

**STOCKTON-ON-TEES BOROUGH COUNCIL**

**CABINET RECOMMENDATIONS**

**PROFORMA**

Cabinet Meeting .....20th December 2010

1. Title of Item/Report

REVIEW OF STATEMENT OF LICENSING POLICY

2. Record of the Decision

Consideration was given to a report on the Review of Statement of Licensing Policy. The report outlined that the Council was required by the Licensing Act 2003 to review its Statement of Licensing Policy at least every three years. Council approved the current Statement of Licensing Policy in December 2007. The report detailed the results of consultation on a draft revised statement of licensing policy.

The policy had received no adverse comments since the transfer of licensing functions to the authority and it was not felt necessary to make any major changes.

Proposed changes to the document were limited, one was in relation to Stockton Local Safeguarding Children Board's address, the other related to the introduction of Members of the Licensing Authority as "interested parties" with effect from 29th January 2010 as introduced by Section 33 of the Policing and Crime Act 2009. The draft revised policy as sent out for consultation was provided and the changes were highlighted in the margins.

Member noted the consultation which had been undertaken.

No comments on the proposed Statement of Licensing Policy were received from any of the consultees.

The Licensing Committee had considered the draft Statement of Licensing and recommended that it should be passed on to Cabinet for approval.

The Police Reform and Social Responsibility Bill, published on 30th November 2010, proposed to make a number of amendments to the Licensing Act 2003 to address crime and disorder and other social harm caused by alcohol.

The main proposals were as follows:-

- the maximum fine for persistent under age selling will be doubled to £20,000
- the impact of licensing applications on public health will now be taken into account
- you no longer have to live or work within the vicinity of a new licensing application to be able to comment
- the bill proposes scrapping 'bureaucratic and unused' alcohol disorder zones provision
- local authorities will be able to suspend licenses if fees are not paid
- it makes provision to enable licensing authorities to introduce a levy in their areas which will be payable by premises which supply alcohol as part of the late night economy. At least 70% will go to the police and crime commissioner to pay funds to bodies tackling alcohol related crime and disorder
- it gives licensing authorities the power to remove or refuse licenses by enabling them to fulfil the same functions as existing responsible authorities, and to communities to make representations in relation to licensing decisions or call for a review of licensed premises
- the mandatory code will be reviewed within 12 months of its introduction
- The Licensing Policy Statement will need to be reviewed every five years rather than every three years.

These changes could not be incorporated in to the revised policy at this stage as they still had to complete the parliamentary process.

Cabinet requested that a briefing note on Police Reform and Social Responsibility Bill be circulated to all members.

RECOMMENDED to Council that the proposed changes to the draft revised Statement of Licensing Policy be approved.

3. Reasons for the Decision

The Licensing Act 2003 requires the Council to review its Statement of Licensing Policy at least every three years. Council approved the current Statement of Licensing Policy in December 2007.

4. Alternative Options Considered and Rejected

None

5. Declared (Cabinet Member) Conflicts of Interest

None

6. Details of any Dispensations

Not applicable

7. Date and Time by which Call In must be executed

Midnight on 30 December 2010

Proper Officer  
22 December 2010