

<b>Notice of:</b>	<b>EXECUTIVE</b>
<b>Decision Number:</b>	EX24/2015
<b>Relevant Officer:</b>	Mark Towers, Director of Governance and Regulatory Services
<b>Relevant Cabinet Member:</b>	Cllr Gillian Campbell, Deputy Leader of the Council (Tourism, Economic Development and Jobs)
<b>Date of Meeting :</b>	22 <sup>nd</sup> June 2015

## REVIEW OF STATEMENT OF LICENSING POLICY

### 1.0 Purpose of the report:

1.1 To consider the recommendation of the Licensing Committee to approve the proposed Statement of Licensing Policy.

### 2.0 Recommendation(s):

2.1 To approve the content of the proposed policy and recommend it for approval to Council.

### 3.0 Reasons for recommendation(s):

3.1 In December 2014, the Licensing Committee approved a period of consultation on a revised Statement of Licensing Policy. The consultation is now complete and the results are before the Executive for its consideration.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No, If approved the revised Statement of Licensing Policy will replace the existing one.

3.2b Is the recommendation in accordance with the Council's approved budget? No

3.3 Other alternative options to be considered:

The Executive may make alterations to the proposed policy before it is considered by the Council.

**4.0 Council Priority:**

4.1 The relevant Council Priorities are:

- Safeguard and protect the most vulnerable
- Encourage responsible entrepreneurship for the benefit of our communities
- Create safer communities and reduce crime and anti-social behaviour

**5.0 Background Information**

5.1 The Council, as Licensing Authority, is required by statute to produce and publish a Statement of Licensing Policy which sets out how it intends to exercise its functions under the Licensing Act 2003. The last full review of the policy took place in 2012 although amendments to the Town Centre Saturation Policy were made in 2013.

5.2 One of the areas of feedback from the Licensing Committee's hearing into the proposed Early Morning Alcohol Restriction Order in February 2014 was that better use could be made of existing legislation to deal with alcohol related problems in the night time economy. A review of good practice relating to licensing policies from other Authorities was undertaken which informed the development of the draft policy. Informal consultation took place with the Night Time Economy Working Group and the Responsible Authorities. The main changes to the draft policy were:

- Highlighting good practice by way of key messages
- The introduction of a framework of hours for licensed premises
- Extending the Town Centre Saturation Area to cover takeaway premises
- Confirming that the saturation policy will only be overridden in genuinely exceptional circumstances.

5.3 The Licensing Committee at its meeting on 16<sup>th</sup> December 2014 approved a formal period of consultation as required by the legislation.

5.4 Consultation took place between the 18<sup>th</sup> December 2014 and 12<sup>th</sup> March 2015. The consultation was advertised using social media and the draft policy document was available on the Council's website. In addition the following were asked for their comments on the draft policy:

- The Responsible Authorities (The Police, Fire and Rescue, the Licensing

Authority, Environmental Protection, Health and Safety, Planning, Public Health, Social Services and Weights and Measures.)

- Persons/bodies representative of local premises licence holders
- Persons/bodies representative of local club premises certificate holders
- Persons/bodies representative of local personal licence holders; and
- Persons/bodies representative of businesses and residents in its area.

- 5.5 Comments on the draft policy were received from:
- The Council's Director of Public Health dealing with section 4.1 of the policy
  - LR Law on behalf of Lancashire Constabulary and the Licensing Authority suggesting revised wording to a number of sections of the policy including 4.4, 4.7 and 4.8.
  - The property partnership dealing with the problems of unsupervised children and making the observation that the customers that Blackpool has already should not be discouraged before sufficient others are persuaded to come to the resort.
- 5.6 The Head of Licensing Services at the Licensing Committee reported in more detail on the consultation responses, which were placed before the Committee in their entirety for consideration, but in the main the amendments proposed in these responses were incorporated when preparing the proposed policy at Appendix 3a, to the Executive report. The only exception to this is the request to extend the area covered by the town centre saturation area as this would require a further period of consultation.
- 5.7 The Licensing Committee met on the 3<sup>rd</sup> June 2015, and subject to some minor amendments which have already been made in the attached document at Appendix 3a, to the Executive report. recommended the Statement of Licensing Policy for consideration by the Executive and recommendation to Council.
- 5.8 Does the information submitted include any exempt information? No
- 5.9 **List of Appendices:**
- Appendix 3a: Proposed Statement of Licensing Policy.
- 6.0 **Legal considerations:**
- 6.1 The statement of licensing policy must be approved by Council before it can take effect.

**7.0 Human Resources considerations:**

7.1 None

**8.0 Equalities considerations:**

8.1 None

**9.0 Financial considerations:**

9.1 None

**10.0 Risk management considerations:**

10.1 The proposed statement of licensing policy will it is envisaged support the licensing objectives and strengthen the enforcement of the objectives.

**11.0 Ethical considerations:**

11.1 None

**12.0 Internal/ External Consultation undertaken:**

12.1 Formal consultation with licence holders, responsible authorities and other interested parties took place between 18<sup>th</sup> December 2014 and 12<sup>th</sup> March 2015.

**13.0 Background papers:**

13.1 Consultation responses from the Director of Public Health, LR Law and The Property Partnership

**14.0 Key decision information:**

14.1 Is this a key decision? Yes

14.2 If so, Forward Plan reference number: 4/2015

14.3 If a key decision, is the decision required in less than five days? No

14.4 If **yes**, please describe the reason for urgency:

**15.0 Call-in information:**

15.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process?

No

15.2 If **yes**, please give reason:

**TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE**

**16.0 Scrutiny Committee Chairman (where appropriate):**

Date informed: 12<sup>th</sup> June 2015      Date approved: N/A

**17.0 Declarations of interest (if applicable):**

17.1 None

**18.0 Executive decision:**

**18.1 The Executive resolved as follows:**

To approve the content of the proposed policy and recommend it for approval to Council.

**18.2 Date of Decision:**

22<sup>nd</sup> June 2015

**19.0 Reason(s) for decision:**

The proposed policy is in line with the Council's priorities and statutory requirements. It will allow the Council to take the action necessary to safeguard the Licensing Objectives outlined in the Licensing Act 2003.

**19.1 Date Decision published:**

23<sup>rd</sup> June 2015

**20.0 Executive Members in attendance:**

20.1 Councillor Blackburn, in the Chair

Councillors Cain, Campbell, Collett, Kirkland, Jackson, Smith, I Taylor and Wright

Apologies were received from Councillor Jones who was elsewhere on Council business.

**21.0 Call-in:**

21.1

**22.0 Notes:**

22.1