

The Clerk to the Justices,
The Clerk to the Magistrates' Courts Committee,
The Chief Officer of Police in England and Wales,
The Chief Executive of:

County and County Borough Councils in Wales:
London Borough Councils
Metropolitan District Councils
District Councils

The Town Clerk of the City of London,



11 December 2002

Dear Sir or Madam,

DCMS LICENSING CIRCULAR NO: 02/2002

REGULATORY REFORM (Special Occasions Licensing) ORDER 2002
Future New Years' Eves - Relaxation of Alcohol and Public Entertainment
Licensing Hours

I am writing to draw your attention to the provisions of the draft Regulatory Reform (Special Occasions Licensing) Order 2002. The draft Order is currently before the Houses of Parliament who have indicated their willingness to pass it in time for New Year's Eve 2002 but if this does happen, the Order will not come into effect until 20 December. If passed, the Order would have the effect of relaxing licensing hours in on-licensed premises (e.g. public houses, nightclubs, registered members' clubs) for the sale of alcohol throughout the night on all future New Years' Eves i.e. from the end of permitted hours at 11pm on 31 December until the start of permitted hours at 1am on 1 January. The Order would also allow the automatic variation of existing public entertainment licences for the extended period provided for the sale of alcohol. The text of the draft Order can be read or downloaded from the DCMS website (www.culture.gov.uk).

Special Occasions Restriction Orders

2. Please note that the provisions in the Order provide powers for the police, the

local authority in whose area the premises are situated, and any person living in the neighbourhood (or any body representing persons who do) to apply for a restriction order if they wish to object to a premises remaining open at any time between 11 pm on New Year's Eve and 11am on New Year's Day. The grounds for applying for a restriction order is to prevent disturbance and disorderly conduct by persons using the premises.

3. You will wish to note that the Regulatory Reform (Golden Jubilee Licensing) Order 2002 amended the arrangements by which applications for restriction orders had to be made to licensing justices sitting at licensing sessions. Licensing justices are now free to hear applications at any time so long as five days' notice has been given to the chief executive to the justices.

Appeals Against Decisions Made by Licensing justices or Magistrates' court

4. Please note that under the Order's schedule, any holder of a justices' licence, any club or proprietor of a theatre aggrieved by a decision made by the licensing justices or a magistrates' court, either granting a Special Occasions restriction order or with regard to the terms on which such an order is granted, may appeal to the Crown Court against this decision.

5. Any enquiries about this circular should be made to Ronnie Bridgett at the above address, or by telephoning 0207 211 6374 (fax0207 211 6319). Alternatively, please contact Dominic Tambling on 020 7211 6351, or Adrian Smith on 020 7211 6358.

Yours faithfully

Ronnie Bridgett