

LICENSING ACT COMMITTEE

Licensing Act 2003 Review of Statement of Licensing Policy 3rd December 2015

Report of the Licensing Manager

PURPOSE OF REPORT

To enable Members to consider the proposed changes to the Statement of Licensing Policy following the consultation process.

This report is public

RECOMMENDATIONS

Members are requested to consider the attached revised draft Statement of Licensing Policy, and to determine whether they wish to make any further amendments prior to referral to Council for approval on the 16th December 2015.

1.0 Introduction

- 1.1 The Statement of Licensing Policy is a requirement of Section 5 of the Licensing Act 2003 and has been prepared in accordance with the provisions of the Act and Guidance issued by Secretary of State for Culture Media and Sport under Section 182 of the Act. The Licensing Authority is bound by the Act, any regulations made under it, and the Section 182 Guidance.
- 1.2 The Licensing Authority is required by regulations to update its Statement of Licensing Policy every 5 years. The current policy came into force in January 2011. A revised Draft Statement of Licensing Policy and a summary of the proposed changes has been prepared by the licensing manager and was published for consultation with stakeholders and interested parties. A copy is attached at appendix 1 to this report.
- 1.3 For the purpose of reviewing the Licensing Policy, in accordance with the requirements of the Act, Lancaster City Council consulted with:
 - The Police
 - The Fire Authority
 - Representatives of existing holders of premises and personal licences
 - Representatives of existing holders of club premises certificates
 - Local businesses and their representatives
 - Local residents and their representatives

1.4 Consultation Process

Letters were sent to all licence holders, and all other stakeholders, requesting responses by 23rd September 2015.

Copies of the Draft revised policy were placed on the Lancaster City Council website on the licensing page, as well as in the Town Halls in Morecambe and Lancaster

A press release has been published in the Lancaster Guardian.

2.0 Consultation Responses

- 2.1 There were two responses received to the consultation. One of the responses merely pointed out a couple of grammatical errors and made reference to "internet/web broadcasts". However, this would not fall under the remit of the Licensing Act 2003 and would therefore not form part of the Statement of Licensing Policy. The other response was from the Lancaster City Centre Residents Association and really related to conditions that the group would like to see attached to licences. Members will be aware that blanket conditions cannot be adopted and can therefore not be included in the Statement of Licensing policy. However, the licensing manager will contact the group and explain the provisions that are in place if residents would like to make representations in relation to individual applications or to request a review of an existing licence. Both representations are attached at appendix 2 to this report.

3.0 Conclusion

- 3.1 The Licensing Authority is required by the Act to revise its Statement of Licensing Policy every 5 years, and to consult with stakeholders, before publishing and implementing the updated Policy.
- 3.2 The Policy will be considered by full Council on 16th December 2015, for implementation in January 2016, in order to satisfy the statutory time frames.

CONCLUSION OF IMPACT ASSESSMENT	
(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)	
None.	
FINANCIAL IMPLICATIONS	
None	
LEGAL IMPLICATIONS	
The report has been prepared on behalf of the Chief Officer (Governance).	
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