	13	
	Surrended	Revoked	Forfeited	Suspended
Personal Licences	192	11	13	13

#### Table 11: Number of Temporary Event Notices - England and Wales in 2006/7

	Total
Valid Temporary Event Notices given to Licensing Authority	101,083
Temporary Event Notices withdrawn	1,044
Temporary Event Notices received following modification with police consent	492
Counter Notices given following police objection	175
Temporary Event Notices that resulted in a committee hearing	164
Counter Notices given where limits exceeded	254

#### Table Breakdowns for each question by Local Licensing Authority Area in 2006/7

Information at Licensing Authority level is available in Excel format - online only. http://www.culture.gov.uk/Reference\_library/rands/statistics/alcohol\_entertainment\_licensing\_statistics.htm

## Survey Methodology

- 1. Overall there was a response rate of 87% 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, so only partial returns were received for some sections.
  - Authorities were initially given just under 2 months to submit their completed questionnaire, though late returns were accepted.
  - Each submitted data response was checked and validated.
  - Some LAs did not respond or informed us they will not be sending a return.<sup>13</sup>
  - 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.
  - For reporting purposes (Table 1), a separate category was created for Question 1 because a
    number of licensing authorities incorrectly recorded a figure for "Number [of licences] with no
    fee applicable" as part of the total fee band split. As premises licences that don't attract a fee
    would still have a fee band (based on the non-domestic rateable value of the premises), we
    have reported these as "Fee band unknown for premises licences with no fee applicable".
  - The questionnaire we sent to each local licensing authority is shown in Annex 1 (without the extensive instructions that were provided). We asked that all white cells should be completed, and as many yellow cells as possible. We also stated that all values entered to the cells 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.
  - As some categories were optional, they were not completed for all licensing authorities. Annex 3 shows the response rates to each question. Please note the low response rates for type of licensable activity authorised in question 2. This was an optional part of the question and just under half of all LAs were unable to provide an accurate breakdown of this category.
  - The questionnaire was structured in 2 parts one asking for information of the number of licences in force on 31<sup>st</sup> March 2007 and the other asking for detail of associated activity over the 12 months to this date.
  - 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 some Licensing Authorities on and off sales for the supply of alcohol could not be differentiated, so they have only provided one total figure.
  - Figures in this bulletin are aggregates of those reported by Licensing Authorities for this exercise. No attempt has been made within this publication to scale up figures to the complete total in England and Wales.

#### Data amendments

2. DCMS ran a number of data quality checks on each return received. Where an error was found we contacted the LA to amend the incorrect figures. In some cases they were unable to provide an answer so we have had to make some alterations to make the data more meaningful. The alterations are as follows:

<sup>&</sup>lt;sup>13</sup> The Following 51 Licensing Authorities did not submit a data response:

Berwick-upon-Tweed, Brentwood, Camden, Chester, Crawley, Derwentside, East Riding of Yorkshire, Forest Heath, Gateshead, Guildford, Gwynedd, Hambleton, Hart, Hertsmere, Hounslow, Huntingdonshire, Hyndburn, Inner Temple, Ipswich, Kennet, Maldon, Mendip, Newport, North East Derbyshire, North Lincolnshire, North Norfolk, North West Leicestershire, Oswestry, Reading, Reigate and Banstead, Rhondda Cynon Taff, Rotherham, Rugby, Rushmoor, Salford, South Bucks, South Northamptonshire, South Oxfordshire, South Staffordshire, Southwark, St Helens, Stockport, Swale, Tamworth, Three Rivers, Torridge, West Berkshire, West Dorset, Winchester, Wirral, Worcester.

- In question 2 we have applied constraints to the "any regulated entertainment" total. This figure can be no higher than the total number of licences that authority has, and no lower than the highest entertainment type category, which in most cases is recorded music.
- Also in question 2 for premises licences, a constraint was applied so that the sum of "onsales of alcohol only" and "off-sales of alcohol only", and "both off and on sales" (i.e. the total number of premises licences with alcohol provisions) was no more than the total number of premises licences. The number of licences selling "both" was reduced to rectify this.
- The same constraint as the above point was also applied to club premise certificates. The number of certificates with "on-sales" was reduced so the total number of club certificates selling alcohol was no more than the total number of club certificates.
- In question 11, amendments were made to the number of "no action taken" following completed reviews where it was evident that actions had in fact been taken.
- All amendments are highlighted in the online tables by individual Licensing Authority.

