

REVIEW OF LICENSING POLICIES

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Papers with report:

- Appendix 1 - Summary of changes to each policy
 - Appendix 2 - Draft Street Trading Policy
 - Appendix 3 - Draft Markets Policy
 - Appendix 4 - Draft Statement of Licensing Policy
 - Appendix 5 - Draft Statement of Gambling Policy
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REASON FOR ITEM

- 1.1 Four key licensing policies are being reviewed, in accordance with legislative requirements and the Council's objectives. These policies are:
 1. Street Trading Policy;
 2. Market Policy;
 3. Statement of Licensing Policy (policy framework);
 4. Statement of Gambling Policy (policy framework).
- 1.2 The proposed Street Trading and Markets policies will be determined by the Cabinet.
- 1.3 The proposed Statements of Licensing and Gambling policies are both policy framework documents under the Council's Constitution. As such, Cabinet is required to approve them in draft form, with a timetable to include a period of formal consultation (minimum six weeks), to include the relevant Policy Overview Committee. Cabinet will then consider the responses to the consultation before deciding whether or not to recommend them to full Council for adoption.
- 1.4 A six week consultation was agreed by Cabinet, on 24 September 2015 on the draft policies, to allow for stakeholder views to be taken into consideration. Comments are now sought from the Residents and Environmental Services Policy Overview Committee as part of this consultation.
- 1.5 Members should note that in addition to the statutory consultees, the Licensing Committee at their meeting on 15 October 2015 will also consider these policies.

OPTIONS OPEN TO THE COMMITTEE

- A. To note the current consultation on the key licensing policies and provide any comments on them for submission to Cabinet in December.
- B. To note the consultation and decide not to comment.

SUPPORTING INFORMATION

- 1.6 The Council is required to review its licensing policies at regular intervals to ensure that it is carrying out licensing functions in accordance with current legislation. During this review, consideration has been given to how changes might improve the way in which services are being delivered, to make them more efficient and customer friendly.
- 1.7 Draft policies have been produced for key pieces of licensing legislation. These policies now need to be consulted upon, prior to final consideration by Cabinet or adoption by full Council. An overview of each policy, and the reasons behind each review, are detailed below.

Street Trading Policy

- 1.8 The current policy was introduced in September 2011 and combined licensing processes for street trading activity and street markets. These are two distinct areas of licensing. The approval considerations and legalities are different and during the review of the current policy, it was decided to separate street trading and market licensing elements to provide a simpler approach and so more concise policy documents.
- 1.9 The review proposals seek to reduce administrative burdens on applicants and businesses by reducing application documentation to the minimum required by legislation.
- 1.10 In order to reduce administrative burdens on applicants and processing costs, it has also been proposed to licence street traders on a yearly basis, compared to the six-monthly basis under the current arrangements.
- 1.11 The draft policy is attached at appendix 2

Markets Policy

- 1.12 As detailed above, the Street Trading and Markets Policy has been split into two separate policies.
- 1.13 Changes are proposed for the layout, format and wording of this document in order to improve readability and to reduce jargon. However, overall, the provisions are not proposed to be changed substantially.
- 1.14 The draft policy is attached at appendix 3.

Statement of Licensing Policy

- 1.15 The Licensing Act 2003 controls sales of alcohol, regulated entertainment and late night refreshment. The Council is required by Section 5 of the Licensing Act 2003 to review the Statement of Licensing Policy every five years. Hillingdon's current policy

was adopted by Full Council in January 2011 and is therefore due for review, and subsequent approval by January 2016, before it expires.

1.16 There have been a number of legislative changes under the Licensing Act, most notably, the deregulation of entertainment. This has been incorporated into the revised policy.

1.17 The draft policy is attached at appendix 4.

Statement of Gambling Policy

1.18 The Gambling Act 2005 regulates gambling activity such as betting shops, bingo halls and gaming machines. The Gambling Act 2005 requires the Council to review its Gambling Policy every three years. The last policy was adopted in January 2013 by Full Council and is therefore due for review and approval by January 2016, before it expires.

1.19 There has been little change to gambling legislation since 2013 and so very few changes are proposed to the policy. However, further changes to legislation are due to come into force next year. Once these are in place, a further review of the policy may be necessary.

1.20 The draft policy is attached at appendix 5.

TIMETABLE

1.21 The proposed timetable for policy implementation is set out below:

24 th September 2015	Draft Policies agreed by Cabinet
5 th October to 20 th November	Public & Statutory consultation period.
15 th October 2015	RESPOC
15 th October 2015	Licensing Committee
17 th December 2015	Final set of proposed policies to Cabinet post-consultation (Street Trading and Market Policies may be approved by Cabinet at this meeting)
14 th January 2016	Statements of Licensing and Gambling Policies considered at Full Council