

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

Fourth Delegated Legislation Committee

DRAFT ALCOHOL LICENSING (CORONAVIRUS)
(REGULATORY EASEMENTS) (AMENDMENT)
REGULATIONS 2021

Wednesday 8 September 2021

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Sunday 12 September 2021

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The Committee consisted of the following Members:

Chair: CAROLINE NOKES

Barker, Paula (<i>Liverpool, Wavertree</i>) (Lab)	† Owatemi, Taiwo (<i>Coventry North West</i>) (Lab)
† Butler, Rob (<i>Aylesbury</i>) (Con)	† Pursglove, Tom (<i>Corby</i>) (Con)
† Clarkson, Chris (<i>Heywood and Middleton</i>) (Con)	Rees, Christina (<i>Neath</i>) (Lab/Co-op)
† Davison, Dehenna (<i>Bishop Auckland</i>) (Con)	† Russell, Dean (<i>Watford</i>) (Con)
† Fell, Simon (<i>Barrow and Furness</i>) (Con)	Spellar, John (<i>Warley</i>) (Lab)
† Holmes, Paul (<i>Eastleigh</i>) (Con)	† Whitley, Mick (<i>Birkenhead</i>) (Lab)
† Langan, Robert (<i>High Peak</i>) (Con)	† Young, Jacob (<i>Redcar</i>) (Con)
Lewis, Clive (<i>Norwich South</i>) (Lab)	Dominic Stockbridge, <i>Committee Clerk</i>
† Lynch, Holly (<i>Halifax</i>) (Lab)	† attended the Committee
† Malthouse, Kit (<i>Minister for Crime and Policing</i>)	

Fourth Delegated Legislation Committee

Wednesday 8 September 2021

[CAROLINE NOKES *in the Chair*]

Draft Alcohol Licensing (Coronavirus) (Regulatory Easements) (Amendment) Regulations 2021

9.25 am

The Chair: Before we begin, may I encourage Members to wear masks when they are not speaking, which is in line with current Government guidance and that of the House of Commons Commission? Please also give each other and members of staff space when seated, as you all have done, and, of course, when entering and leaving. Members should send their speaking notes by email to hansardnotes@parliament.uk, and officials in the Gallery should communicate electronically with Ministers.

The Minister for Crime and Policing (Kit Malthouse): I beg to move,

That the Committee has considered the draft Alcohol Licensing (Coronavirus) (Regulatory Easements) (Amendment) Regulations 2021.

I know that every Member of this House will be aware of a hospitality business in their constituency that has closed for good due to the impact of the coronavirus pandemic. Research by Curren Goodden Associates suggests that around 6,000 licensed premises closed in 2020 across Britain, and Members will have heard of many others that are struggling to stay afloat.

This Government have taken a number of measures to support the hospitality industry and other businesses during the pandemic, including the coronavirus job retention scheme, which has paid a proportion of the wages of workers since the first lockdown, a business rates holiday for retail, hospitality and leisure businesses in the 2020-21 tax year, and a recovery loan scheme that supports access to finance for UK businesses as they grow and recover from the disruption of the pandemic.

We also introduced a number of regulatory easements through the Business and Planning Act 2020, among which were temporary measures to make obtaining a pavement licence quicker and easier for those who wish to set up chairs and tables outdoors. A complementary measure on alcohol licensing gave a temporary off-sales permission to 38,000 licensed premises that did not have one.

The draft statutory instrument is relatively modest and contains three measures. The first is an extension for a further year, until 30 September 2022, of the provisions of the Business and Planning Act to allow sales of alcohol for consumption off the premises of licensed premises that did not previously have that permission. The second measure amends the limits prescribed in section 107 of the Licensing Act 2003, increasing from 15 to 20 days the allowance that a premises user can give in respect of a premises for a temporary event notice, and increasing from 21 to 26 days the maximum number of days on which temporary events may be held at such premises in each of the calendar years 2022 and 2023. The increase in premises' allowance of temporary event notices will allow unlicensed

premises to host more revenue-generating events such as wedding receptions and markets where alcohol is sold, as well as enable licensed premises to extend hours to accommodate celebratory occasions. Finally, the draft statutory instrument amends existing the Licensing Act 2003 (Permitted Temporary Activities) (Notices) Regulations 2005, to prescribe revised versions of the relevant forms for temporary event notice and counter-notice.

In the light of Public Health England's monitoring of trends and consumption during 2020, I would expect our measures to result in a change in where alcohol is consumed, rather than in more people drinking at harmful levels. As we have seen, hospitality businesses across the country are struggling because of the pandemic. Therefore, I hope that the measures to support the industry's recovery will receive broad support, and I commend the draft regulations to the Committee.

9.28 am

Holly Lynch (Halifax) (Lab): It is a pleasure to serve under you as Chair, Ms Nokes.

I thank the Minister for his opening contribution. The Opposition will not oppose the extensions in the draft regulations, which as he has explained extend permission for licensed premises to allow off-sales, increase the number of temporary event notices permitted for a premises in a calendar year, and increase the maximum number of days on which such temporary events may be held. We believe, on balance, that they are sensible measures that will help to aid the hospitality industry's recovery from the pandemic. Increasing the number of temporary event notices will be particularly helpful for venues that wish to hold one-off events or celebrations, thus allowing businesses to utilise additional opportunities and generate extra revenue.

My own constituency has a thriving independent food and drink offer, with such an impressive live music scene that *The Guardian* described Halifax as "the Shoreditch of the north".

Of course, those of us in west Yorkshire know that, in fact, Shoreditch is the Halifax of the south. None the less, I have witnessed at first hand that many of the venues that contribute to our thriving offer have been able to utilise the extensions under discussion as they continue to navigate very challenging times. The off-sales extensions provide businesses and consumers with not only greater flexibility but confidence, given the public health benefits of socialising outdoors as we enter the colder months.

I do, however, have queries concerning the practicality of the measures for local authorities and local police forces. I am sure that the Minister will be alive to the possibility that, if not managed properly and responsibly, the draft regulations have the potential to bring about disruption to roads and transport links, and unwelcome antisocial behaviour.

The explanatory memorandum states that there "has been informal consultation with the Local Government Association", and cost 4 of the impact assessment—"Increased crime and disorder"—is clear about the relationship between alcohol and crime, suggesting that there "may be an increase in alcohol-related crime"

as a consequence of extending the changes. However, it also states that due to the uncertainties involved, “this cost has not been quantified.”

I am concerned, therefore, at the impact assessment’s statement:

“There are no plans to monitor or evaluate this legislation.”

There is a risk that the extensions will burden already stretched councils and police officers, so I ask the Minister to keep the proposals under review, to ensure that they have the desired effect, without having unintended negative consequences, which are clearly outlined as a possibility by his Government’s own impact assessment.

9.31 am

Kit Malthouse: I am grateful to the hon. Member for Halifax for her support, not least because I am not often called sensible by Members of other parties. She

is right that we need to keep the measures under review. Of course, the people who most closely keep them under review are those who live proximate to premises that make use of them. It is worth pointing out that, notwithstanding these easements, the police and, indeed, councils retain their powers under section 76 of the Anti-social Behaviour Act 2003 to issue closure notices on premises that are causing a nuisance because of their licence status. There is also, of course, particularly under TENs, an accelerated review process in the event of one being granted and then subsequently resulting in nuisance, but we will of course keep this under review. On that note, I commend the measure to the Committee.

Question put and agreed to.

9.32 am

Committee rose.

