

Licensing Committee

Adoption of Revised Licensing Act 2003 Policy

Report of Executive Member for Neighbourhoods & Culture

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Executive Summary

This report requests that Members endorse the proposed Licensing Act 2003 policy which is required to be approved by a meeting of Council.

Recommendations

That Members:

- 1) Note the report; and
- 2) Endorse its adoption by Council.

Adoption of Revised Licensing Act 2003 Policy

1. Purpose of the report

- 1.1 This report requests that Members consider the attached proposed Statement of Licensing Policy as it continues its passage to Council in due course.

2. Introduction

- 2.1 The Licensing Act 2003 requires that licensing authorities prepare and publish a statement of its licensing policy every five years. The policy must be kept under review and the licensing authority may make such revisions to it, as it considers appropriate.

- 2.2 The Act is the primary piece of legislation that regulates the alcohol, entertainment and late-night refreshment industry. It is underpinned by four licensing objectives for which consideration must be given by operators and regulators alike. They are:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety; and
- The Protection of children from harm

- 2.3 Failure to achieve this balance could lead the policy to being, both overly prescriptive and open to challenge, or alternatively though a failure to effectively promote the licensing objectives, ineffective to the needs of those adversely affected by licensable activities.

3. Proposed changes to the Policy

- 3.1 There are several updates being proposed which are highlighted in red in the proposed policy attached at Appendix 1. The changes cover:

- Protection of children from harm
- Child Sexual Exploitation and Child Criminal Exploitation
- Alcohol delivery services
- Boxing
- Public Health
- Pavement licences

4. Legal Services Comments

- 4.1 Every five years the Council must determine its policy with respect to the exercise of its licensing functions and publish a Statement of Licensing Policy. The draft policy

complies with the guidance issued under Section 182 of the Licensing Act 2003. (A. Evans)

5 Co-operative Agenda

5.1 The licensing process is in place not only to protect the public but also to support and where necessary regulate businesses within the Borough.

6 Environmental and Health & Safety Implications

6.1 None

7 Equality, community cohesion and crime implications

7.1 None

8 Equality Impact Assessment Completed?

8.1 Yes

9 Key Decision

9.1 No

10 Key Decision Reference

10.1 N/A

11 Background Papers

11.1 None

12.0 Appendices

12.1 Appendix 1 – Proposed Policy