

**Summary of recent substantive changes to the revised statutory guidance issued under section 182 of the Licensing Act 2003**

The following table provides a summary of recent substantive changes made to the revised statutory Guidance issued under section 182 of the Licensing Act 2003. This includes changes made in the version of the statutory Guidance laid in Parliament on 25<sup>th</sup> April 2012 and further changes made in the revised version of this Guidance laid in Parliament on 31<sup>st</sup> October 2012. This summary notes amendments from the previous version of the Guidance (which was issued in October 2010).

Given the substantial nature of amendments, this table does not provide an exhaustive list of all changes made. The length of the Guidance has been reduced significantly from the version laid in October 2010 and whilst the main areas where reductions have been made are referenced, not all deletions have been noted. With any queries regarding these amendments please email [alcoholstrategy@homeoffice.gsi.gov.uk](mailto:alcoholstrategy@homeoffice.gsi.gov.uk).

<b>Chapter</b>	<b>Section heading</b>	<b>Amendment</b>	<b>Date amendment made</b>
<b>Chapter 1</b>	Licensing objectives and aims	Amendments to licensing aims	April 2012 Section 1.5
	Partnership working	Section removed	April 2012
	Related legislation and strategies	Section removed	April 2012
	The Guidance	Clarification provided on when the Guidance comes into force (paragraph 1.6)	October 2012
	Licence conditions-general principles	Section added (paragraph 1.16)	October 2012
	Additional guidance	New paragraph added on Home Office supporting guidance	October 2012
<b>Chapter 2</b>	All sections	Amendments to ensure guidance reflects current legislation and Government alcohol	April 2012

<b>Chapter</b>	<b>Section heading</b>	<b>Amendment</b>	<b>Date amendment made</b>
<b>Chapter 2</b>	Crime and disorder	Reduced content on the role of the police to be less prescriptive	October 2012
	Crime and disorder	Reduction of content on general principles on licence conditions	October 2012
	Crime and disorder	Removal of paragraph on the Indecent Displays Act as this duplicated other legislation	October 2012
	Public safety	Reduction of content to avoid duplication with other legislation and guidance	April 2012 and October 2012
	Public safety	Further guidance on wider public safety issues such as safe departure	April 2012
	Protecting children from harm	Revision to reflect current policies on protecting children from harm and some reduction of content to avoid duplication	April 2012
<b>Chapter 3</b>	Wholesale of alcohol	Further guidance on wholesale of alcohol particularly with regards to caterers and moving vehicles	April 2012
	Internet and other delivery sales	More detailed guidance on licensing as it applies to internet and other delivery sales	April 2012
	Regulated entertainment	Previous content included in Chapter 3 has been moved to new Chapter 15	April 2012
	Unauthorised activities	New paragraph (3.19) added	October 2012

<b>Chapter</b>	<b>Section heading</b>	<b>Amendment</b>	<b>Date amendment made</b>
<b>Chapter 4</b>	Criminal record	Further practical guidance added on how to obtain a criminal record certificate	April 2012
	Central licensing register	This paragraph has been removed	April 2012
	Community premises	Guidance has been reduced	April 2012
	Criminal Record	Change to paragraph 4.10 to clarify when the LA may consider it appropriate to grant a personal licence.	October 2012
<b>Chapter 5</b>	All sections	Amendments to ensure guidance reflects current legislation	April 2012
	Large scale time-limited events requiring premises licences	Reduction of content relating to additional guidance for those holding such events	October 2012
	Additional fees for large scale events	Content moved to chapter 14 on licence fees	October 2012
<b>Chapter 7</b>	General	Clarification on definition of a working day – paragraph 7.3 (NB. “Saturday” omitted in error. See error note).	October 2012
	General	Additional guidance on modification of a TEN	October 2012
	Limitations	Amendments to list of limitations to reflect recent changes to legislation	April 2012
	Standard and late temporary event notices	Amendments to reflect changes to standard temporary event notice process and new late temporary event notice process	April 2012
	Late temporary event notices	Amended wording on circumstances around	October 2012

Chapter	Section heading	Amendment	Date amendment made
		late TENs	
<b>Chapter 7</b>	Police and environmental health intervention	Guidance on changes to police and environmental health powers with regards to temporary event notices	April 2012
	Modification	Minor amendments	October 2012
	Applying conditions to a TEN	Minor amendments to guidance	October 2012
	Does a hearing need to be held in order to impose conditions	New section added – paragraph 7.39	October 2012
<b>Chapter 8</b>	Throughout chapter	Business Link references changed to GOV.UK	October 2012
	Responsible authorities	Addition of the relevant licensing authority and health bodies (PCTs and health boards) as responsible authorities	April 2012
	Other persons	Removal of references to interested parties and general guidance on other persons making representations	April 2012
	The role of local councillors	Guidance on the role of local councillors has been reduced	April 2012
	Application forms	Revised guidance based on the Provision of Services Regulations 2009	April 2012
	Electronic applications	Revised guidance on electronic applications based on existing processes	April 2012
	Steps to promote the licensing objectives	Amended guidance stating that applicants are expected to demonstrate knowledge of the local area when taking steps to promote	April 2012

