

<b>3 November 2010</b>		<b>ITEM 3</b>
<b>Licensing Committee</b>		
<b>Reviewed Statement Of Licensing Policy</b>		
<b>Report of Lucy Magill, Head of Public Protection</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key	
<b>Accountable Head of Service:</b> Lucy Magill – Head of Public Protection		
<b>Accountable Director:</b> Bill Newman – Director of Sustainable Communities		
<b>This report is Public.</b>		
<b>Purpose of Report:</b> To consider the draft reviewed Statement of Licensing Policy before referral to Full Council for adoption.		

## **EXECUTIVE SUMMARY**

The Licensing Act 2003 requires Local Councils to review their Statement of Licensing Policy every three years. A draft reviewed policy has been produced for consideration and adoption.

### **1. RECOMMENDATIONS:**

- 1.1 That the Committee recommends that Full Council adopts the reviewed Statement of Licensing Policy for Thurrock set out at Appendix 1 to the report.**

### **2. INTRODUCTION AND BACKGROUND:**

- 2.1** The Licensing Act 2003 required the Council as a Licensing Authority to produce a Statement of Licensing Policy. The legislation further requires the Council to review, determine and publish its Policy with respect to the exercise of its licensing functions every three years.
- 2.2** In compliance with the above requirement a draft of the reviewed Statement of Licensing Policy has been prepared and is attached as Appendix 1.

- 2.3 As part of this review interested parties were consulted on a copy of the draft of the reviewed policy and asked to make representations.

### **3. ISSUES AND/OR OPTIONS:**

- 3.1 The Council as a Licensing Authority is obliged to have a statement of Local Licensing Policy in place. The current Policy expires on 6<sup>th</sup> January 2011. It is therefore imperative that the Council adopts a reviewed Policy before this date.

- 3.2 The reviewed policy has included the legislative changes in the following areas:

- Member as Interested Parties
- Minor Variations
- Exception of Qualified Community Premises from the need for a Designated Premises Supervisor.
- The Health Act 2006 – (Smoking indoors)
- Removal of transitional arrangements

### **4. CONSULTATION (including Overview and Scrutiny, if applicable)**

- 4.1 A consultation on the reviewed draft policy has been undertaken. All premises licensed under the Licensing Act 2003 and Personal Licence holders licensed by Thurrock Council were written to inviting them to view the draft policy, and to make any comments in writing to the Licensing Department. Consultation has also been undertaken with Responsible Authorities, including police; fire and rescue; trading standards; health and safety; planning and environmental health. The draft policy has also been published on the Council's website for comments.

- 4.2 The consultation period ran from 14<sup>th</sup> September 2010 to 2<sup>nd</sup> November 2010.

- 4.3 To date no responses have been received. Any responses that are received will be reported verbally at the meeting.

### **5. IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT**

- 5.1 Thurrock's Statement of Licensing Policy underpins the Authority's administration of the licensing regime. It should accord with the general principles in the Secretary of State's Guidance and promote the licensing objectives, which are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

## 6. IMPLICATIONS.

### 6.1 Financial

Implications verified by: **Michael Jones**  
Telephone and email: **01375 652772**  
[mjones@thurrock.gov.uk](mailto:mjones@thurrock.gov.uk)

There are no direct financial implications associated with the report

### 6.2 Legal

Implications verified by: **Jamie Hollis**  
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The granting of Licences is a legal function of the authority and the adoption of a revised Statement of Licensing Policy a statutory requirement under the Licensing Act 2003. The final policy will need to be adopted by Full Council.

### 6.3 Diversity and Equality

Implications verified by: **Samson DeAlyn**  
**01375 652472**  
[sdealyn@thurrock.gov.uk](mailto:sdealyn@thurrock.gov.uk)

There are no diversity implications arising from this report. The Licensing Act 2003 requires local authorities to review their Statement of Licensing Policy.

### 6.4 Other implications (where significant) – i.e. **Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

None.

## 7. CONCLUSION

- 7.1 The Council as a Licensing Authority is obliged to have a statement of Local Licensing Policy in place. The current Policy expires on 6<sup>th</sup> January 2011. It is therefore imperative that the Council adopts a reviewed Policy before this date.

## 8. BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Licensing Act 2003
- Guidance issued under section 182 of the Licensing Act 2003

**APPENDICES TO THIS REPORT:**

**APPENDIX 1 - Draft reviewed Statement of Licensing Policy**

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