

By email to: [alcohollicensingconsultations@homeoffice.gov.uk](mailto:alcohollicensingconsultations@homeoffice.gov.uk)

# Questionnaire

## Off-sales

**Q1: Do you agree that when the regulatory easement ends on 30 September 2023, there should be no automatic extension of an on-sales premises licence; anyone wishing to do off-sales should apply to their Licensing Authority for a variation to their on-sales licence?**

*NO*

**Q2: Should any such amendment to an on-sales licence be treated initially as a minor variation?**

*NO*

**Q3: Should all variation applications automatically be sent to responsible authorities?**

*NO*

**Q4: Should any such amendment to an on-sales licence always be a major variation?**

*NO*

**Q5: Should all new applications for premises licences specify on-sales and off-sales or should they automatically include both?**

*Automatically include both on and off-sales*

**Q6: If a premises licence holder also holds a pavement licence for the same venue, should the area covered by the pavement licence be automatically deemed to be included in the area covered by the premises licence?**

*YES – but only when there is a pavement licence in force for the area in question.*

**Q7: Do you agree that the regulatory easement should be made permanent, meaning that any on-sales premises licence holder is automatically able to do off- sales without any need to amend their licence?**

*YES*

**Q8: If you answered yes to Q7, should it apply to off-sales, take-away or both?**

*BOTH*

**Q9: Are you aware of any change in the level of crime and / or anti-social behaviour as a result of the off-sales easement?**

*NO*

**Please give reasons for any of your answers to the above questions about off-sales.**

*We would support the extension of the provisions which allow on-sales premises licences to also provide off-sales without the need to apply to vary the on-sales licence. This would support businesses without posing any likely risk to the licensing objectives. Should any risks subsequently arise in respect of any individual premises, the LA2003 includes adequate safeguards - the premises licence could be called in for review in the event that the licensing objectives are being undermined. Licensing authorities should be able to expressly exclude off-sales where it is considered appropriate and proportionate to address issues arising at individual premises.*

## Temporary Events Notices

**Q10: Do you agree that when the regulatory easement ends on 31 December 2023, the annual allowance should return to the level set out in the Licensing Act which is 15 TENs per year?**

*No*

**Q11: Should the annual allowance set out in the Business and Planning Act be extended for a further 12 months to 31 December 2024?**

*No*

**Q12: Do you agree that when the regulatory easement ends on 31 December 2023, the annual allowance of 20 TENs should permanently remain at the level set out in the Business and Planning Act 2020?**

*YES*

**Q13: Do you agree that when the regulatory easement ends on 31 December 2023, the annual allowance of 26 days should permanently remain at the level set out in the Business and Planning Act 2020?**

*YES*

**Q14: Are you aware of any change in the level of crime and / or anti-social behaviour as a result of the TENs regulatory easement?**

*NO*

**Please give reasons for any of your answers to the above questions about TENS.**

*We are not aware that there have been any problems arising from the increased allowance relating to TENs. The regulatory easements were introduced to support businesses at a time of extreme difficulty as a result of the COVID19 pandemic which necessitated extended periods of closure for hospitality and leisure premises. The challenges and difficulties facing the industry are arguably just as intense now, and perhaps even more challenging given the financial pressures, increased costs in all areas, changes to customer behaviour with continued increases in home entertainment, reduced spending power as a result of the cost of living and rising interest rates, and the workforce resource shortages.*

# About you

Please use this section to tell us about yourself

<b>Full name</b>	Sue Nelson
<b>Job title</b> or capacity in which you are responding to this consultation exercise (for example, member of the public)	Executive Officer
<b>Date</b>	28 <sup>th</sup> April 2023
<b>Company name/organisation</b> (if applicable)	Institute of Licensing
<b>Address</b>  <b>Postcode</b> <b>Email address</b>	Ridgeway Upper Milton Wells Somerset BA5 3AH  <a href="mailto:sue@instituteoflicensing.org">sue@instituteoflicensing.org</a>
If you are a premises licence holder, what rateable value band does the premises fall into?	
If you would like us to acknowledge receipt of your response, please tick this box	<input checked="" type="checkbox"/> (please tick box)
Address to which the acknowledgement should be sent, if different from above	

**If you are a representative of a group**, please tell us the name of the group and give a summary of the people or organisations that you represent.

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*The Institute of Licensing is the professional body for licensing practitioners across the UK with circa 5,000 licensing practitioners within the membership representing local authority, police, industry and private practitioners.*