

**Meeting:** LICENSING & REGULATORY COMMITTEE

**Date of Meeting:** 18<sup>th</sup> January 2010

**Title of Report:** LICENSING ACT 2003 – STATEMENT OF LICENSING POLICY 2011

**Report of:** P. J. Moore  
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This report contains	Yes	No
CONFIDENTIAL information		√
EXEMPT information by virtue of paragraph(s) ... of Part 1 Schedule 12A of the Local Government Act 1972		√
Is the decision of this report DELEGATED?	√	

**Purpose of Report**

To inform Members of the need to revise the current Statement of Licensing Policy.

**Recommendation(s)**

That:

- i) Members note this Report and endorse the proposed timetable outlined in Paragraph 5;
- ii) Members note that further Reports will be brought forward on the progress of this matter .

**Corporate Objective Monitoring**

Corporate Objective		Positive Impact	Neutral Impact	Negative Impact
1	Creating a Learning Community		√	
2	Creating Safe Communities	√		
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being		√	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening Local Democracy		√	
8	Children and Young People		√	

**Financial Implications**

The cost of the consultation to be undertaken will be met from within existing budgets

**List of background papers relied upon in the preparation of this report**

- The Licensing Act 2003.
- Guidance issued under Section 182 of the Licensing Act 2003.

## **Background**

1. Members will recall that Section 5 of the Licensing Act 2003 (“the Act”) requires that the Licensing Authority has to prepare and publish a statement of its licensing policy (“the Policy”) every three years. During this three year period, the Policy must be kept under review and the Licensing Authority may make such revisions to it as it considers appropriate, for instance in the light of feedback from the chief officer of police, on whether the statutory four licensing objectives are being met.
2. The existing Policy has been kept under review since coming into force on 7<sup>th</sup> January 2008 and no revision has been deemed necessary to date. However, the Policy will require revising during 2010 in order for it to take effect from 7<sup>th</sup> January 2011 (when the new three year cycle will commence).
3. Before determining its Policy for any three year period, the Licensing Authority must consult the persons listed in Section 5(3) of the Act. Those being:
  - (a) the chief officer of police for the area;
  - (b) the fire authority for the area;
  - (c) persons/bodies representative of local holders of premises licences;
  - (d) persons/bodies representative of local holders of club premises certificates;
  - (e) persons/bodies representative of local holders of personal licences;and,
  - (f) persons/bodies representative of businesses and residents in its area.
4. The views of the above have to be given appropriate weight when the Policy is being determined.

## **Proposed Timetable For Revising The Statement Of Licensing Policy**

5. In order to revise the Policy, in a timely manner, the below timetable is being proposed:

### May /June 2010

- First draft presented to Members for comment
- Agree revised draft for outside consultation

### July / August 2010

- Outside consultations to take place
- Revise Policy (as necessary) as a result of consultations

### September/November 2010

- Present updated Policy to Licensing & Registration Committee for comments and any final amendments
- Submit to full Council for agreement

#### December 2010

- Publish revised Policy (to come into effect from 7<sup>th</sup> January 2011)