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Licensing authority guidance updated in response to concerns

By Liam Coleman , 10-Apr-2017
Last updated on 10-Apr-2017 at 15:13 GMT



Risk: the ALMR warned of the new powers being used for 'insignificant incidents'

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The Government has updated its guidance for licensing authorities following concerns that the new powers may lead to heavy handed implementation of the Licensing Act 2003.

The Association of Licensed Multiple Retailers (ALMR) said that without clearer guidance there was a risk that it could be used to review alcohol licences after "relatively insignificant incidents" when the police have been called.

With the updated guidance, licensing authorities have a stronger steer on how recent changes to the Licensing Act should be interpreted.

A series of significant changes to the act came into force on 6 April. These changes give licensing authorities additional powers and a new system for appealing against interim licensing restrictions.

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The new appeals system means that, unless there has been a significant change in circumstances, there is now a single appeal stage for interim licensing restrictions.

As well as this, licensing authorities are now able to extend the terms of interim restrictions at full licensing reviews and also suspend licences for up to six months if the licensee has been convicted of a criminal offence.

The ALMR has previously warned that there was a danger of the licensing authorities using the new measures for "insignificant incidents", if the Government didn't provide the authorities with further guidance.

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"Any powers handed to local authorities must be effective, but they also should be used only when appropriate. There is a danger here that new powers may be used for relatively insignificant incidents," the association's chief executive Kate Nicholls said.

The Home Office has now responded to these calls by issuing **updated guidance** for the licensing authorities on how to interpret their new powers.

Nicholls welcomed the guidance but said that it would only provide licensees with a small amount of reassurance. "It is encouraging to see the Government move to provide clarity, but the sheer size of the guidance underlines what an unwieldy beast the Licensing Act has become," she said.

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