

2022 No. 978

LICENCES AND LICENSING, ENGLAND AND WALES

**The Alcohol Licensing (Coronavirus) (Regulatory Easements)
(Amendment) Regulations 2022**

Approved by both Houses of Parliament

Made - - - -at 8.45 a.m. on 22nd September 2022

Laid before Parliament at 3.00 p.m. on 22nd September 2022

Coming into force - - - -29th September 2022

The Secretary of State makes these Regulations in exercise of the powers conferred by section 11(14) of the Business and Planning Act 2020(a).

The Secretary of State considers it reasonable to substitute the date specified in section 172F(10)(d)(i) of the Licensing Act 2003(b), as that Act has effect by virtue of section 11(2) of the Business and Planning Act 2020(c), and the date specified in section 11(13) of the Business and Planning Act 2020(d), with a later date in order to mitigate an effect of coronavirus(e).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Alcohol Licensing (Coronavirus) (Regulatory Easements) (Amendment) Regulations 2022.

(2) These Regulations come into force on 29th September 2022.

(3) These Regulations extend to England and Wales.

Modification of premises licences to authorise off-sales for limited period: temporary extension

2.—(1) In section 11(13) of the Business and Planning Act 2020 (modification of premises licences to authorise off-sales for limited period: expiry date)(f), for “2022” substitute “2023”.

(2) In section 172F(10)(d)(i) of the Licensing Act 2003 (authorisation of off-sales for a limited period)(g), as that Act has effect by virtue of section 11(2) of the Business and Planning Act 2020, for “2022” substitute “2023”.

(a) 2020 c. 16.

(b) 2003 c. 17.

(c) Section 11(2) of the Business and Planning Act 2020 modifies Part 9 of the Licensing Act 2003 so that it has effect as if, after section 172E, there were inserted sections 172F to 172L, for a limited period.

(d) The date specified in those sections is 30 September 2022 pursuant to S.I. 2021/1049.

(e) “Coronavirus” has the meaning given by section 11(15) of the Business and Planning Act 2020.

(f) Section 11(13) was amended by S.I. 2021/1049.

(g) Section 172F(10)(d)(i) was amended by S.I. 2021/1049.

At 8.45 a.m. on 22nd September 2022

Jeremy Quin
Minister of State
Home Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend section 172F(10)(d)(i) of the Licensing Act 2003 (c. 17) (“the 2003 Act”) and section 11(13) of the Business and Planning Act 2020 (c. 16) (“the 2020 Act”). Section 11 makes temporary modifications to the 2003 Act and specifies that these modifications expire on 30 September 2022.

The modifications provide automatic extensions of premises licences that only permit sales of alcohol for consumption on the premises (“on-sales”) to allow sales of alcohol for consumption off the premises (“off-sales”). They also apply temporary conditions to licences where there is a pre-existing permission for off-sales, to enable those premises to operate in the same ways as those granted the new permission, and provide for off-sales reviews to take place on grounds which are relevant to one or more of the licensing objectives. The licensing objectives are set out in section 4 of the 2003 Act.

Regulation 2 extends the application of the modifications from 30 September 2022 to 30 September 2023. The expiry date was changed to 30 September 2022 from 30 September 2021 by S.I. 2021/1049.

The amendments are made to mitigate the effects of the coronavirus pandemic.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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