



Alcohol and Entertainment Licensing Committee

24 October 2018

Statement of Licensing Policy

Report of the Executive Manager - Neighbourhoods

**Deputy Leader and Cabinet Portfolio Holder for Community and Leisure,
Councillor Debbie Mason**

1. Purpose of report

- 1.1 The Council's current Statement of Licensing Policy was adopted in 2014.
- 1.2 Rushcliffe Council is a Licensing authority under the Licensing Act 2003. As a Licensing authority, the Council must determine and publish its Licensing Policy every 5 years.
- 1.3 In determining the Policy, the Council must carry out the statutory consultation as provided by the Act.
- 1.4 Once the revised policy has been reviewed and published it will be valid until January 2024.

2. Recommendation

It is RECOMMENDED that the Statement of licensing policy be supported and referred to Full Council for final approval.

3. Supporting Information

- 3.1 The Licensing Act 2003 gives Local Authorities a range of responsibilities relating to licensing. The Statement of Licensing Policy states how the Council will exercise its authority.
- 3.2 This policy covers the following:
 - How the Licensing Authority will use its regulatory powers in relation to applications and reviews of the activities it regulates, to the extent it is allowed by statute.
 - The main licensing objectives for the authority that are set by legislative requirements.
 - The Licensing Authority approach to regulation.

- The scheme of delegation.
- 3.3 The Statement of Licensing Policy is prescribed by central government in its guidance to Local Authorities. The policy has to comply with guidance issued by central government. The current policy is compatible with this advice and guidance.
- 3.4 The proposed revised Statement of Licensing Policy for determination has taken into account the legislative changes that will affect the policy. The changes respond in the main to guidance and regulatory change from central government during the course of the last 5 years.
- 3.5 The Statutory Consultation requirements consist of:-
- The Chief Officer of Police for the Licensing Authority area
 - The Fire and Rescue Authority for the area
 - Such persons as the Licensing Authority consider to be representative of holders of existing premises or personal licences
 - Such persons as the Licensing Authority considers to be representative of holders of existing club premises certificates issued by the authority
 - Such other persons as the Licensing Authority considers to be representative of businesses and residents in its area
 - Director of Public Health
- 3.6 A small number of sections have been re-worded in line with the best practice framework issued by the Local Government Association. A summary of the changes is attached to this report at Appendix 1.
- 3.7 The time table for the draft policy for consultation is:

Date	Process
July 2018	Licensing committee consulted on revised policy [via email]
July/August 2018	Public / statutory consultation
August 2018	Consultation feedback reviewed
October 2018	AELC approval
December 2018	Full Council Approval

- 3.8 I can report that no comments were received from consultees.

4. Risks and Uncertainties

- 4.1. The Council would be at risk of legal challenge if a properly consulted and adopted Statement of Licensing Policy is not in place by January 2019.

5. Implications

5.1. Financial Implications

5.1.1. There are no financial implications arising from this report. The cost of the service is met by the fees received from licences.

5.2. Legal Implications

5.2.1 The Council would be at risk of legal challenge if a properly consulted and adopted Statement of Licensing Policy is not in place by January 2019.

5.3. Equalities Implications

5.3.1. In its consideration of this Report and its recommendations, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty).

5.4. Section 17 of the Crime and Disorder Act 1998 Implications

5.4.1. One of the key licensing objectives is to prevent licensed premises from being a source of crime and disorder. The policy supports and assists with crime and disorder reduction by controlling those who manage premises open to members of the public and imposing conditions on relevant premises licences.

6. Link to Corporate Priorities

This report links to the following Corporate Strategy key themes of:

- Maintaining and enhancing our residents' quality of life

7. Recommendation

It is RECOMMENDED that the Statement of licensing policy be supported and referred to Full Council for final approval.

For more information contact:	Geoff Carpenter Environmental Health Manager 0115 914 8229 GCarpenter@rushcliffe.gov.uk
Background papers available for Inspection:	None
List of appendices:	Appendix 1: Summary of Changes Appendix 2: Statement of Licensing Policy

