

Comparison of existing licensing regime and post bill regime

Existing regime	Post bill regime
Magistrates have responsibility for alcohol licensing	Local authorities responsible for all alcohol and entertainment licensing
Individual licensed to sell alcohol from a particular premises	Separate premises licence and portable personal licence
Separate licences for cinema, theatre, sale of alcohol, public entertainment etc	Separate premises licence to cover all activities and no additional licence costs for more than one activity
Applicants for licences have to prove themselves to be 'fit and proper'	New applicants for personal licences need to gain an accredited qualification and undergo a Criminal Records Bureau check
Public entertainment fees set by individual local authorities with resulting inconsistency between different areas	Centrally set fees for premises and personal licences but to reflect the cost of each local authority's licensing function.
'Two in a bar' rule means that where more than two artists perform a public entertainment licence is required, often at considerable cost, even though one performer with an amplifier can make more noise than three or more.	All public entertainment will require a licence but it will cost nothing to add this to the list of activities undertaken eg where a licence for sale of alcohol is being obtained - resulting in a big increase in opportunities for musicians to perform and a corresponding increase in choice and variety for the consumer.
Boats do not require a licence to sell alcohol	Boats travelling within England and Wales and selling alcohol will require a premises licence - in wake of Thames safety enquiry
Law regarding children's access to licensed premises is confusing and inconsistent	Children's access will be the norm, except where there is good reason for them being excluded - balanced by clear objective of protection of children from harm
The law concerning consumption of alcohol by under 18s in licensed premises is confusing and unrealistic eg it is legal to buy an alcoholic drink and give it to a 6 year old in a pub garden	16 and 17 year olds will only be able to consume alcohol in pubs when it is bought for them by someone 18 or over and is consumed with a meal in the company of someone 18 or over
Licences are required for tombolas or raffles where alcohol is offered as a prize	Tombolas and raffles will be exempted from the requirements for an alcohol licence in most cases

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Anyone wishing to hold a one off event must apply for an occasional permission from the courts	A new system of temporary permitted activities will allow extension for premises licences (eg for a World Cup football match or a wedding) and the sale of alcohol by non licence holders within permitted limits after a simple notification
The University of Cambridge, the Vintners of the City of London and the board of the Green Cloth (a Royal Household committee) all enjoy exemptions on sale of alcohol originating in ancient charters	All of these archaic exemptions will be repealed
Secretary of State needs to pass a Regulatory Reform Order to allow relaxation of agreed hours for special occasions such as the Golden Jubilee weekend	The Secretary of State can allow such extensions by the much simpler mechanism of passing an order
Government departments, police canteens, army messes etc can obtain a permission to sell alcohol from the relevant Secretary of State	All Government facilities will now have to obtain a licence to sell alcohol, except where national security might be comprised
Anyone can sell alcohol in wholesale quantities to the public without a licence	The exemption for wholesale will only apply to sales made between businesses or to personal or premises licence holders
There is broad discretion for licensing authorities on the reasons for making licensing decisions which leads to inconsistencies in aims and purposes	There will be four specific licensing objectives on which all decisions in relation to licensing applications must be based
Spectators in hospitality boxes at football matches cannot drink from 15 minutes before kick off until 15 minutes after the final whistle if they can see the pitch	This blanket ban will be repealed and individual local authorities will decide on the arrangements for alcohol sales at grounds within their jurisdiction
Alcohol can only be served within specific limited permitted hours, subject to some extensions being obtained	Permitted hours will be abolished and each licensed premises will choose its own hours of opening, subject to objections from others
Police powers to close relate only to permanent on-licensed premises	Police power to close premises extended to all temporary events such as one off raves

Ten archaic laws that will be repealed under the Licensing Bill

It is currently illegal for:

- Two ex-cons to go shopping together in a supermarket if it sells alcohol.
- A policeman to enter an off licence to buy a bottle of wine on his way home unless he covers his uniform.
- Two friends to engage in 'quarrelsome' behaviour in licensed premises.
- A bottle of home made wine to be offered as a tombola prize at a village fete unless a liquor licence has been obtained.
- Two prostitutes to have a drink together in a pub but one can drink on her own.

It is currently legal for:

- An adult to buy an alcoholic drink and give it to a child as young as 5 in a beer garden.
- Alcohol to buy sold on boats without a licence meaning that 14 year olds' booze cruises can be run.
- The University of Cambridge and the Honourable Company of Vintners to sell wine without a licence.
- Clubs to be open until 6am but illegal for them to sell beer after 2am (or 3am in London).
- Licensing applications to be decided without the views of local residents being taken into account.

The answers to 20 myths about public entertainment and the Licensing Bill

- Existing public safety and noise legislation does **not** cover all of the issues dealt with by licensing law.

Music in pubs will not be harmed by the Bill.

- It will **not** cost anything extra for a pub to apply to provide entertainment as well when applying for permission to sell alcohol.
- Local authorities will **not** be able to impose unreasonable conditions on licences.

Individual performers will not be disadvantaged by the Bill.

- Performers will **not** need to be individually licensed.
- Performers will **not** now be liable to a fine or imprisonment just for playing or singing.

A licence will not be needed every time someone plays a musical instrument.

- Rehearsing or practising will **not** be licensable.
- Music tuition will **not** be licensable.
- Busking will **not** be licensable.
- Testing a musical instrument in a shop will **not** be licensable.

Community venues will not be disadvantaged by the Bill.

- Village, church and parish halls and other community buildings will **not** need to pay for licences to provide entertainment.
- Any entertainment provided in a church will **not** be licensable.
- Church bell ringing will **not** be licensable.

Spontaneous performance will not be licensable so:

- Spontaneously singing 'Happy Birthday' will **not** be licensable.
- Spontaneous pub singalongs will **not** be licensable.
- Carol singers, going from door to door, or turning up unannounced in a pub and singing, will **not** be licensable.
- A postman whistling on his rounds will **not** be licensable.

Private events where invited guests are not charged will not usually be licensable so:

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- A school nativity play, which took place before a non-paying private audience of parents will **not** be licensable.
- A licence will **not** generally be required for performances taking place at a private party where the host organises the music and does not charge their guests.
- A licence will **not** be required for a band playing in a marquee at a wedding reception in someone's garden.
- A performance in an old people's home, hospice or hospital before a non-paying private audience of staff and patients will **not** require a licence.