#### **National Statistics**

3. Alcohol, Entertainment and Late Night Refreshment Licensing statistics are classed as National Statistics. As such they conform to standards of high quality, as well as relevance and integrity. This is assured by adherence to the National Statistics Code of Practice and its protocols. A brief summary of the principles of DCMS guidance and methods, and DCMS statement of compliance with the National Statistics can be found here

http://www.culture.gov.uk/Reference\_library/rands/guidanceandmethods/

The framework for National Statistics can be found at the following:

http://www.statistics.gov.uk/about\_ns/downloads/FrameDoc1.pdf

### **Questionnaire with Response Rates, England and Wales 2006/07**

Q1	Number of Premises Licences and C band	Club Premises Ce	rtificates by fee	
	bana	Premises Licences	Club Premises Certificates	Personal Licences
	Total	86%	86%	86%
	of which:			
	Band A	75%	74%	
	Band B	75%	74%	
	Band C	75%	74%	
	Band D (no multiplier)	75%	74%	
	Band D (with multiplier)	75%		1
	Band E (no multiplier)	75%	75%	
	Band E (with multiplier)	75%		I —
	Band Unknown for no fee applicable			
	premises	N/A	N/A	
	Number with no fee applicable	69%	59%	
Q2	Number of Premises Licences and C authorised	Club Premises cer	tificates by licens	able activity
		Premises	Club Premises	
		Licences	Certificates	J
	On-sales or supply of alcohol only	70%	69%	ļ
	Off-sales of alcohol only	72%		l
	Both on and off sales or supply of alcohol	71%	69%	
	Late night refreshment	72%	00 /0	
	Any regulated entertainment	68%	68%	]
	of which:	0070	00 /0	I
	(a) Plays	53%	53%	
	(b) Films	53%	53%	
	(c) Indoor sporting events	53%	53%	
	(d) Boxing or wrestling	53%	53%	
	(e) Live music	53%	53%	
	(f) Recorded music	53%	53%	
	(g) Performance of dance	53%	53%	
	(h) Entertainment similar to live	0070	0070	
	music, recorded music or dance	51%	51%	
	(i) Facilities for making music	52%	52%	
	(j) Facilities for dancing	52%	52%	
	(k) Facilities for entertainment similar	0270	0270	
	to making music or dancing	51%	51%	
		0170	0170	J

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

Premises with	
24-hour licences	
83%	

of which, premises in:

Total

Pubs, Bars and Nightclubs	83%			
Supermarkets and Stores	83%			
of which:				
Large supermarkets	76%			
Other convenience stores	76%			
Hotel Bars	83%			
of which:				
Open 24 hours to guests and p	ublic 72%			
Open 24 hours to guests only	72%			
Other Premise Types	83%			
Number of Cumulative Impac	<u>د</u>			
Q4 Areas				
Total	80%			
Q5 Number of licences applied fo	r, granted and refused	d by type of lic	ence	
		Applications		
		made	Granted	Refused
New Premises Licence		83%	82%	82%
Variation to Premises Licence		81% 81%	<u>80%</u> 78%	79% 78%
Variation of Designated Premise	s Supervisor	0170	1070	1070
New Club Premises Certificate		83%	82%	81%
Variation to Club Premises Certi	ficate	81%	80%	80%
New Personal Licence		83%	81%	80%
Provisional Statement		82%	81%	80%
Transfer of Premises Licence		81%	79%	78%
Q6 Number of police objections to	o Personal Licence ap	plications		
Total		81%		
Q7 Number of applications that w Premises Licence/Club Premises		aring		
applications	5 Octimodic	81%		
Personal Licence applications		81%		
Q8 Number of appeals completed				
Total		83%		
Q9 Number of judicial reviews co	mpleted			
Total		82%		
Q10 Number of completed reviews	by type of licence			
Total completed reviews			85%	
of which reviews of:				

