

Report of: Director of Environment and Regeneration

Meeting of:	Date	Agenda item	Ward(s)
Licensing Committee	15 November 2010	B1	All

Delete as appropriate		Non-exempt
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SUBJECT: Draft Licensing Policy 2011-2014

1. Synopsis

- 1.1 The Council is required to publish its statement of Licensing Policy every three years in accordance with Section 5 Licensing Act 2003. The policy sets out the Council’s approach to licensing matters and must be used when deciding applications relating to the sale of alcohol, late night food provision and regulated entertainment. It is the means of ensuring that places of entertainment are safe to visit and well managed, whilst operating with consideration for the residents and businesses that surround them.
- 1.2 The current policy, which was published in January 2008, has been reviewed in consultation with key stakeholders and a draft policy prepared which reflects the changes suggested by stakeholders. The public consultation on the draft policy ends on 15 November 2010. The draft policy is attached as appendix A.
- 1.3 The public consultation seeks views on the policy changes that the council is considering adopting and these questions are contained in appendix B
- 1.4 Although the consultation period has not yet ended the feedback from the public to date is very supportive of the proposed changes.

2. Recommendations

- 2.1 To note the contents of the report and to add any comments that the Licensing Committee wishes to make to the consultation.

3. Background

- 3.1 The Council is required to determine its policy with regard to exercising its functions as a Licensing Authority and publish its policy every three years. Before publishing its policy the council is required to consult various stakeholders listed in the Licensing Act 2003. As the current Licensing Policy expires in January 2011 officers commenced the process of reviewing and preparing a draft policy in June 2010.

- 3.2 The first stage of the review process involved inviting officers, members and responsible authorities to identify areas for change. These ideas were further developed at a stakeholder meeting in June and a presentation to Licensing Committee members on the areas being considered for change on 8 July 2010.
- 3.3 The areas for change were further developed with supporting evidence resulting in a draft licensing Policy for 2011-2014 being published for public consultation on 4 October 2010. The draft policy is in Appendix A.
- 3.4 The consultation strategy adopted was a widespread information campaign alerting people to the consultation and directing attention to our website to view a copy of the draft policy and to use the online survey to provide feedback. The information campaign focused on the following key policy changes:
- A borough wide controlled drinking zone
 - A cumulative impact policy for Clerkenwell
 - Sale of alcohol to young people under 18 years of age
 - Establishing Kings Cross as an area of special consideration
 - Restricting access to alcohol from off licences
 - Promoting Licensees Charters
- 3.5 In addition to this there were another 11 areas of change where feedback from residents, businesses and responsible authorities were sought. The online survey questions are contained in Appendix B
- 3.6 The consultation closes on 15 November 2010. At the time of writing the report we have received 91 responses to the online survey of which 80% are from residents. So far there appears to be widespread support for the key policy changes
- 67% support the idea of a borough wide controlled drinking zone
 - Over 80% respondents are concerned about the ease of which young people can obtain alcohol and support a strong enforcement approach
 - 63% support a cumulative impact policy for Clerkenwell
 - 81% support adopting Kings Cross as an area for special consideration
 - Over 70% respondents are in favour of imposing restrictions on the number of premises selling alcohol and restricting the hours during which alcohol can be sold.
 - 86% support the use of the Licensee Charter to promote good practice

An update on the key findings will be reported verbally at the committee meeting.

The full results of the consultation and the council's response will be published on our website prior to the Policy being submitted to the Council for approval in December 2010.

4. Implications

4.1 Financial implications:

The cost of preparing and publishing the revised policy has been met from existing budget.

4.2 Legal Implications:

The statutory duty to determine its policy in respect of licensing, to consult specific bodies and groups and to publish its policy every three years is contained in section 5 Licensing Act 2003. The licensing activities set out in the Licensing Act 2003 are a non-executive function; therefore full Council will need to approve the policy. The Local Authorities (Functions and Responsibilities) Regulations state that the appropriate approving body is full Council.

4.3 Environmental Implications:

Nil

4.4 Equality Impact Assessment:

The equality impact assessment has not been completed yet because the draft policy is at the consultation stage. The draft assessment is due to be completed by 14 December 2010 when it will be examined by the E&R EIA Review Team.

5. Conclusion and reasons for recommendations

5.1 The council is in the process of reviewing and updating its statement of Licensing Policy in accordance with the Licensing Act 2003 and the revised policy should be submitted for council approval in December 2010.

Appendix 1

Draft Licensing Policy 2011-2014

Appendix B

Consultation Questions

Final report clearance:

Signed by:



Received by: Director of Environment and Regeneration Date

Head of Democratic Services Date

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