

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

20 December 2002

Dear Sir or Madam

DCMS LICENSING CIRCULAR NO: 03/2002

REGULATORY REFORM (Special Occasions Licensing) ORDER 2002

Relaxation of Alcohol Licensing Hours - From 11pm on New Year's Eve to 11am on New Year's Day in England and Wales for all future years.

I am writing to draw your attention to the Regulatory Reform (Special Occasions Licensing) Order 2002, which was made under Section 1 of the Regulatory Reform Act 2001 and which will come into force on 21 December 2002. The Order amends the Regulatory Reform (Special Occasions Licensing) Order 2001. The Order has 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 Year's Eves ie from the end of permitted hours at 11pm on 31 December until the start of permitted hours at 11am 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.



2. The text of the new Order and an accompanying explanatory note can be read or downloaded from the DCMS website (www.culture.gov.uk). The original version of the Special Occasions Licensing Order can also be accessed on this site.

Special Occasions Restriction Orders

3. Please note that the provisions in the amended Regulatory Reform (Special Occasions Licensing) Order 2001 now 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 the 11pm 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 during the period of the extended hours only.

4. 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

5. 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.

6. Any enquiries about this circular should be made to Ronnie Bridgett at the above address, or by telephoning 020 7211 6374 (fax 020 7211 6319). Alternatively, please contact Adrian Smith on 020 7211 6358.

Yours faithfully

Ronnie Bridgett