	Draminga Lippinga (following application)			
	Premises Licences (following application)		82%	
	Premises Licences (following closure orders under			
	S.161 of Act)		82%	
	Club Premises Certificates (following application)		82%	
Q11	Action taken following completed reviews (Note: more than one action may apply to each com review)	pleted		
	Total completed reviews (taken from Q10 above)		85%	
				,
	No action taken		85%	
				J
_	Operating hours modified		85%	
	Licensable activity partially restricted		85%	
	Licensable activity completely excluded		85%	
	Other conditions added or modified		85%	
	Other conditions added of modified		05 /8	J I
	Designated Premises Supervisor removed (Premises Licences only)		85%	
	.,			
	Licence or Certificate suspended Licence revoked or Club Premises Certificate		85%	
	withdrawn		85%	
Q12	Number of licences surrendered, lapsed, revoked, fo	orfeited, susp	ended or wit	hdrawn
		Premises	Club Premises	Personal
		Licences	Certificates	Licences
	Surrendered	82%	81%	81%
	Lapsed	76%	76%	
	Revoked			78%

Forfeited

Suspended

Withdrawn where club no longer a qualifying club

### Q13 Number of Temporary Event Notices

Valid Temporary Event Notices given to Licensing Authority	85%
Temporary Event Notices withdrawn	81%
Temporary Event Notices received following modification with police consent	78%
Counter Notices following police objection Temporary Event Notices that resulted in a committee	83%
hearing	80%
Counter Notices where limits exceeded	82%

78%

80%

79%

80%

#### 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 in respect of which an authority exercises its functions under the Licensing Act 2003. The Licensing Authority<sup>14</sup> is responsible for the licensing of alcohol, regulated entertainment and late night refreshment.
- Government Office 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 Authorises 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. Time limited premises licences should be included.
- Club Premises Authorises a '<u>qualifying club</u>' to carry on 'qualifying club activities' Certificate under the Licensing Act 2003. Time limited certificates should be included.
- Personal Licence Authorises an individual to sell, and authorise the sale of alcohol in accordance with a premises licence under the Licensing Act 2003.
- Fee Bands (application fee) A premise will fall into a fee band based on its non-domestic rateable value. In order to get an idea of the spread of premises across the bands, we'd like to know the total number of premises falling into each band - including premises that didn't pay a fee. The application fees associated with each band are as follows: Band A (£100); Band B (£190); Band C (£315); Band D [no multiplier] (£450); Band D with multiplier (£900); Band E [no multiplier] (£635); Band E with multiplier (£1,905).
- Multiplier Multipliers are applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises under the authorisation of a premises licence (Bands D & E only).
- No Fee Applicable Premises included in the above bands that did not pay a fee for their licence. This fee exemption is set out in Regulation 9 of the Licensing Act 2003 (Fees) Regulations 2005. It includes applications for the grant or variation of a premises licence or club premises certificate made by a school or college, church hall, village hall, parish hall, community hall or other similar building; and which relates to regulated entertainment only.
- On-Sales The sale by retail of alcohol and the supply of alcohol (by clubs) for consumption on the premises.
- Off-Sales The sales by retail of alcohol for consumption off the premises.
- Late Night 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 The provision of entertainment (plays, films, indoor sporting events, Entertainment<sup>15</sup> 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. Includes premises that have 24 hour licences for specific days of the week in their standard timings (e.g. Fridays/Saturdays only), but does not 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). The possession of a 24 hour licence does not necessarily mean that the premises will choose to open for 24 hours. Large Supermarkets Supermarkets to which Sunday trading restrictions apply. Other Convenience Other stores not classed as large supermarkets. Stores Cumulative Impact Area that the Local Authority has identified in their licensing policy Area 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 (www.culture.gov.uk). Time Period This report's time period relates to the licence activity over a 12 month period between 1st April 2006 and 31st March 2007. **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. includes licences which were applied for before 1st April 2006 but granted within the 12 months specified but excludes licences applied for before 31st March 2007 but granted later.

