

**WLA LICENSING VARIATIONS SURVEY
EXECUTIVE SUMMARY**

- A survey was circulated to all WLA members in June asking them for their initial views on the applications they were likely to make under the new licensing regime. The survey was circulated via electronic newsletter and again in hard copy in July once the Act was formally adopted.
- There has been some delay in collating the results as responses as many members held off submitting information until further details of the new regime were available. The absence of such information accounts, in part, for the relatively low response rate as well. The ongoing uncertainty over many aspects of the regime – fees, application processes etc means that many businesses are only now beginning to start the process of strategic planning.
- Responses were received from just over 10% of outlets in direct membership of the Association. Although this is a relatively small sample, in response to a cold-call mailout this is statistically significant and the results, when shared amongst objective members of the trade, appear to be robust.
- Responses were also limited because the two largest multiple members of the WLA – S&N Retail and Mitchells & Butler (between them representing 200 sites) were unable to complete the survey as decisions of this matter will be taken on an outlet by outlet basis and the process is still ongoing. Nevertheless, both companies concur with the results to date and have said that we can extrapolate the findings across their estate.

Nature of Respondents

- The vast majority of respondents were existing late night operators already licensed by the Council. Only 14% of outlets covered in the survey did not have a PEL and these were in the main pubs and small bars.
- The large proportion of late night operators responding reflects the nature of the WLA membership, which is mainly drawn from those outlets. It is worth noting in this context, however, that the M&B and S&N estates will be predominantly pubs and bars without PELs

Changes in Hours

- Respondents were first asked to indicate whether they would be looking to apply for extended trading hours under the new regime.
- Over two thirds of respondents were not looking to vary their hours at all. Although this may be expected from the late night sector, who may well feel that they are trading at their optimal hours at present, this view was also carried over to the pub and bar estate – 25% of pub respondents did not want to change their current permitted hours; but 75% of late night operators did not want to change their hours
- Of those who would be looking to change their hours, a third were from those outlets without PELs
- The changes in hours sought were relatively minor – 77% were only looking to increase their hours by 1 hour on Thursday, Friday or Saturday nights.

- Of this those 77%, just under half were from pubs or bars without a PEL so the extra hour would therefore only take them to 1am at the latest. The remainder were late night operators, so although the extra hours being sought are relatively small they may result in very late opening and may therefore be considered to be more controversial.
- Only 22% of outlets covered by the survey were seeking more extensive changes – in view of the relatively small sample size this represents only a small number of actual outlets.
- 10% were looking to increase hours each night of the week but only by an hour and then only up to 1am so depending on their location this may be considered to be relatively uncontroversial as it is in keeping with existing policy.
- There was only 1 response which would be classified as controversial which was extended trading Mon-Sat until 5am. This related to a lapdancing club.

Other Variations

- Respondents were also asked whether they would be seeking any other variations to their existing licensing conditions. The only responses came from those outlets with PELs.
- Around 90% of total respondents anticipated no real change to their conditions although 10% said they may apply to remove some of the standard rules of management as conditions. Again, those were relatively uncontroversial changes eg allowing under 18s into private functions.

Personal Licences

- Respondents were asked for the number of licensees named on the licence. The survey found that traditional pubs and small bars had a small number of licence holders – on average 2. Larger outlets, particularly those with PELs had considerably more licensees named – on average 5 – but some as many as 10.
- It is difficult to assess the volume of applications for personal licences which the Council will need to process. Live-in licensees are more likely in the traditional pub estate but the majority of licensees named on PEL licences are unlikely to be resident in the Borough.

Conclusion

- The majority of applications during transition will be for straight conversions which will, by their nature, be entirely administrative.
- Of those looking for a variation during transition, there will be a large number of small scale changes, probably uncontroversial and in the majority of cases from the pub estate. More controversial applications will be few and far between. Westminster therefore needs to plan its resources to ensure that the volume of uncontroversial applications are processed within the relevant time limits and not held up.