

14th December 2006

Sergeant Mark Halton
Metropolitan Police

Dear Mark

A number of Westminster Licensees Association members attended the recent briefing by the Licensing Unit at Sound Nightclub on 8th December. The meeting focused in particular on arrangements for Christmas and New Year's Eve and the police approach over the festive period. I am keen to ensure that all WLA members are briefed on this matter and therefore wanted to contact you to clarify a number of points raised during the meeting.

Firstly, at the briefing you stated that provisions for extension of hours for New Year's Eve will not be known until nearer the time. This has caused some confusion within the trade, and I should be grateful if you could confirm my understanding of the law as applied to converted licences. All those trading before the start of the new licensing regime were automatically able to trade from the end of normal permitted hours on New Year's Eve until the start of normal permitted hours on New Year's Day. Upon conversion, their new licences carry over this right to 36 hour trading over the New Year period. New licences would not benefit from this and would need to specify their plans for New Year's Eve in their Operating Schedule. I am not clear what other provisions could apply.

Turning to the detail of the briefing, the police would like all nightclubs to run ticket-only events on New Year's Eve and to impose a 1am curfew. I should be grateful if you could confirm which outlets this expectation will apply to and how you will be defining a nightclub. For example, would the expectation extend to late night bars or restaurants which may be providing New Year's Eve functions or would it apply to a tightly defined group of outlets?

Clearly this will be a police expectation or aspiration rather than an absolute requirement – many venues will be legally able to trade on New Year's Eve under the terms of their licence without meeting these restrictions. I should therefore be grateful if you could outline how this policy is to be implemented and enforced and whether there will be penalties for any operators who choose to ignore police advice. At the meeting, the clear implication was that penalties would be applied to those trading in defiance of this request and it would be helpful to understand what these would be.

The meeting also stressed the need to ensure that drunken customers are ejected from the premises. We would be interested to understand what police help and support may be available to premises and individual managers in this respect. As you will appreciate, there are challenges in dealing with unruly customers and ejection is not always the most responsible option – once outside the premises they may cause nuisance to neighbours and, being more vulnerable, harm to themselves. This needs to be handled sensitively and carefully, taking account of police best practice on victim support areas.

Similarly, we are concerned to ensure that the potential public order issues which may arise from requiring late night venues to be ticket only are taken into account. It would be helpful to know what press and publicity will be given to this policy to discourage people from

arriving ticketless in the West End. We also trust that the frequent visits made by police during the festive period will not take managers away from doors and bars unduly – during the busy trading times, managers need to be on the floor to manage.

Finally, I am concerned about the police approach to briefing the trade on such an important matter. I understand that a letter was sent out about the briefing on 9th November, but only a handful of our members have received such a communication. Despite discussions with Inspector Slade about the problems inherent in addressing communications to ‘the licensee’, and a police undertaking to copy correspondence to the head office or premises licence holder, this was not done in this case. We are also disappointed that an early discussion was not held with the WLA to consult on these matters before finalising and announcing policy. We therefore fear that many licensees will remain ignorant of police expectations and intentions.

I look forward to hearing from you as soon as possible so that I can ensure our members are fully briefed and aware of your policy ahead of the festive season.