
Licensing Act 2003

Deadline for conversion

If you own or run a pub, restaurant, club, hotel or off licence, then it is important you act now to convert your existing licences. As you may have gathered from the news or your own trade press, the new Licensing Act 2003 is currently in the process of being implemented. We are presently in the middle of a transition period that began on the First Appointed Day on 7 February 2005 and is due to end on the Second Appointed Day on 24 November 2005. On the Second Appointed Day, all existing licences will expire. Hence, it is important you apply now to the local authority to convert your existing licences.

The holders of Justices' Licences and other old style licences have until 6 August 2005 to take advantage of their "Grandfather Rights" and apply to their local authority to automatically convert their existing licences into the new single Premises Licence. If you sell or supply alcohol on your premises, you must also apply for a separate Personal Licence. Existing licence holders should be automatically granted a Personal Licence. However, licensees who apply after 6 August will lose their Grandfather Rights and have to apply for an entirely new Premises Licence/Personal Licence, with no guarantee that the local authority will process their applications in time before the new licences come into force on 24 November.

As part of the application process, you will need to submit plans of your premises to the local authority. You should bear in mind that if the existing plans for your premises do not meet with the strict statutory requirements, then you will need to get new plans drawn up. It may take several weeks for an architect or surveyor to prepare such plans. Therefore, if you have not already done so, it is important that you take action now.

Thomson Snell & Passmore are able to advise on the new licensing law and procedure under the Licensing Act 2003, and will be pleased to help you complete the local authority application forms and guide you through the application process.

This information sheet has been prepared to highlight some key issues relating to the Licensing Act 2003. It is intended to be for general guidance only and is not a substitute for specific advice. It is based upon our understanding of the legal position as at June 2005 and may be affected by subsequent changes in the law. Should you require any specific legal advice on the issues covered, please contact John Spence in our Dispute Resolution Department on 01892 510000 or email on john.spence@ts-p.co.uk