

LICENSING ACT COMMITTEE

Licensing Act 2003 Policy Review

25th November 2010

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 15th December 2010.

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 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 was published for consultation with stakeholders and interested parties.
- 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 2nd November 2010.

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

There were three responses received to the consultation, only one of which was relevant. However all three responses have been attached to this report at appendix 1 for members' perusal.

- 2.1 The relevant representation was received from Lancashire District Alcohol Harm Reduction Partnership, and a summary of proposed changes after taking into account their representation is attached at appendix 2 to this report along with a copy of the proposed revised Statement of Licensing Policy.

3.0 Conclusion

- 3.1 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.
- 3.2 The Policy will be considered by full Council on 15th December 2010, for implementation in January 2011, in order to satisfy the statutory time frames.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</p>
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<p>None.</p>

<p>FINANCIAL IMPLICATIONS</p>

<p>None</p>

<p>LEGAL IMPLICATIONS</p>

<p>The report has been prepared on behalf of the Head of Governance.</p>
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<p>BACKGROUND PAPERS</p>	<p>Contact Officer: Ms W Peck Telephone: 01524 582317 E-mail: wpeck@lancaster.gov.uk Ref: WP</p>
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<p>None</p>
