

REVIEW OF THE COUNCIL'S STATEMENT OF LICENSING POLICY

Committee	Residents' & Environmental Services
Officer Contact	Sharon Garner – Planning, Environment and Community Services
Papers with report	Revised Statement of Licensing Policy
Ward(s) affected	All

RECOMMENDATION

That the Committee provide comments on the revised Statement of Licensing Policy for presentation to the Cabinet.

SUMMARY

The Licensing Act 2003 requires the Council, as the Licensing Authority, to review its statement of licensing policy every 3 years. This is the second full review of the policy since the implementation of the Act in 2005. The policy is the key reference document to the work of the Licensing sub-committees in determining applications and licenses.

As this is a policy framework document, the Constitution requires consultation with the relevant Policy Overview Committee before it is presented to Cabinet and then Council for approval. Following the necessary approvals the revised policy will be effective from 2011 to 2014. The revised policy has already been considered by the Licensing Committee who endorse it and the Cabinet Member has been kept informed during the process.

INFORMATION

In January 2010, a working party was convened to carry out the second full review of the Council's Statement of Licensing Policy. The working party was made up of the following officers:

- Norman Stanley – Licensing Services Manager
- Sharon Garner – Licensing Officer (the co-ordinating Officer in respect of the review)
- Kathryn Sparks – Deputy Director, Environment and Consumer Protection
- Ed Shaylor – Head of Community Safety
- Sue Pollitt – Trading Standards Service Manager
- Jaspal Wadra – Principle Environmental Health Officer
- Beejal Soni – Licensing Lawyer from Legal Services
- Natasha Dogra – Democratic Services Officer
- Sgt Ian Meens – Metropolitan Police Service
- Station Commander Martin Green (represented by Inspecting Officer Derek Bird) – London Fire & Emergency Planning Authority
- Paul Hewitt – Safeguarding Children and Quality Assurance Service Manager

The working party were of the opinion that the existing format of the current policy should be retained as it was concise and easy for Members, Officers and members of the public to use.

It was suggested that some sections of the policy needed to be amended in order to include the recent changes to the legislation, such as the new mandatory conditions relating to the sale of alcohol, which can be found on pages 14 and 15 of the policy. In addition, some members of the working party suggested changes to reflect the current working practices between the *'Responsible Authorities'*.

The proposed changes were subsequently circulated to all members of the working party for consideration. On finally achieving a consensus of opinion, the proposed changes/amendments were inserted into the current policy (all changes were highlighted in red).

The revised policy was then submitted to the full licensing committee for consideration on 22nd April 2010. Following this, the revised policy was sent out for full consultation. The full list of consultees is detailed on page 2 and 3 of the policy which is annexed hereto.

The consultation period commenced on the 14th May 2010 and ended on 6th August 2010.

A further working party meeting was convened on 1st September 2010 to discuss any observations, comments or proposals that were received. All observations, comments or proposals which were considered relevant have been inserted into the revised policy document, again highlighted in red.

Following this, the Licensing Committee met on 30th September 2010 to consider these further comments.

The Residents' and Environmental Services Policy Overview Committee is now asked for their comments. Following this, the revised policy will be put before Cabinet on 16th December 2010 and finally full Council on 13th January 2011 for approval.

LEGAL IMPLICATIONS

This report has been considered by Legal Services for its legal implications in accordance with Council's procedures. There are no issues that need to be brought to the specific attention of Members other than those highlighted in the report.

BACKGROUND PAPERS

- The Licensing Act 2003
- Guidance issued under section 182 of the Licensing Act 2003