LICENSING STATISTICAL BULLETIN 2012: ALCOHOL, ENTERTAINMENT \& LATE NIGHT REFRESHMENT

The Home Office is responsible for compiling a National Statistics bulletin on alcohol and late night refreshment under the Licensing Act 2003. The Department for Culture, Media and Sport retain policy responsibility for entertainment.

This year's exercise is consistent with the previous questionnaire (see link below), following the first Licensing Act 2003 data collection exercise in 2006/07. However some lines have been removed as part of the Home Office commitment to reduce the burden on Local Authorities in completing statistical returns. Also new questions have been added to assess changes to the licensing regime. The information will continue to inform our ongoing monitoring of the licensing regime, and provide evidence for future collections (e.g. which questions we will continue to ask, the frequency of the collection etc.). The guidance and help information have been expanded this year. Please refer to this information if in any doubt about how to respond to a particular question.

We are therefore asking all Licensing Authorities in England and Wales to complete a 2-part questionnaire and to provide contact details below:

HELP Detailed instructions and definitions for completing the survey
PART 1 Licences in force in your area and the activities authorised at 31st March 2012

## PART 2

Contact Details

Applications and notices received between 1st April 2011 and 31st March 2012

## Licensing Authority (select from list)

Tonbridge \& Malling
Licensing Software Supplier and version (e.g. LALPAC ver. 4+, in-house software etc.) Uniform Version 81 (1.0 1103)
Name of person responsible for filling in the return
Anthony Garnett
e-mail
anthony.garnett@tmbc.gov.uk
Telephone
01732876368
Date Completed (dd/mm/yy)
30/04/2012

The previous Alcohol, Entertainment and Late Night Refreshment Bulletin, published in 2010, can be found at:

EXAMPLE

Green Boxes Any cell shaded green contains a link to allow you to move easily around the workbook. You may find it useful to use these to move between the question sheets and this help sheet. Green cells are provided next to each question in the question and help sheets, as well as at the top and bottom of every worksheet.

White/Yellow Cells You are asked to provide information in a two-part questionnaire. All information required is numerical and nonfinancial. Please provide the most comprehensive and accurate information you can. All cells to be completed are shaded either white or yellow. Please complete all white cells, and as many yellow cells as possible. The information requested in these yellow cells may be harder to complete this year, however we would appreciate your effort in providing this if you can.

Zero or Don't Know? Without explanation, a blank cell could mean either an answer of zero or that you have been unable to complete the cell. Therefore where the number is zero, please input a $\mathbf{0}^{\prime}$ into the cell. If you do not know the answer, please leave the cell blank. The Error Summary sheet lists all the blank cells in the questionnaire and this is a useful reference to go to after you have completed the questionnaire, to go back and fill with zeros, or write a comment in the comments box

Worksheet Protection This worksheet is protected so that only cells that require information (the white and yellow cells) can be edited. If you have opened the file in 'Read-Only' format then please ensure to use the 'Save As...' option from the file menu to save your file in the format '<LA name $>$.xls' before returning via e-mail.

Automatic Checks There are automatic checks built into a number of questions. If error messages remain when you have completed the question then please check that you have input your information correctly. For a correctly entered data point the cell will go green, if the cell value could be incorrect the cell will turn orange, and for a likely incorrect answer or an error the cell will turn red. If needed, please provide an explanation of why an error is occurring in the comments box provided. The Error Summary sheet lists all the error checks, and this is a useful reference to go to after you have completed the questionnaire.

Publication A statistical bulletin recording the results of this exercise is currently scheduled to be published online in October 2012. As well as including aggregated information for England and Wales for each survey question, the bulletin will also publish results on an individual Licensing Authority basis.

National Statistics The information collected will be published as a National Statistic in line with the protocols established by the National Statistics Code of Practice. In particular, this means that all the information returned via this exercise will be checked and collated by Home Office Statistics and DCMS analytical teams only, and will not be shared with Ministers or policy officials until just prior to publication - for briefing purposes only.

