

2.2 SUMMARY OF PROPOSALS 2

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14. This White Paper sets out a new system for licensing and controlling the sale and supply of alcohol, the provision of all forms of public entertainment and the provision of refreshment late at night where alcohol may not be involved. Our approach is to provide greater freedom and flexibility for the hospitality and leisure industry. This will allow it to offer consumers greater freedom of choice. But these broader freedoms are carefully and necessarily balanced by tougher powers for the police, the courts and the licensing authority to deal in an uncompromising way with anyone trying to exploit these greater freedoms against the interest of the public in general.

15. A summary of the key changes being recommended in this White Paper is set out below:

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- ✓ A single integrated scheme for licensing premises which sell alcohol, provide public entertainment or provide refreshment at night
- ✓ A new system of personal licences which allow holders to sell or serve alcohol for consumption on or off any premises possessing a premises licence. (Places providing public entertainment or refreshment at night which does not involve alcohol, would require a premises licence only)
- ✓ The legal age for drinking alcohol on licensed premises and for buying it there, whether as off-sales or on-sales, both to be 18¹
- ✓ New measures to back-up restrictions on underage drinking including:
 - a new offence of buying alcohol on behalf of a person under 18
 - a new offence of knowingly permitting a sale to a person under 18 years
 - test purchasing to be placed on a statutory footing
 - a new duty on people selling alcohol to satisfy themselves about customers' ages(where any of these measures have not been secured through a Private Member's Bill presently before Parliament)
- ✓ Personal licences to be issued for ten years to those aged 18 or over without a relevant criminal record following a test of knowledge of licensing law and social responsibilities, with provision for endorsement or withdrawal of licences within that period: abolition of vague "fit and proper person" test in respect of licences to sell alcohol
- ✓ Premises licences to incorporate operating conditions (e.g. hours, noise, fire exits, capacity) limited to crime and disorder/public safety/nuisance factors, and set locally on basis of the balance of operator's requirements/resident views/police and fire authority assessments

¹ An exception will allow 16 and 17 year olds supervised by an adult to consume alcohol of less than spirits strength with a table meal on licensed premises.

- ✓ To minimise public disorder resulting from fixed closing times, flexible opening hours, with the potential for up to 24 hour opening 7 days a week, subject to consideration of the impact on local residents
- ✓ Tough new powers for police to deal instantly with violent and disorderly behaviour by closing premises that rogue licence holders have allowed to become the focus of such behaviour
- ✓ Children to be allowed access to any part of licensed premises at the personal licence holder's discretion; but licensing authorities to have the discretion to restrict (e.g. by requiring adult supervision) or deny access for children to unsuitable licensed venues
- ✓ Personal and premises licences to be issued by local authorities
- ✓ An avenue of appeal for parties (including the police and local residents) to the Crown Court
- ✓ Licences to be supported by a flexible range of sanctions (including temporary reduction in opening hours) instead of present single all or nothing sanction of loss of licence
- ✓ New requirements in the wake of the Thames Safety Inquiry for licensing the sale of alcohol on boats travelling within England and Wales
- ✓ New arrangements for non-profit making registered clubs supplying alcohol to their members which preserve their special status

Figure 2

