

Rowena Macdonald  
Committee Secretary  
Culture, Media and Sport Committee  
House of Commons  
7 Millbank  
London  
SW1P 3JA

24<sup>th</sup> September 2008

Dear Ms Macdonald,

## **Licensing Act 2003**

### **Inquiry by the Culture, Media and Sport Select Committee**

CAMRA, The Campaign for Real Ale, have the following comments to make on the effects of the Licensing Act 2003. We hope that the Committee will find them of use.

#### **Has the level of public nuisance, numbers of night-time offences or perception of public safety changed since the Act came into force?**

1. CAMRA believes that the atmosphere in public houses, particularly at what used to be the terminal hour of licensing hours, has changed for the better.
2. There is not the same rush to be served when the bell for last orders goes or the influx of customers on to the streets when they were required to leave the pub premises 20 minutes after closing time.
3. The extra flexibility granted by the 2003 Act has given pub licensees the ability to adjust their hours of trading to suit the demands of their customers.
4. It has of course been a learning process for licensees, local licensing authorities and the general public. Some have coped better than others. There is still a need for better information to be made available to the general public on their rights under the new Act and how they can add their input into reviews of local licensing policy.
5. The Department for Culture, Media and sport in their "Evaluation of the Impact of the Licensing Act 2003" found that the statutory guidance produced under section 182 of the 2003 Act, which was revised in 2007, has generally been well received. However "the emerging message ... suggests there is scope for better use and understanding of the legislation and how it can be used to promote the licensing objectives."
6. And CAMRA believes that there is scope for local licensing authorities to learn best practice from other Councils. We would agree with the DCMS report that

LACORS (Local Authority Coordinators of Regulatory Services) and other parties could help ensure that responsible authorities understand the requirements of the Act. There may well be a role here for the LGA – Local Government Association here.

7. We believe that the full benefits of the new licensing Act for England and Wales have not been realised by the trade, licensing authorities or pub goers. Too often the occasional alcoholic excesses by a minority of Society are blamed on the new licensing hours. And media commentators constantly referring to 24 hour licensing helps create an atmosphere of unease.

8. According to the DCMS Statistical Bulletin as at 31 March 2007 there were 470 pubs, bars and nightclubs which have 24 hour licences but there is no evidence that more than a handful operate on that bases. In fact CAMRA is only aware of a very few pubs including a couple of pubs in Blandford Forum in Dorset!

9. Research commissioned by the DCMS from CGA Strategy Ltd (CGA Strategy November 2007) found that overall average closing times across all on-licensed premises in England and Wales increased by 21 minutes with the introduction of the 2003 Licensing Act.

10. There has been a general welcome by police, local authorities and licensees to the changes brought in by the Act according to a report produced by Hough et al of the ICPR, King's College (*The Impact of the Licensing Act 2003 on levels of Crime and disorder : an evaluation* Research Report 04). They did not report significant problems with implementation – once teething problems were solved – and did not think generally that alcohol-related problems of crime and disorder had worsened.

11. Calmer and more reasoned voices need to be brought to the debate on licensing. The DCMS report states that evidence suggests that the predictions of increases in crime and disorder that accompanied the Act's implementation have not been borne out. There are some signs of positive benefits from the new legislation, with those who are involved in its operation generally positive about the new regime.

12. Evidence collected by the University of Westminster in its 2007 report on the impact of the Licensing Act (Expecting "Great Things?" *The Impact of the Licensing Act 2003 on Democratic Involvement. Dispersal and Drinking Cultures*" Marion Roberts and Adam Eldridge. University of Westminster July 2007) has found that "democratisation has been a success. Whether it was minimising obtrusive music, cutting irresponsible promotions, or forging better relations with the police or council, the majority of those interviewed felt the Act had generated a more accountable industry. Particularly in terms of residents, the operators felt that neighbours now had a greater role to play in the entire licensing process, be that in terms of initial applications, to ensuring compliance with licensing conditions."

13. And a national survey of licensing authorities by Middlesex University ( *Alcohol Insights 54 Implementation of the Licensing Act 2003: A National Survey for the AERC- the Alcohol Education and Research Council* found that those surveyed thought that the effect of the Licensing Act 2003 had been largely neutral.

14. A survey commissioned by CAMRA (CAPI Omnibus tns July 2007) found that 75% of those surveyed supported the new approach whereby pubs could apply for longer opening hours. 27% of all those surveyed (36% of males) had made use of the longer hours. The survey also found that respondents thought that flexible hours were the second most significant change in the way pubs are run today (19%) being beaten only by the smoking ban at 26%.

**Has the Act impacted on the performance of live music?**

16. We believe that the Act has not had any major impact on live music. As long as a pub has set out in its operating plan when the premise licence has been made there should be no reason why there should be any effect on live music performances. The old “two musician” exemption for pubs whilst being useful for occasional events in a pub was in many ways quite restrictive and pubs are now far better off, provided they have included live music performances in their operating plans, than they used to be.

17. We note that research by the Live Music Forum found that provision of live music had declined by 5% but that the Act was not a main reason for the decline.

18. Overall CAMRA feels that the Licensing Act 2003 has been a welcome reform.

Yours sincerely

Iain R Loe  
Research and Information Manager  
CAMRA Ltd

**About CAMRA**

CAMRA, The Campaign for Real Ale is a not-for-profit independent voluntary consumer body which exists to promote and defend access to full-flavoured and distinctive beer and the best features of the British pub.

CAMRA was founded in 1971 and membership is currently 94,500.

CAMRA’s mission is to act as the champion of the consumer in relation to the UK and European drinks industry. Its aims are as follows:

**Maintain consumer rights**

**Promote quality, choice and value for money**

**Support the public house as a focus of community life**

**And campaign for greater appreciation of traditional beers, ciders and perries as part of national heritage and culture**

The Campaign is funded by member subscriptions, sales of publications and products and proceeds from beer festivals. Other than revenue from advertising in our member's newspaper, it is not funded in any way by the industry. Only individuals can join CAMRA.