

Liquor licensing Frequently Asked Questions

What are the new Licensing Laws - Does it mean that all licensed premises can open for 24 hours?

The Licensing Act 2003 came into effect in November 2005 which radically reformed the Licensing Laws. Contrary to popular belief, these new laws have not given the green light for every pub/club to open 24 hours. Each application has to be considered on its own merits by the Local Authority (with possible input from the Police and other interested parties) which then determines the opening hours after hearing of the views of all parties. Venues will be allowed to trade for 24 hours in special circumstances such as special events, Public Holidays and the like. We can advise you whether or not you are likely to be successful in securing a 24 hour licence, or perhaps extended hours over the weekends.

Who needs a Licence?

Any business which sells alcohol/liquor and/or sells hot food between the hours of 11pm and 5am, Off Licence establishments, pubs, clubs etc. This list is not exhaustive and for local events you will need a licence as well, including the church fete if alcohol is to be sold. We can advise you as to whether a licence is required in your particular circumstances.

Why have the Licensing laws been reformed so radically?

The new regime is much simpler than the previous licensing application procedure. An application form will need to be completed supported by documentation, such as a scale plan of the premises and licensing objective policies, and submitted to the Local Authority for its consideration.

Will I have to attend a hearing in order to determine my application?

If no objection is raised in relation to your application, then the application is dealt with on paper. If any third party raises any concerns, such as the Police, local residents etc, it is likely that your application will be heard before a committee. However, the hearing will be treated as "mediation" in that the parties will be encouraged to mediate and try to resolve any issues or concerns that have been raised. We are able to represent you at such hearings and use our skills to put your needs over effectively to the committee.

What will the local Authority take into consideration when dealing with my application?

The Licensing Act requires each licensing authority to carry out its



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duties with a view to promoting four licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance; and
- The protection of children from harm.

Therefore, it is useful to have the above objectives in mind when dealing with the license application.

Who must the Local Authority consult with when dealing with a licence application?

The Local Authority must consult the police, the fire authority, representatives of businesses and residents. The authority is free to consult with other bodies as it sees fit.

What type of licenses would I need to obtain?

There are mainly two types namely:

Personal Licence

For premises selling liquor/alcohol, hot food or arranging entertainment, an allocated individual such as a manager will need to apply to the local authority covering his/her home address for a personal licence. This licence can be used by the individual anywhere in England and Wales.

Premises Licence

In addition to the personal licence, a premises licence will need to be obtained. An application will need to be made to the Local Authority in which the premises is located. As far as Social/working men's clubs are concerned, a club licence will need to be obtained. However, we will be able to advise you as to the type(s) of licence you will need to apply for.

What are the costs in applying for a Licence?

This very much depends on the type of licence that you will be applying for and as to the rateable value of the premises but the Licence Application fees to the authorities could amount to a figure between £100 and £1000.

How long does a Licence last?

A Personal licence has to be renewed by making an application to the Local Authority who granted the original Licence after a period of 10 years, a premises Licence/Club Licence remains valid until the licence is surrendered or the Local Authority revokes the licence.

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