

CABINET

11th DECEMBER 2014

REPORT OF THE PORTFOLIO HOLDER ENVIRONMENT AND WASTE MANAGEMENT

TAMWORTH BOROUGH COUNCIL REVISED STATEMENT OF LICENSING POLICY 2015-2020 (LICENSING ACT 2003)

EXEMPT INFORMATION

None.

PURPOSE

To consider the Revised Statement of Licensing Policy 2015-2020 and refer to Council for adoption on 16 December 2014.

RECOMMENDATIONS

That Cabinet endorse the draft policy and provide any comment alongside those arising from the consultation which will be presented for adoption at Council on 16 December 2014.

EXECUTIVE SUMMARY

Changes in legislation e.g. Live Music; Police Reform and Social Responsibility Act and the need to comply with provisions to maintain a current policy have brought about much needed changes to the current Policy. The draft policy was presented to Licensing Committee on 13 November 2014. The format of the policy follows Home Office Guidance and for ease a schedule of amendments with explanatory comments is included in the Background Papers. Additionally, the views of those Tamworth businesses; responsible bodies; interested parties and persons were sought in a consultation exercise which ended on 5 December 2014. Although, to date there have been no responses received, verbal reports and views where appropriate have been incorporated into the policy for consideration and adoption of the new policy by Council.

RESOURCE IMPLICATIONS

The legislative changes and proposed changes to policy do not give rise to any additional resource implications or have any revenue impact. There are no reductions, restructuring and/or redundancy implications as the key changes identified in this report do not give rise to any additional resource requirements as changes are to existing processes. There may be a need for training and support of the Licensing Committee and staff within the service area.

LEGAL/RISK IMPLICATIONS

The current policy was effective for a three year period from January 2011 until December 2014, but recent changes in the law operated to extend the life of the current policy up to

January 2016. This means that if the Council determines to replace its entire policy at any time during the current period, the new five year period begins from the date on which the policy is replaced. If the recommendation is agreed this would operate as a decision to last for a period of five years. The Authority would continue to be required to keep its policy under review during that five year period.

SUSTAINABILITY IMPLICATIONS

The presence of an effective licensing policy supports the published strategic priorities for Tamworth and the promotion of a responsible approach to the provision of regulated entertainment.

CONCLUSIONS

The policy has been reviewed with the aim of producing a document that is fit for purpose not withstanding any changes in legislation and guidance for the next five years.

BACKGROUND

Section 5 of the Licensing Act 2003 required licensing authorities to prepare and publish a statement of licensing policy every three years. A reviewed and amended policy was adopted by Council on 14 December 2010.

In April 2012 the Police Reform and Social Responsibility Act made wide ranging changes to the Licensing Act 2003. These changes necessitated a review of the current Statement of Licensing Policy. One of those changes was to change the length of the lifetime of a policy from three to five years.

REPORT AUTHOR

*“If Members would like further information or clarification prior to the meeting please contact Steve Lewis, Head of Environmental Health
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LIST OF BACKGROUND PAPERS

- Tamworth Borough Council Draft Revised Statement of Licensing Policy, 2015-2020.
- Amendments to Policy with explanatory comment.