

LICENSING ACT COMMITTEE

Consultation on the Draft Update of the Licensing Act Statement of Policy

1st September 2010

Report of the Licensing Manager

PURPOSE OF REPORT

This report is to inform Members that the consultation process for the Licensing Act 2003 revised Statement of Policy as required by Section 5 of the Act has begun.

This report is public

RECOMMENDATIONS

That the report be noted.

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 (currently dated 20th March 2010). The Licensing Authority is therefore, 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 3 years. The current policy came into force in January 2008. A revised Draft Statement of Licensing Policy and a summary of the proposed changes has been prepared by the licensing manager and 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 will consult 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 have been sent to all licence holders, and all other stakeholders, requesting responses by 2nd November 2010. Appendix 2 to this report.

Copies of the Draft revised policy have been 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. Appendix 3 to this report

1.5 Any responses from the consultation will be reported back to this Committee on the 25th November 2010, when the Committee will have the opportunity to consider the final draft.

1.6 The Policy will then be considered and approved by full Council on 15th December 2010, for implementation in January 2011, as required by the statutory time frames.

2.0 Conclusion

2.1 The Licensing Authority is required by the Act to revise its Statement of Licensing Policy every 3 years, and to consult with stakeholders, before publishing and implementing the updated Policy. This report is intended to inform members that the consultation process has started.

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 Head of Legal and Human Resources.

BACKGROUND PAPERS

None

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