



Home Office

Kit Malthouse MP
Minister of State for Crime and Policing.

2 Marsham Street
London SW1P 4DF

www.gov.uk/home-office

Sue Nelson
Institute of Licensing
Ridgeway
Upper Milton Wells
Somerset
BA5 3AH

By email only

160321

Thank you for your letter of 8 February on behalf of the National Licensing Forum (NLF) about measures to assist the licensed sector during the COVID-19 pandemic.

COVID-19 is causing disruption to businesses across the country and I appreciate that those in the hospitality sector have been particularly hard hit. The Government is offering one-off grants of up to £9000 per property for businesses in retail, hospitality and leisure to help them through the latest lockdown. These grants are in addition to business rates relief and the furlough scheme, which has been extended until the end of April.

It is gratifying to learn that my letter to chairs of licensing committees last April has been well received and that many licensing authorities have adopted the pragmatic approach that I advocated. The NLF's support for stronger enforcement measures where there are breaches of the coronavirus regulations is appreciated.

You raise the possibility of future measures to enable some flexibility at a local level in relation to the late night levy charge and to license fees. As I highlighted in my letter to the BBPA, BII and UKH of 22 December 2020, local authorities do have the flexibility to cease operating the late night levy at the end of each 12-month levy period. The problem with allowing local authorities discretion to reduce or suspend their licensing fees is that they rely on that income to fund the local administration of licensing. I suspect that few would choose to waive or significantly reduce their fees.

I am pleased that the NLF supports the use of minor variations in the way I outlined in my letter of 22 December. I certainly encourage licensing authorities to consider accepting minor variations where concerns about the licensing objectives that led to a condition being made no longer exist. Such variations might temporarily disapply

conditions or remove them entirely if there were evidence that permanent changes to the operation of the premises had occurred.

Your letter also seeks support for shadow licenses from licensing authorities. I understand the value of shadow licenses to property owners in the present circumstances, where more premises licenses are being surrendered or are lapsing. However, it appears that in some areas shadow licenses have sometimes been used to thwart the decision of a licensing committee to suspend or revoke a premises license. So, while I would encourage the acceptance of shadow licenses, I would also encourage licensing authorities to give them the same careful consideration that they give to an application for the primary licence of the premises.

I note the offer of support from the NLF to those drafting regulations and guidance as the end of the present lockdown nears. I understand that you have forwarded a copy of your letter to an official responsible for the regulations in the Department of Health and Social Care.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Kit Malthouse', with a period at the end.

Kit Malthouse MP
Minister of State for Crime and Policing