

LICENSING ACT COMMITTEE

24TH OCTOBER 2006

LICENSING ACT 2003

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

1. PURPOSE OF THE REPORT

1.1 To inform Members of the Committee of the current activity regarding the Licensing Act 2003.

2. RECOMMENDATION

2.1 That Members note the current activity relating to the Licensing Act 2003.

3. REASON FOR THE RECOMMENDATION

3.1 Members of the Licensing Act Committee need to be aware of activity associated with the Licensing Act 2003 legislation.

4. ACTIVITY RELATING TO THE LICENSING ACT 2003

4.1 The Licensing Act 2003 commenced on 7th January 2005 when Local Authorities in their role as the Licensing Authorities had to have adopted and published their Statement of Licensing Policy. Rutland County Council adopted its Statement of Licensing Policy at the Council meeting held on 6th December 2004.

4.2 The commencement date for applications to be made to convert existing Justices Licences and Entertainments Licences (issued by Rutland County Council) to the new Premises and Personal Licences was the 7th February 2005.

4.3 Appendix 1 provides an over view of the main areas of activity associated with the legislation from the 1st April 2006 to 1st October 2006, as well as fee income to date.

4.4 From July 2006 the first renewal of fees has been due for all premises holding a licence. Fees are set nationally and have remained at the levels brought in under the Act and associated Regulations.

4.5 The table in Appendix 1 illustrates the variety of applications that have been received by the Council. The vast majority of applications have related to Temporary Event Notices (TENs). In total 166 have been received, 2 of which have been rejected. 33 applications have been received for personal licences. With regard to premises, the greatest activity (19 applications) has been related to the varying of Designated

Premises Supervisors (DPS) on existing licences. A total of 12 applications have been received for new premises, 8 of which have been issued to date. Three hearings have taken place between 1st April and 1st October 2006. No reviews have taken place.

- 4.6 Annual fees are now being collected. Non-payment is dealt with through existing bad debt provisions. The table in Appendix 1 provides an overview of the current position. Fees due will be collected in this way as they become due. The bulk of fees are due for payment in the first part of the year, however, it is dependant on the date of initial application (or conversion) of the premise licence.
- 4.7 In addition to processing the formal applications made to the Council, the Licensing Officer and Administration officer (part time) provide advice and support to potential applicants to minimise the receipt of inaccurate applications, and the associated lengthening of the process for all concerned.

Background Papers:
Report Author:

The Licensing Act 2003 and associated regulations
S Plenderleith Head of Environmental Services
Tel No: 01572 722577 e-mail: enquiries@rutland.gov.uk