

Are you ready for the new licensing act?

Most of the talk of the new Licensing Act has been in relation to extended drinking hours. Its provisions do not just apply in respect of pubs and clubs. In fact, when it now comes into force on 24th November 2005, it covers other activities.

The Act regulates what are called "licensable activities". These cover not only the sale of alcohol but also the provision of "late night refreshments" and the provision of "regulated entertainment".

"Regulated entertainment" encompasses sever activities, these include a performance of a play, a showing of a film, an indoor sporting event, boxing or wrestling, the performance of live music, the playing of recorded music, and performance of dance.

If your premises are carrying on "licensable activities", then in order to continue with those within the law after 24th November 2005, you have to make sure that you have the appropriate licences in place.

The premises need to have what is called a "premises licence". Furthermore, an individual has to be the "designated premises supervisor" and that person has to hold a "personal licence".

There are application forms for these that have to be completed and sent to the relevant Local Authority together with the fee payable. New applications have to be advertised and they are then investigated by the Local Authority and other "responsible authorities" like the Police.

The Act as well allows any other "interested parties" to make representations, for instance people living in the vicinity.

If all is in order with the application and no objections are made then ordinarily the application will be granted without a hearing, but otherwise the matter would be put before a Council Committee Hearing for consideration.

The Council when carrying out its licensing function is told by the Act to do so with a view to promoting the licensing objectives. These are stated all to have equal importance and are:

- a) The prevention of crime and disorder.
- b) Public safety.
- c) The prevention of public nuisance.
- d) The protection of children from harm.

Of course, most of the pubs, clubs and similar establishments have been aware of all this for some time but have been dealing as a result with their applications. Records indicate that there are many establishments ranging from village halls to take-aways whose activities are such that licences should be sought.

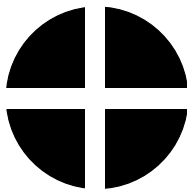
You will therefore have to stop any "licensable activities" by 24th November 2005 if you have not got your licensing matters sorted. If you don't, then you may be prosecuted!

Crosse + Crosse has a specialist Licensing Department and has already acted for a number of clients in dealing with their requirements under the new Act, not only in Exeter but also in the surrounding areas.

Our work to date under the new Act does not only include making applications but also putting forward further representations to the Council and appearing on behalf of applicants at Committee Meetings.

We would therefore be happy to help you if you would like our advice and help in relation to licensing matters.

**Please get in contact with Hannah
Tapp on 01392 209618 or 258451**



CROSSE
CROSSE
Solicitors

Crosse + Crosse Solicitors

14 Southernhay West, Exeter EX1 1PL & 14 Castle Street, Exeter EX4 3PT

Tel: 01392 258451 • Fax: 01392 278938

Email: mail@crosse.co.uk • Website: www.crosse.co.uk



Lexcel



INVESTOR IN PEOPLE