Returning the Form Please return your form via e-mail to the address below -no later than 2 July 2012 licensing.statistics@homeoffice.gsi.gov.uk

Frequently Asked Questions A list of frequently asked questions regarding this exercise is distributed with this form. It will also be made available on the Home Office website.

Enquiries Please use the above e-mail address or contact Home Office Statistics, 5th Floor Peel Building, 2 Marsham Street, London, SW1P 4DF. For telephone enquiries concerning the return of forms please contact Shagufta Rafique ( 020 8760 2782) or David Arulanandam (0208 760 2260). For all other enquiries, please contact Neil Higgins (020 7035 0298 ) or David Povey (Responsible Statistician, 0207035 0279). Please be aware that an immediate answer to your enquiry may not be possible.

Comments If you have comments on any of the questions, or would like to highlight any particular issues related to how you have completed the form, then please include these in your return e-mail or in the grey box at the end of each part of the questionnaire.

## Premises Licence

Authorising a premises to be used for the sale or supply of alcohol, the provision of regulated entertainment or the provision of late night refreshment, under the Licensing Act 2003. Time limited premises licences should be included.

Club Premises Certificate Authorising a 'qualifying club' to carry on 'qualifying club activities' under the Licensing Act 2003. Time limited certificates should be included.

Personal Licence Authorising an individual to supply or authorise the supply of alcohol in accordance with a premises licence or temporary event notice under the Licensing Act 2003. The annual fee for a personal licence is $£ 37$.

Fee Bands A premises will fall into a band based on its non-domestic rateable value. All premises licences and club premises (application fee) certificates will have a fee band, regardless to whether they pay a fee or not. In order to get an idea of the spread of premises across the bands, we'd like to know the total number of premises falling into each band -including premises that didn't pay a fee. The application fees associated with each band for a new licence or certificate are as follows: Band A ( $£ 100$ ); Band B ( $£ 190$ ); Band C ( $£ 315$ ); Band D [no multiplier] ( $£ 450$ ); Band D with multiplier ( $£ 900$ ); Band E [no multiplier] ( $£ 635$ ); Band E with multiplier ( $£ 1,905$ ). The renewal fees associated with each fee are as follows: Band A (£70); Band B (£180); Band C (£295); Band D [no multiplier] ( $£ 320$ ); Band D with multiplier ( $£ 640$ ); Band E [no multiplier] ( $£ 350$ ); Band E with multiplier $(£ 1,050)$.

Multiplier Multipliers are applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises under the authorisation of a premises licence (Bands D \& E only). This fee exemption is set out in Regulation 9 of the Licensing Act 2003 (Fees) Regulations 2005. It includes applications for the grant or variation of a premises licence or club premises certificate made by a school or college, church hall or other similar building, village hall, parish hall or community hall or other similar building; and which relates to regulated entertainment only. If the rateable value fee band has not yet been set (which should not be the case, as this is required before a licence can be granted), please record these as fee band A.

Licensed to sell or supply alcohol (On-sales only) The sale by retail of alcohol and the supply of alcohol (by clubs) for consumption on the premises.
Licensed to sell or supply alcohol (Off-sales only) The sale by retail of alcohol for consumption off the premises.

Both on and off sales or supply of alcohol The sale by retail of alcohol for consumption both on and off the premises only. This category should not include premises licensed for on sales only, or off sales only of alcohol.

Licences not permitted to sell or supply alcohol Premises licences or club premises certificates not permitted to sell or supply alcohol.
Late Night Refreshment The provision of hot food or drink to the public, for consumption on or off the premises, between 11 pm and 5 am or the supply of hot food or hot drink to any persons between those hours on or from premises to which the public has

Regulated Entertainment The provision of entertainment (plays, films, indoor sporting events, boxing or wrestling, live music, recorded music, dance, something similar to live or recorded music or dance) as well as the provision of entertainment facilities (facilities for making music or dancing, or similar). Please provide a total number of premises providing any form of regulated entertainment, and if a split by type of entertainment is possible, please also provide it.

