

The Licensing Act 2003 Mandatory Conditions

Committee	Licensing Committee
Officer Contact	Stephanie Waterford
Papers with report	<ul style="list-style-type: none">○ The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 (Statutory Instrument 2010 860)○ Summary of new licence conditions
Ward(s) affected	All

SUMMARY

To update the committee in respect of changes to the mandatory conditions applicable to premises licensed for the sale of alcohol for consumption on the premises.

RECOMMENDATION

That the committee note the new legislative changes and approve the Licensing Service's proposal to notify licence holders of the new conditions.

INFORMATION

On 15th March 2010, S1 2010 860 was laid before Parliament and approved.

The order will bring into force five new mandatory conditions which will apply to all premises which sell/supply alcohol for consumption on the premises (summary attached).

In short, premises which will be affected are:

- Pubs
- Hotels and Banqueting premises
- Restaurants
- Members Clubs
- Nightclubs

Off licences and take-aways will not be affected by the new conditions.

The conditions are proposed to be implemented in phases. The first three conditions will take effect on 6th April 2010 and the final two conditions will be implemented on 1st October 2010.

Currently, there are approximately 300 premises for which the new conditions will apply.

The Licensing Service proposes to issue a new Annex 1 page for each affected premises licence/club certificate and send it out to licence holders with a covering letter explaining the changes.

A new 'Section 182 Guidance' document is expected to be released shortly by DCMS to reflect the changes.

FINANCIAL IMPLICATIONS

None

LEGAL IMPLICATIONS

None

BACKGROUND PAPERS

- The Licensing Act 2003
- SI 2010 860