

THE LICENSING ACT 2003- REVIEW OF STATEMENT OF LICENSING POLICY

Cabinet Member	Councillor Jonathan Bianco
Cabinet Portfolio	Finance, Property and Business Services
Officer Contact	Sharon Garner, Planning, Environment & Community Services
Papers with report	The revised Statement of Licensing Policy

HEADLINE INFORMATION

Summary	To seek Cabinet's approval of the revised Statement of Licensing Policy which is annexed hereto.
Contribution to our plans and strategies	A safer Borough
Financial Cost	None
Relevant Policy Overview Committee	Residents & Environmental Services Policy Overview Committee
Ward(s) affected	All

RECOMMENDATION

That Cabinet agree the revised Statement of Licensing Policy as set out in Appendix 1 to be implemented Jan 2011 – Jan 2014 and recommend to full Council for adoption.

INFORMATION

Reasons for recommendation

The revised Statement of Licensing Policy needs to be approved by the Cabinet before it is submitted to full Council for formal approval and adoption.

Alternative options considered / risk management

None available, as the Licensing Act 2003 requires the Council, as the Licensing Authority, to have a Statement of Licensing Policy and review that policy every three years.

Policy Overview Committee Comments

The changes to the revised Statement of Licensing Policy have been considered by the Policy Overview Committee & Residents & Environment Overview Committee, both committees have no objections to the proposed changes.

Supporting Information

Section 5 of the Licensing Act 2003 requires the Council, as the Licensing Authority to review its Statement of Licensing Policy every 3 years. 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 recommended 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. In addition, some members of the working party suggested changes to reflect the current working practices between the *'Responsible Authorities'*. However, the format and content of the policy was not changed to any significant degree.

The amendments are shown either as track change deletions, or bold additions in Appendix 1.

Financial Implications

There are no direct financial implications from the recommendations of this report. The changes in the policy are only minor in their implications and can be met from existing resources.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

The Licensing Act 2003 requires the Council, as the Licensing Authority, to have a Statement of Licensing Policy. This legislation requires the Licensing Authority to promote the four prime licensing objectives set out in the Licensing Act 2003 being:-

- The Prevention of crime and disorder.
- Public Safety
- The prevention of public nuisance.
- The protection of children from harm.

The Statement of Licensing Policy will therefore have an impact on local residents, service users, local businesses and communities.

Consultation Carried Out or Required

In reviewing the Council's Statement of Licensing Policy, the Licensing Service sought observations and comments from the responsible authorities, partner organisations, trade representatives, residents and community groups etc. and their comments and suggestions, where relevant, have been incorporated into the revised policy.

A full list of consultees is set out in Appendix 1.

The consultation was carried out between 14th May 2010 and 6th August 2010. The Licensing Committee has also been consulted and supports the proposed changes.

CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and is satisfied that any costs associated with minor changes in the policy, can be met from within existing budgets.

Legal

This report has been considered by the Council's Legal Department 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

Licensing Act 2003

Guidance under section 182 of the Licensing Act 2003

The Council's current Statement of Licensing Policy