24 Hour Licence Premises that are licensed for the sale or supply of alcohol for 24 hours in their standard timings. Please include premises that have 24 hour licences for specific days of the week in their standard timings (e.g. Fridays/Saturdays only), but do not include premises that only have 24 -hour licences as a 'seasonal variation' or 'non-standard timing' (e.g. a supermarket that has a 24 -hour licence at Christmas only, or a pub with special New Year hours).

Pubs, Bars and Nightclubs Do not include hotel bars (separate category).
Large Supermarkets Supermarkets to which Sunday trading restrictions apply.

Other Convenience Stores Other stores not classed as large supermarkets, including petrol stations.

Hotel Bars Please provide the total number of hotel bars with a 24 -hour licence and, if possible, a breakdown of this number into those hotel bars that are open to both guests and public and those which are open to guests only. For further explanation see 'Frequently Asked Questions' (see link above in General Guidance).

Other Premises Types Please provide the total number of other premises types with a 24 -hour licence which have not been recorded in another category. If possible, please provide a description of what these are in the comments box in part 1 (e.g. beach huts, casinos, private member clubs etc.). licensing authority will introduce a Cumulative Impact Policy if there is evidence that the number, type or density of licensed premises is giving rise to specific problems within the scope of the licensing objectives (e.g. crime and disorder, or nuisance). It creates a rebuttable presumption that applications for licences (including for variations to licences) which are likely to add to the existing cumulative impact will normally be refused. Cumulative impact is not defined in the Licensing Act 2003. It is defined in statutory guidance (issued under section 182 of the 2003 Act) as 'the potential impact on the promotion of the licensing objectives of a significant number of licensed premises in one area'. Further guidance on CIPs is available at Chapter 13 of the statutory guidance, which is available on the Home Office website. The Government expects to extend the scope of the policy on CIPs in revised guidance in April 2012. www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/guidance-section-182-licensing

Applications Made Only include correctly and properly made applicationsreceived by the Licensing Authority in the time period specified. Exclude applications that were rejected because of mistakes in the form and/or failure to advertise properly.

Granted Only include Licences, Certificates and Statements granted in the time period specified - i.e. include licences which were applied for before 1st April 2011 but granted within the 12 months specified and exclude licences applied for before 31st March 2012 but granted later. Ignore any pending appeals.

Refused Only include Licences, Certificates and Statements refused in the time period specified - i.e. include licences which were applied for before 1st April 2011 but refused within the 12 months specified and exclude licences applied for before 31st March 2012 but refused later. Ignore any pending appeals.

Variation to Premises Licence Applications made under Section 34 of the Act to change the terms of a licence, for example the opening hours, the licensable activities or the conditions.

Variation to Club Premises Certificate Applications made under Section 84 of the Act to change the terms of a Club Premises Certificate, for example the qualifying club activities or the conditions.

Minor Variations to Licence or Certificate Applications made under Section 41A or Section 86A of the Act to make low risk changes to the terms of a licence or club premises certificate. The fee for a minor variation is $£ 89$.

Applications that went to a committee hearing In each case, please provide the number of applications that resulted in a hearing, rather than the number of committee hearings held.

Personal Licence applications that went to a Please include applications that went to a hearing for:
hearing [i] Determining applications for the grant of a personal licence - S.120(7)(a);
[ii] Determining applications for the renewal of a personal licence - S.121(6)(a);
[iii] Convictions coming to light after grant or renewal of a personal licence - S.124(4)(a).
Premises Licence and Club Premises Certificate Please include applications that went to a hearing for: applications that went to a hearing
[i] Determining applications for a premises licence - S.18(3)(a);
[ii] Determining applications for provisional statements - S.31(3)(a);
[iii] Determining applications to vary a premises licence - S.35(3)(a);
[iv] Determining applications for club premises certificates - S.72(3)(a);
[v] Determining applications to vary club premises certificates - S.85(3).
Please exclude applications for a change to DPS, transfer of premises licence, review, or cancellation of interim authority notices following police objections that went to a hearing.

