

Committee(s)	Dated:
Licensing	6 February 2019
Subject: Advertising applications for premises licences in a local newspaper, as per the requirements of the Licensing Act 2003	Public
Report of: Director of Markets and Consumer Protection	For Decision
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Summary

The purpose of this report is to clarify the guidance we give in relation to the requirement to advertise an application for a premises licence in a 'local newspaper' under section 17 (5) of the Licensing Act 2003 (Premises and Club Certificates) Regulations 2005.

Recommendation(s)

Members are asked to:

- Agree the final text of the guidance on our website in relation to advertising in a local newspaper as per the requirements of the Licensing Act 2003.

Main Report

Background

1. There are five 'local newspapers' that are now routinely used to advertise applications in the City: London Evening Standard, Metro, City AM, City Matters (formerly the City of London and Dockland Times) and Islington Tribune. Following assessment of the suitability of each of the newspapers to be deemed 'a local newspaper circulating in the vicinity of the premises' a slight tweak to the current guidance was identified as necessary and prudent.

Current position

2. The guidance on our website currently states the following:

Publish of notice (newspaper advert) - A notice must be published in a local newspaper circulating in the area to which the premises relate. For the purposes of the Act, the City of London recognises the following as being local newspapers for its area: London Evening Standard, London Metro, City AM. If an alternative publication is used such as a newsletter or circular, it is the applicant's responsibility to ensure that the publication circulates adequately in the vicinity of the premises.

Recommendation(s)

3. The recommendation is that the wording be tweaked slightly to the below:

Publish of notice (newspaper advert) - "A notice must be published in a local newspaper circulating in the area to which the premises relate and is likely to bring the application to the attention of persons who are likely to be affected by it. For the purposes of the Act, the City of London recognises the London Evening Standard, London Metro and City A.M. as being local newspapers for its area. Other newspapers and circulars are available but not all circulate City-wide. Whatever the means of publication used, it is the applicant's responsibility to ensure that the publication or publications circulate adequately in the vicinity of the premises".

4. The change in wording is minor, but clarifies the three papers that in all circumstances would be deemed valid whilst clearly stating that other publications may be used if they meet the requirements. It also rightly puts the onus upon the applicant to comply.

5. Officers will assess each application on a case-by-case basis in relation to whether the application has been advertised in a valid manner.

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