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cc JR
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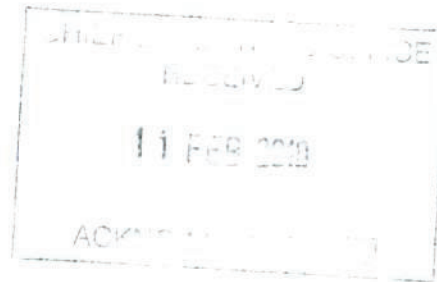


department for
culture, media
and sport

Mr John Barradell
Brighton & Hove City Council
King's House
Grand Avenue
Hove
BN3 2LS

Your Ref JB/JH
Our Ref CMS/135171

10 February 2010



Dear Mr Barradell

RESPONSIBLE LICENSING

Thank you for your letter of 3 February to Gerry Sutcliffe, the Minister with responsibility for licensing legislation. I have been asked to reply on his behalf with regard to the issues you have raised in page two of your letter.

Your Council has called for a ban on the practice of selling alcohol at a cost which is lower than the cost price for the licensee and also a ban on irresponsible drinks promotions, such as "2 for 1" and "Happy Hour". You may be aware that the Home Secretary made an announcement on 19 January about the Government's new mandatory code for tackling alcohol-related crime and disorder. The code will ban the worst types of irresponsible price promotions, help customers to drink less, and strengthen measures for the prevention of underage drinking.

The code will be introduced in two stages. The first three conditions covering irresponsible promotions (e.g. "all you can drink for £10"), a ban on "dentist's chairs (where alcohol is poured directly into the mouths of customers, making it impossible for them to control the amount they are drinking) and the availability of free tap water for customers will come into effect on 6 April. The remaining conditions on age verification and ensuring smaller measures are available will come into effect on 1 October.

Your Council has also asked for councils to be given greater powers which would make it easier to remove licences from premises which continually cause problems for their communities, especially with regard to the sale of alcohol to children. As of 29 Jan, 'three strikes and you're out' became 'two strikes and you're out'. This is a new provision under the Policing and Crime Act 2009. Anyone found guilty of selling alcohol to children on 2 occasions within 3 months faces a £10,000 fine and can have their licence suspended for up to 3 months.



improving
the quality
of life for all

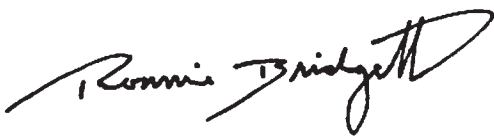
Also, our Guidance to licensing authorities was revised in January to take account of the new provisions under section 33 of the Policing and Crime Act 2009 which enables Councillors, in their capacity as elected members of the relevant authority, to act as "interested parties" and call for reviews and make representations on licensing applications. We also propose giving licensing officers the same powers and are currently awaiting a suitable legislative vehicle through which to deliver this change. We believe that both these changes will make it easier for licensing authorities to bring problem premises to review.

Furthermore, our Department announced on 4 February that local authorities are to be given the power to impose blanket bans on the sale of alcohol after 3am in entire streets or city centres affected by alcohol-related anti-social behaviour and disorder. When a council proposes to use this new power, it will first invite views from everyone affected, including local residents, the police and licence holders and, if necessary, hold a public hearing before making a final decision.

Finally, regarding your request to be able to charge more for late night licences to pay for additional policing, I can confirm that we have no plans to charge premises with late night licences a higher fee. It should, we feel, be remembered that not all late night premises require more policing.

I hope my letter is helpful.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ronnie Bridgett', with a stylized flourish at the end.

Ronnie Bridgett
Licensing Policy Advisor
Public Engagement and Recognition Unit (PERU)