Total completed reviews Only include reviews that have been completed - i.e. where the Licensing Authority notified parties of its decision in the time period specified. Please exclude applications for a review that were withdrawn or reviews that were mediated and therefore did not go to a hearing.

Review of Premises Licence (following application) Total completed reviews of Premises Licences - following an application for the review under Section 51 of the Licensing Act 2003.

Review of Premises Licence (following application Total completed reviews of Premises Licences - following an application for an expedited/summary review under by police for expedited review) S.53A of the 2003 Act.

Review of Premises Licence (following closure Total completed reviews of Premises Licences under Section 167 of the Licensing Act 2003 - following a closure order) order under Section 161 of the Licensing Act 2003 for disorder or public nuisance.

Review of Club Premises Certificate Total completed reviews of Club Premises Certificates - following an application for the review under Section 87 of the Licensing Act 2003.

Reason for completed review Record how many completed reviews resulted from concerns about each licensing objective. As a review can result from concerns about one of more of the licensing objectives, count all that were the reason(s) for each review.

Crime \& Disorder; Protection of Children; The reasons for completed review are the licensing objectives, and the stated grounds of the review. Public Nuisance; Public Safety

Number of completed reviews instigated by Police, Please break down the total completed reviews of entered in Q8a by the responsible authority (or interested parties) Trading Standards, EHOs, other Responsible which initiated the review. Include expedited reviews sought under S.53A of the 2003 Act (which will always be Authorities or Interested Parties instigated by the police) and reviews following closure under S. 161 of the 2003 Act (again, these would be instigated by the police).

Total completed reviews This will be automatically copied from your answer to Question 8a.

Actions Taken Please record the actions taken following each completed review, including completed expedited reviews. For each completed review of a licence, please record the resulting action, or actions, taken. There should be at least one action associated with each review, but please record all taken for each.

Operating hours modified For example, where the opening hours are reduced, or, where a pub has its hours for alcohol sales reduced, and this effectively reduces its operating hours.

Licensable activity partially restricted For example, where regulated entertainment is restricted to shorter hours, or to particular days of the week.

Licensable activity completely excluded For example, where authorisation for the sale of alcohol is completely removed from a licence.

Other conditions added or modified For example, conditions relating to CCTV; sound proofing; door security etc.

Club Certificate withdrawn Where a Club Premises Certificate is withdrawn under Section 88 of the Licensing Act 2003.

Total number of applications for expedited reviews This relates to Premises Licences only. This is the number of applications by the chief officer of police for an expedited/summary review of a premises licence because of serious crime and/or serious disorder under S.53A of the 2003 Act. It may differ from information included at Q8a as it seeks the number of applications under the new power, rather than completed reviews as a result.

Number of expedited review applications Record how often an expedited/summary review application has been rejected or withdrawn. withdrawn or rejected

Number of cases where interim steps were taken Please state the number of cases where interim steps were taken following the successful application for an expedited review. Interim steps are temporary measures which have to be taken within 48 hours of the expedited review being accepted under one specific review power. These measures then fall (unless they are reimposed at the review hearing).

Number of cases where interim steps were not Please state the number of cases where no interim steps were taken following the successful application for an taken expedited review

Operating hours modified For example, where the opening hours are reduced, or, where a pub has its hours for alcohol sales reduced, and this effectively reduces its operating hours.

Licensable activity partially restricted For example, where regulated entertainment is temporarily restricted to shorter hours, or to particular days of the
Licensable activity completely excluded For example, where authorisation for the sale of alcohol is temporarily removed from a licence.
Other conditions added or modified For example, conditions relating to door security etc.
Designated Premises Supervisor removed Where the DPS has been removed pending the outcome of the review hearing.
Licence suspended Licence suspended pending the outcome of the review hearing.

Number of licences surrendered, lapsed, revoked, Licence and certificate suspensions following licence reviews are not included here as they are recorded at Q.8.
forfeited, suspended or withdrawn Similarly, licence suspensions following interim steps following serious crime and/or disorder are recorded at Q. 9

Surrendered (Premises Licence) Where a Premises Licence is surrendered under Section 28 of the Licensing Act 2003.

