

Report to OVERVIEW AND SCRUTINY BOARD

Adoption of Revised Licensing Act 2003 Policy

Portfolio Holder:

Councillor Barbara Brownridge, Cabinet Member for Neighbourhoods & Culture

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Purpose of the Report

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

Recommendations

Members are asked to consider the proposed amendments to the policy before it is passed to Council for adoption.

Adoption of Revised Licensing Act 2003 Policy

1 Background

- 1.1 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.
- 1.2 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
- 1.3 Failure to achieve this balance could lead the policy to being, both overly prescriptive and open to challenge, or alternatively though a failure to promote the licensing objectives effectively, ineffective to the needs of those adversely affected by licensable activities.

2 Current Position

- 2.1 Following a review of the current policy and statutory consultation the following headings of the policy have been updated or added:
- Protection of children from harm
 - Child Sexual Exploitation and Child Criminal Exploitation
 - Alcohol delivery services
 - Boxing
 - Public Health
 - Pavement licences
- 2.2 The main changes surround Child Sexual Exploitation and Public Health which are both important current issues.
- 2.3 The proposed revised policy can be found at Appendix 1 to this report and the author will summarise the changes to Members at the meeting. Additions to the policy are highlighted in red.

3 Key Issues for Overview and Scrutiny to Discuss

- 3.1 The key issues for Members to discuss is whether the balance has been struck between out statutory obligations to produce and publish a statement of policy and whether the content covers the Council's ambitions and requests to operators.

4 Key Questions for Overview and Scrutiny to Consider

- 4.1 Members are asked to consider whether the proposed statement of licensing policy if fit for purpose and considers all the relevant policy areas.

5. **Links to Corporate Outcomes**

5.1 The Oldham corporate plans states:

Our ambition - To deliver a co-operative future where everyone does their bit to create a confident and ambitious borough.

5.2 The themes within the plan run through this statement of licensing policy particularly relating to responsibility, working together and accountability.

6 **Additional Supporting Information**

6.1 None

7 **Consultation**

7.1 Statutory consultation took place for eight weeks from October 2020 with all responsible authorities and various interested parties contacted to seek their views.

8 **Appendices**

8.1 Appendix 1 – Proposed Licensing Act Policy