Chapter	Section heading	Amendment	Date amendment made
		the licensing objectives	
<b>Chapter 8</b>	Advertising applications	Revisions to guidance to reflect new regulations requiring licensing authorities to publish key information from licence applications online	April 2012
<b>Chapter 9</b>	Relevant, vexatious and frivolous representations	Further guidance on determining whether a representation is relevant, vexatious or frivolous	April 2012
	Representations from the police	Amendment to state that licensing authorities should accept all reasonable recommendations made by the police	April 2012
	Licensing authorities acting as responsible authorities	New guidance for licensing authorities on acting in their capacity as responsible authorities	April 2012
	Health bodies acting as responsible authorities	New guidance for primary care trusts and local health boards on acting as a responsible authority	April 2012
	Hearings	Guidance for licensing authorities on acting as responsible authorities at licensing hearings	April 2012
	Determining actions which are appropriate for the promotion of the licensing objectives	New guidance for licensing authorities on determining whether an action is appropriate for the promotion of the licensing objectives	April 2012
	Considering cases where licensing and planning applications are made	New guidance on cases where licensing and planning applications are made simultaneously	April 2012

Chapter	Section heading	Amendment	Date amendment made
	simultaneously		
<b>Chapter 10</b>	Throughout chapter	Some content on general principles for licence conditions condensed as this is now included in chapter one	October 2012
	Proposed conditions	Additional guidance on the wording of licence conditions	April 2012
	Consistency with steps described in operating schedule	Revision to reflect new expectation that applicants give consideration to the local area	April 2012
	Hours of trading	Revised guidance on determining opening hours.	April 2012
	Workers rights	Section removed	October 2012
	People with disabilities	Section removed as addressed in chapter 13	October 2012
	Equality issues	Section removed as addressed in chapter 13	October 2012
	Copyright and royalties	Section removed as duplicated other legislation	October 2012
	Irresponsible promotions	More detailed guidance on irresponsible promotions	April 2012
	Age verification	More detailed guidance on age verification with regard to the internet and remote sales	April 2012
<b>Chapter 11</b>	The review process	Guidance for licensing authorities when acting as a responsible authority with regard to licence reviews	April 2012
	Reviews arising in connection with crime	Revision to list of criminal activities which should be treated particularly seriously	April 2012



<b>Chapter</b>	<b>Section heading</b>	<b>Amendment</b>	<b>Date amendment made</b>
<b>Chapter 11</b>	Review of a premises following persistent sales of alcohol to children	New guidance on conducting licence reviews where a premises has been found to be persistently selling alcohol to children	April 2012
<b>Chapter 12</b>	Appeals	Reviews owing to changes made through the Courts Act 2003	April 2012
<b>Chapter 13</b>	General	Revised guidance on preparing and publishing statements of licensing policy	April 2012
	Consultation on policies	Revised guidance on consultation on licensing policies	April 2012
	Cumulative impact of a concentration of licensed premises	Simplified guidance on establishing the evidence base for a cumulative impact policy	April 2012
	Cumulative impact: effect of special policy	Stating that cumulative impact policies may apply to the impact of a concentration of any licensed premises	October 2012
	Licensing hours	Revision of guidance to give licensing authorities greater flexibility to determine licence opening hours	April 2012
	Children	Revised guidance on the consideration of children in relation to licensing policy	April 2012
	Integrating strategies	Specific sections on crime prevention, cultural strategies, transport, tourism and employment removed and content merged in this section	April 2012
<b>Chapter 13</b>	Planning and	Amended guidance on	April 2012

Chapter	Section heading	Amendment	Date amendment made
	building control	planning permission, building control and licensing	
	Promotion of Equality	Revised guidance to reflect changes introduced by the Equality Act 2010	April 2012
	Live music Dancing and theatre	Detailed guidance has moved to Chapter 15	April 2012
<b>Chapter 14 (new chapter in April 2012)</b>	Suspension for non-payment of fees	Guidance on suspension of licence for non-payment of fees	April 2012
<b>Chapter 15 (new chapter in April 2012)</b>	Live music and regulated entertainment	Contains updated guidance on live music and regulated entertainment by DCMS	April 2012
	Live music and regulated entertainment	Amendments to reflect changes as a result of the commencement of measures in the Live Music Act 2012 on 1 <sup>st</sup> October 2012	October 2012
<b>Chapter 16 (new chapter in October 2012)</b>	Early morning alcohol restriction orders	New chapter providing guidance on Early morning alcohol restriction orders to support the commencement of this measure on 31 <sup>st</sup> October 2012	October 2012
<b>Annexes A-E</b>	All sections	All annexes have been removed. Supporting guidance (including on pools of conditions) can be found on the Home Office website.	April 2012