Surrendered (Club Certificate) Where a Club Premises Certificate is surrendered under Section 81(3) of the Licensing Act 2003.

Surrendered (Personal Licence) Where a Personal Licence is surrendered under Section 116 of the Licensing Act 2003.
Lapsed (Premises Licence) Where a Premises Licence has lapsed due to the death, incapacity, insolvency etc. of the licence holder, as set out under Section 27 of the Licensing Act 2003. Please exclude instances where a Premises Licence was in effect for a limited period, but the period has since expired (e.g. one-off events).

Lapsed (Club Certificate) Where a Club Premises Certificates has lapsed because it had effect for a limited period, but that period has since expired.

Revoked (Personal Licence) Where a Personal Licence is revoked under Section 124 of the Licensing Act 2003.
Forfeited (Personal Licence) Where a Premises Licence has been forfeited following a court order under Section 129 of the Licensing Act 2003 in the time period specified (and where that order has not been suspended, pending an appeal under Sections 129(4) or 130 of the Licensing Act 2003).

Closure Notice (Premises Licence) Where a premises is prohibited from selling alcohol for 48 hours following a closure notice under S.169A.
Suspended by a Court Where a Premises Licence is suspended by a court, under Section 147B(1) of the Licensing Act 2003 (as amended by (Premises Licence) the Violent Crime Reduction Act 2006) for the sale or supply of alcohol, following an offence of persistently selling to underage children.

Suspended by a Court Where a Personal Licence is suspended following a court order under Section 129 of the Licensing Act 2003 in the (Personal Licence) time period specified (and where that order has not been suspended, pending an appeal under Sections 129(4) or 130 of the Licensing Act 2003).

Withdrawn (Club Certificate) Where a Club Premises Certificate is withdrawn under Section 90 of the Licensing Act 2003.

Appeals Please include only those where the Magistrates Court notified parties of its decision in the time period specified. Record the number of appeals against application decision and separately appeals against the licence review decision.

Valid Temporary Event Notices given A notice under Section 100 of the Licensing Act, used to authorise certain relatively small-scale events involving licensable activities, subject to certain criteria and limits. Only include notices that have been correctly and properly given in the time period specified - i.e. exclude notices that were sent back because of mistakes on the form. Include notices that were subsequently withdrawn. The fee for a TEN is $£ 21$.

TENs withdrawn Temporary Event Notices withdrawn before the event under Section 103 of the Licensing Act 2003.
TENs received following modification with police Temporary Event Notices received under Section 106 of the Licensing Act 2003 following modification of a consent Temporary Event Notice with police consent.

Counter Notices following police objection Counter Notices given under Section 105 of the Licensing Act 2003 following police objection.

Judicial Reviews Please include only those where the High Court notified parties of its decision in the time period specified.

Please complete all white cells, and as many yellow cells as possible. All values entered to the cells should be numerical, so please use 0 where the answer is 'none'. Any cells left blank will be assumed to be unknown.


Q1b Number of Premises Licences and Club Premises Certificates with no fee applicable

|  | Club Premises |  |  |
| :---: | :---: | :---: | :---: |
| Total with no fee applicable | Premises Licences | Certificates |  |
| 23 | $\mathbf{0}$ |  |  |
| ok | ok |  |  |

Note: For detailed explanation on how to treat licences with 'no fee applicable' please see the help guide for this question.

Q2a Number of Premises Licences and Club Premises certificates permitted to sell or supply alcohol

# Club Premises <br> Premises Licences Certificates 

Total (taken from Q1 above)
Licensed to sell or supply alcohol (On-sales only) Licensed to sell or supply alcohol (Off-sales only)
Both on and off sales or supply of alcohol
Licences not permitted to sell or supply alcohol

| 314 | 31 |
| :---: | :---: |
| $\mathbf{5 2}$ | $\mathbf{1 6}$ |
| $\mathbf{7 6}$ |  |
| $\mathbf{1 5 2}$ | $\mathbf{1 5}$ |
| $\mathbf{3 4}$ | $\mathbf{0}$ |
| ok | ok |