Refused Licences, Certificates and Statements refused in the time period specified - i.e. includes licences which were applied for before 1st April 2006 but refused within the 12 months specified and excludes licences applied for before 31st March 2007 but refused later.

Variation to Premises 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 of Designated<br/>Premises Supervisor<br/>(DPS)Applications made under Section 37 of the Act from a Premises<br/>Licence holder to vary a premises licence to specify a different<br/>individual as the 'designated premises supervisor'.

Variation to Club 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.

Provisional Statements Applications made under Section 29 of the Act where the premises is being constructed, extended or altered for use for licensable activities.

<sup>&</sup>lt;sup>15</sup> <u>http://www.culture.gov.uk/what\_we\_do/Alcohol\_entertainment/licensing\_act\_2003\_explained/regulated\_entertainment.htm</u>

Transfer of Premises Licence

Police Objections to Personal Licence applications

Personal Licence applications that went to a hearing

Premises Licence and Club Premises Certificate applications that went to a hearing

Appeals

**Judicial Reviews** 

Total completed reviews

Review of Premises Licence (following application)

Review of Premises Licence (following closure order)

Review of Club Premises Certificate

Operating hours modified

Licensable activity partially restricted

Licensable activity completely excluded

Applications made under Section 42 of the Act to obtain the consent of the existing premises licence holder to transfer a licence.

This includes an objection notice under Sections 120(5) and 124(3) of the Licensing Act 2003 (following convictions for relevant and foreign offences). Data in the report does not include objection notices that were subsequently withdrawn.

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)."

Certificate 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.

Includes only those where the Magistrates Court notified parties of its decision in the time period specified.

Includes only those where the High Court notified parties of its decision in the time period specified.

Only includes reviews that have been completed - i.e. where the Licensing Authority notified parties of its decision in the time period specified. Applications for a review that were withdrawn or reviews that were mediated and therefore did not go to a hearing are excluded.

Total completed reviews of Premises Licences - following an application for the review under Section 51 of the Licensing Act 2003.

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.

Total completed reviews of Club Premises Certificates - following an application for the review under Section 87 of the Licensing Act 2003.

Where the opening hours are reduced or where a pub has its hours for alcohol sales reduced (as this effectively reduces its operating hours).

For example, where regulated entertainment is restricted to shorter hours, or to particular days of the week.

For example, where authorisation for the sale of alcohol is completely removed from a licence.

Other conditions added For example, conditions relating to CCTV; sound proofing; door or modified security etc.

Club Certificate withdrawn	Where a Club Premises Certificate is withdrawn under Section 88 of the Licensing Act 2003.
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)	A Premises Licence 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)	A Personal Licence 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).
Suspended (Premises Licence)	Where a premises licence is suspended following a review, or from 6 April 2007, 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 (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.
Valid <u>Temporary Event</u> <u>Notices</u> 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. Only includes notices that have been correctly and properly given in the time period specified - i.e. excludes notices that were sent back because of mistakes on the form. Include notices that were subsequently withdrawn.
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.
TENs resulting in a committee hearing	Number of Temporary Event Notices where there has been a counter notice following police objection - that resulted in a committee hearing - Section 105(2)(a).
Counter Notices where limits exceeded	Counter Notice given where limits relating to Temporary Event Notices are exceeded (e.g. limit of 12 Temporary Event Notices per premises per year).

#### FURTHER INFORMATION

This is the second time statistics on alcohol licensing have been produced by the Department for Culture, Media and Sport, but the first since the Licensing Act 2003 came into effect (additionally incorporating statistics on entertainment and late-night refreshment). The Department inherited responsibility for these statistics, as part of the transition of responsibility for alcohol and entertainment legislation, in 2001.

This bulletin can be downloaded in electronic format free of charge from:

http://www.culture.gov.uk/Reference\_library/rands/statistics/alcohol\_entertainment\_licensing\_statistics/alcohol

This page also has a link to the previous Liquor Licensing bulletin (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

Press enquiries should be made to DCMS Press Office on 020 7211 6271.



department for culture, media and sport

2-4 Cockspur Street London SW1Y 5DH www.culture.gov.uk