

LICENSING ACT 2003 – REVIEW OF STATEMENT OF POLICY

1. INTRODUCTION

- 1.1 The purpose of this report is to consider the review of the Statement of Licensing Policy in accordance with the Licensing Act 2003.

2. BACKGROUND

- 2.1 Under section 5 of the Licensing Act 2003 all licensing authorities have to publish a statement of licensing policy every five years. The policy sets out the principles which the licensing authority will follow as it exercises its licensing functions and promotes the licensing objectives. The policy provides transparency for all those involved in the licensing regime including local residents, responsible authorities and applicants.

3. REVIEW OF POLICY

- 3.1 The Statement of Licensing Policy is only valid for a five year period without a formal review. The original policy came into force on 7 January 2005 and the current policy on 7 January 2011. The review of the policy should replicate the original process and also take into account and reflect any developments or trends at both local and national levels.
- 3.2 A summary of the responses to the consultation is attached to this report as **Appendix 1**.
- 3.3 The Task and Finish Group, tasked to look at the issue of Sky Lanterns, met on 18 August and recommended that a statement discouraging the use of Sky Lanterns be included in the licensing policy. The Committee has received a separate report on the work of the Group.
- 3.4 A draft amended Statement of Licensing Policy, taking into account all relevant comments received is attached **Appendix 2**.
- 3.5 The Committee is invited to consider the consultation responses and the amended draft policy and make any further amendments considered appropriate. The policy will then be submitted to Council for approval.

4. FINANCIAL IMPLICATIONS

- 4.1 All costs associated with the policy review are met from licensing fee income.

5. ENVIRONMENTAL IMPLICATIONS

- 5.1 The policy is about the principles the Council will apply to licensing matters as authorised under the Licensing Act 2003. This will include the balance required between the rights of residents and the rights of licence holders to conduct business.

6. CRIME & DISORDER IMPLICATIONS

- 6.1 The policy sets out the approach taken by the Council to address crime prevention and anti-social behaviour concerns relating to the licensing objectives and licensing regime.

7. EQUALITY & DIVERSITY IMPLICATIONS

7.1 None directly arising from this report.

8. RECOMMENDATION

8.1 That the Committee considers the responses to the consultation and recommends to Council the adoption of the new Statement of Licensing Policy.

Further Information:

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Background Papers:

Licensing Act 2003
Section 182 Guidance