## Q2b Number of Premises Licences and Club Premises certificates by licensable activity authorised

| Refreshment |  | Club Premises |
| :---: | :---: | :---: |
|  | Premises Licences | Certificates |
|  | 141 |  |
|  | ok |  |
| Any Premises Licences with only Late Night Refreshment |  |  |
|  | 8 |  |
|  | ok |  |
|  | ok |  |
| Any regulated entertainment of which: | 208 | 21 |
|  | ok | ok |
| (a) Plays | 62 | 3 |
| (b) Films | 86 | 9 |
| (c) Indoor sporting events | 100 | 13 |
| (d) Boxing or wrestling | 10 | 0 |
| (e) Live music | 165 | 15 |

(f) Recorded music

177
20
(g) Performance of dance
(h) Entertainment similar to live music, recorded music or dance
(i) Facilities for making music
(j) Facilities for dancing
(k) Facilities for entertainment similar to making music or dancing

| 177 | 20 |
| :---: | :---: |
| 128 | 14 |
| 172 | 0 |


| 78 | $\mathbf{0}$ |
| :---: | :---: |
| $\mathbf{7 8}$ | $\mathbf{0}$ |
| $\mathbf{4 2}$ | $\mathbf{0}$ |

ok ok

Note: Multiple activities can apply to a particular premises. If possible, please record all activities applicable to each licence or certificate.

Q3 Number of premises with 24-hour alcohol licences by premises type

## Total

of which, premises in:

Pubs, Bars and Nightclubs
Supermarkets and Stores
of which:
Large supermarkets
Other convenience stores

## Hotel Bars

of which:
Open 24 hours to guests and public
Open 24 hours to guests only
Other Premises Types
Premises with 24-
hour licences

| 16 |
| :---: |
| ok |

$\square$
1

5

| $\mathbf{4}$ |
| :---: |
| $\mathbf{1}$ |
| ok |
| $\mathbf{7}$ |


| $\mathbf{0}$ |
| :---: |
| $\mathbf{7}$ |
| ok |
| $\mathbf{3}$ |
| ok |

Total

| $\mathbf{0}$ |
| :---: |
| ok |

## COMMENTS

Please complete all white cells, and as many vellow cells as possible. All values entered to the cells should be numerical, so please use 0 where the answer is 'none'. Any cells left blank will be assumed to be unknown.


| $\mathbf{1}$ |
| :---: |
|  |
| $\mathbf{0}$ |
| ok |
| $\mathbf{0}$ |
| $\mathbf{0}$ |
| $\mathbf{0}$ |
| $\mathbf{1}$ |

Licensable activity partially restricted
Licensable activity completely excluded
Other conditions added or modified

| $\mathbf{0}$ |
| :--- |
| $\mathbf{0}$ |
| $\mathbf{0}$ |


| Q9Number of Expedited review applications <br> (Note: more than one interim step may apply per review) <br> Total number of applications for expedited reviews <br> Number of expedited review applications withdrawn or rejected <br> Number of cases where no interim steps were taken <br> Number of cases where interim steps were taken <br> of which: <br> Operating hours modified <br> Licensable activity partially restricted <br> Licensable activity completely excluded <br> Other conditions added or modified <br> Designated Premises Supervisor removed <br> Licence suspended |
| :--- |
| $\mathbf{0}$ |


| Q10 | Number of licences surrendered, lapsed, revoked, forfeited, suspended or withdrawn |  |  | Q10 HELP |
| :---: | :---: | :---: | :---: | :---: |
|  |  | Premises Licences | Club Premises Certificates | Personal <br> Licences |
|  | Surrendered | 0 | 0 | 0 |
|  | Lapsed | 0 | 0 |  |
|  | Revoked |  |  | 0 |
|  | Forfeited |  |  | 0 |
|  | Suspended by a court | 0 |  | 0 |
|  | Closure notice | 0 |  |  |
|  | Withdrawn (section 90) |  | 0 |  |





