

LICENSING ACT COMMITTEE

20 November 2007

LICENSING ACT 2003 – REVIEW OF LICENSING POLICY

REPORT OF THE DIRECTOR OF COMMUNITY SERVICES

STRATEGIC OBJECTIVES:	To improve our economy and infrastructure To be a well managed organisation To meet our statutory obligations
SERVICE PLAN(S):	Public Protection
WARD(S):	All

1. PURPOSE OF THE REPORT

- 1.1 This report is to provide the results of the consultation undertaken on the statutory review of the Statement of Licensing Policy required by the Licensing Act 2003, prior to the Policy being adopted by the Council.

2. RECOMMENDATION

- 2.1 **To consider the comments received from the consultation on the review of the current Statement of Licensing Policy, and any amendments to the Policy as a result of the consultation.**
- 2.2 **To approve the Statement of Licensing Policy, with or without amendment, and to refer the Policy to Council at its meeting to be held on 10 December 2007, with a recommendation for adoption by Council.**

3. REASON FOR RECOMMENDATION

- 3.1 The Licensing Act 2003 places a statutory duty on the Council, as the Licensing Authority to review and publish its Policy every three years. The first Policy was adopted in December 2004 and a review of the Policy needs to be undertaken and published by the end of December 2007. The Act also requires consultation to be carried out with responsible authorities and interested parties prior to the Policy being adopted.

4. BACKGROUND

- 4.1 Rutland County Council (RCC) is designated as the Licensing Authority under the Licensing Act 2003.

- 4.2 The Licensing Authority has a duty to publish its Policy with regard to the functions it carries out under the Licensing Act 2003.
- 4.3 The review of the Policy has included consultation with named Responsible Authorities and Interested Parties,

5. DETAIL OF REPORT

- 5.1 The Licensing Act and Guidance require the Licensing Authority to carry out consultation prior to adopting any changes to the Policy. This was carried out following the meeting of this Committee held on 5 June 2007 the consultees are listed in Appendix 2. The Licensing Authority must consider comments received through the consultation, which are relevant to the Licensing Act 2003.
- 5.2 Comments have been received from one organisation, The British Beer and Pub Association, these are shown in Appendix 1. The amendments proposed are included in the updated Statement of Licensing Policy at Appendix 3, shown in bold italics. Paragraph 12.2 was a specific request from the Police when the first Statement of Licensing Policy was produced, and is advisory.

6. FINANCIAL IMPLICATIONS

- 6.1 The Costs associated with this review have been met from the Licensing Act 2003 budget and ongoing service provision will be met from existing budgets.

7. LEGAL IMPLICATIONS

- 7.1 The Council has a statutory duty to review of the Policy.

8. SUSTAINABILITY IMPLICATIONS

- 8.1 None applicable to this report

9. CRIME AND DISORDER IMPLICATIONS

- 9.1 The Licensing Act has as one of its objectives the reduction of Crime and Disorder.

10. CONCLUSION

- 10.1 The Licensing Act 2003 and the Statutory Guidance require the Licensing Authority to carry a review of its Policy every three years and to consult with Responsible Authorities and Interested Parties before adopting the Policy. This has been undertaken and has enabled the Council to meet its statutory obligation. The updated policy now requires approval by this committee and adoption by Council.

Background Papers:

RCC Licensing Policy (Licensing Act 2003) December 2004
Licensing Act 2003
Secretary of State Statutory Guidance Made under Section xxx of the
Licensing Act 2003.

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