

## **Licensing Act Committee Meeting 23<sup>rd</sup> November 2010**

### **Addendum to report 221/2010**

### **Licensing Act 2003 – Review of Licensing Policy**

Following discussion with the Strategic Director for Places the following amended wording to paragraph 13.6 of the Policy is recommended to the Committee. The purpose of this amendment is to clarify the relationship between the Planning and the Licensing Act regimes.

#### **Current**

##### **Planning**

13.6 There must be a proper separation of the planning and licensing regimes to avoid duplication and inefficiency. Licensing applications should not be a rerun of the planning application and should not cut across planning decisions taken by the Rutland County Council's Development Control and Licensing Committee (DCLC) or following appeals against decisions taken by that Committee. Reports will be made to the DCLC on the situation regarding licensed premises in the area to ensure proper integration, including the general impact of alcohol related crime and disorder, and to provide background information to any planning applications for potential licensed premises under consideration. The DCLC has a duty to consider matters of crime and disorder at this stage. This will enable the DCLC to have regard to such matters when taking its decisions and avoid unnecessary overlapping relation to applications.

#### **Suggested amended paragraph 13.6**

##### **Planning**

13.6 The Licensing Authority will ensure that planning and licensing regimes are properly separated. Applicants must bear in mind that it may be necessary to obtain both planning permission and an appropriate licence/certificate. In such cases applicants are encouraged to seek planning permission first. However, applications for Licences and Certificates may be made before any relevant planning permission has been sought or granted by the Planning Authority.