

Report of	Meeting	Date
Director of Early Intervention and Support	Council	22 November 2016

## **LICENSING ACT 2003- STATEMENT OF LICENSING POLICY REVIEW**

### **PURPOSE OF REPORT**

1. To advise members of the Council of the statutory review of the Council's Licensing Policy Statement made under the Licensing Act 2003 and to seek adoption of the Policy Statement.

### **RECOMMENDATION(S)**

2. That the Council notes the decision by the Licensing and Public Safety Committee on 20 July 2016 in relation to the consultation of the draft Licensing Policy Statement (Licensing Act 2003), where the following recommendations were agreed:
  - a) On the expiration of the consultation period (11 September 2016) the Director of Early Intervention in consultation with Chair of Licensing and Public Safety Committee is given delegated authority to make any minor amendments arising out of any consultation responses.
  - b) On the expiration of the consultation period (11 September 2016) any major changes considered to be necessary as a result of the consultation response will be reported back to the Licensing and Public Safety Committee for further consideration and approval.
3. That the members of the Council approve the adoption of the Licensing Policy Statement (Licensing Act 2003) as presented in **Appendix A**, and note that no responses were received to the 8 week consultation.

### **REASONS FOR RECOMMENDATION(S) (If the recommendations are accepted)**

4. Recommendation for approval of the Policy Statement is required to ensure that the Council has a Licensing Policy Statement that meets the statutory requirements of the Licensing Act 2003.

### **EXECUTIVE SUMMARY OF REPORT**

5. The Council has a statutory duty under the Licensing Act 2003 to produce a Licensing Policy Statement which details how the council will determine applications under the Licensing Act 2003.

6. This duty also requires a periodic review of the licensing statement on a date prescribed by the secretary of state which is currently every 5 years.
7. The current Licensing Policy Statement has served the council well over the past 5 year period.
8. The Policy was subject to the consultation period which ran from 11 July 2016 to 11 September 2016. The consultation was sent directly to partner agencies, including the responsible authorities and public health. The consultation was also available on the Council's website and the trade were encouraged to comment.
9. There are a number of changes proposed in this document to reflect changes in organisations and structures that impact on the policy and include information pertinent to the public health and early intervention focus of the Council and also outline the additional tools available to the Licensing Authorities to promote the licensing objectives.
10. The proposed policy statement is attached at **Appendix A**.

<b>Confidential report</b> Please bold as appropriate	Yes	No
--	-----	----

## CORPORATE PRIORITIES

11. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities	X	An ambitious council that does more to meet the needs of residents and the local area	X

## OTHER CONSIDERATIONS

12. No alternative options are appropriate or relevant due to the statutory requirement to produce the Statement of Licensing Policy.

## IMPLICATIONS OF REPORT

13. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	X	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

## COMMENTS OF THE STATUTORY FINANCE OFFICER

The Licensing Act fees are set nationally, the details of any local policy will have no financial implications.

## COMMENTS OF THE MONITORING OFFICER

14. The duty of the Council to consult and review on a policy under the Licensing Act 2003 is referred to in the body of the report.
15. Due regard should be paid to any responses to the consultation exercise
16. The licensing authority must have regard to the policy when determining any applications under the Licensing Act 2003 as well as having regard to national guidance issued by the Home Office.

JAMIE CARSON  
DIRECTOR OF EARLY INTERVENTION

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Lesley Miller	5299	Nov 2016	***