

October 2011

Thomas & Thomas E-News

Welcome to the inaugural Thomas & Thomas e-news. In this issue, we are delighted to confirm the opening of our new offices in Covent Garden. Please do pop in!

In the meantime, less good news in the form of the Police and Social Responsibility Act, which has recently passed through Parliament although it is not yet known when it will come into force.

There are some significant implications for operators and landlords, possibly the most dramatic being the automatic suspension of a Premises Licence for late payment of an annual fee. Thankfully, the licence is only suspended and immediately reinstated upon payment. However, as many Council do not accept credit card payments for licensing matters, this will be an important diary date. The rest can be briefly summarised as follows:

- **Licensing Authorities and Local Health Boards to become Responsible Authorities**, allowing them to make representations and initiate Reviews.
- **In relation to reviews**,. Licensing Authorities must now only demonstrate that their decisions are ‘**appropriate**’ for the promotion of the licensing objectives rather than ‘necessary’.
- **Removal of vicinity requirement for Interested Parties**, meaning persons from a much wider geographical area can make representations.
- Prohibition of the sale of alcohol late at night in certain areas by way of **Early Morning Restriction Orders**.
- The ability for Licensing Authorities to charge a **Late Night Levy** on premises trading after midnight.
- **TENs:**
 - New powers for Environmental Health Departments to object to TENs.
 - Period of each TEN to be increased from 98 hours to 168 hours, subject to an extended maximum of 21 days of TENs each year.

More to follow as to when the Act comes into force and also the Late Night Levies and Restriction orders. Finally, it’s almost Xmas. Please let us know if you need any festive TENs.

If you have any queries in respect of the above or any other matter, do contact one of the Partners.

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