

3 March 2014

## **World cup licensing extension**

### **Purpose**

For decision.

### **Summary**

This report provides an outline of the LGA's position in relation to the expected consultation on a blanket extension of licensing hours during the World Cup in June / July.

### **Recommendation**

That the Board discusses and agrees the LGA response.

### **Action**

Officers to respond to the consultation as and when it is published.

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## **World cup licensing extension**

1. The World Cup will take place in Brazil between 12 June-13 July, with many matches (including England's opening group match) kicking off after 11pm in the UK.
2. Lead members may have seen recent press coverage concerning whether government should issue a blanket extension enabling all licensed premises to remain open for longer without the need for a Temporary Event Notice (TEN), which costs £21.
3. The British Beer and Pub Association (BBPA) originally lobbied government to utilise this power to extend licensing hours for the opening and closing weekends of the event. The Home Office originally refused to grant the extension, but the Prime Minister subsequently intervened and announced a consultation on the proposals, due to the 'national importance' of the World Cup. This has yet to be published.
4. The LGA, alongside the Association of Chief Police Officers, has co-branded BBPA guidance for licensees on how to hold a safe event during this period.

### **Pros and cons of a blanket extension**

5. The BBPA have argued that introducing a blanket extension would save the industry around £750,000 fees in TEN applications. It has also estimated that additional opening hours would be worth around £20m to the industry, in terms of food and drink sales.
6. A large number of TEN applications, which typically cost councils more than £21 to process, would place a heavy administrative burden on councils, which are required to respond to them in a short period of time. Given the potential number of applications, individual applications may not receive the usual level of scrutiny.
7. However, a blanket extension would undermine the important principle that licensing decisions are devolved to local councils so that they can consider the local context in which a pub or club operates. If a blanket extension were imposed, councils would be unable to proactively impose any conditions that may be required to protect local residents and businesses from noise and nuisances.
8. ACPO has opposed the proposal for an extension on the grounds that it will lead to noticeable increases in violence and disorder that will stretch police forces and council officers.
9. It is also arguable whether a world cup, which happens every four years and alternates with other large football events, is of a similar status to recent events that have attracted a blanket extension, eg the 2011 royal wedding or Diamond Jubilee.

**Proposed LGA response**

10. Councils are aware of the importance of the World Cup to residents and are ready to help people celebrate in a safe and responsible manner. For many people, watching matches in a local pub is a fundamental part of the whole experience and councils will endeavour to support pubs, clubs and other organisations that wish to offer this facility.
11. Councils will always seek to say yes to well-run businesses who have proven that they can cater effectively for selling alcohol at events where emotions run high; and we were pleased to support the British Beer and Pub Association in providing advice for licensees who wish to hold safe and successful events.
12. However, councils also have a responsibility to residents who may live in close proximity to popular venues and may be exposed to significant disturbance as a result. A blanket extension removes the ability for councils to take local issues into account when reaching licensing decisions, and prevents councils from imposing conditions that help to mitigate any problems.
13. We therefore do not support a blanket national exemption.
14. Our recent *Rewiring Licensing* proposals included a proposal that councils should be given a power available to Magistrates prior to the introduction of the 2003 Licensing Act. The Order for General Exemption, although generally used sparingly prior to 2003, was often used in seaside towns to enable pubs to remain open for longer during the holiday period.
15. Giving this power to licensing authorities would enable them to introduce an extension to opening hours while also working with the police to identify the premises required to apply for an extension. This would ensure that there was a managed process to ensure proper safeguards were put in place for premises where an extension was felt to be unsuitable or there was a poor track record in hosting safe events.
16. This reform would obviate the need for future consultations on this issue, and we will highlight this in our consultation response.