
Subject: REVIEW OF STATEMENT OF LICENSING POLICY - LICENSING ACT 2003

Meeting and Date: Council – 22 July 2015

Report of: Director of Governance

Classification: Unrestricted

Purpose of the report: To seek authorisation to commence a period of formal consultation as part of the review of the Council's Statement of Licensing Policy under the Licensing Act 2003

Recommendation: That the Council approve the draft Statement of Licensing Policy and authorise a period of formal consultation from 27 July 2015 until 19 October 2015 in accordance with the statutory requirements

1. Summary

By virtue of section 5 of the Licensing Act 2003, the licensing authority is required to publish a Statement of Licensing Policy (The Licensing Policy) and that policy must be reviewed every five years. The Policy was last reviewed during 2010 and came into effect in January 2011. This is now due for further review in order that it can come into force by 7 January 2016.

2. Introduction and Background

Although, at a glance, there appears to be a number of amendments to the document, the Policy is in fact fundamentally the same. The document has been stream lined to bring it in line with other Kent authorities and to make it easier for businesses to interpret but the principles contained within it remain unchanged. The policy document has also been changed where relevant legislation has been amended.

Before determining its policy, the licensing authority must consult the persons listed in section 5(3) of the 2003 Act:

- The chief officer of police for the area;
- The fire and rescue authority for the area;
- Each local authority's Director of Public Health for an area any part of which is in the licensing authority's area;
- 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.

In addition to consulting the statutory consultees, it is also intended that the general public will be consulted by placing the draft document on the Dover District Council website. In addition, the Council intends to consult with the bodies listed at appendix B of the draft statement of licensing policy.

It is therefore requested that Council authorise the draft statement of policy to enable these consultations to be undertaken. It is intended that the consultation will run from 27 July 2015 until 19 October 2015. Full account will be taken of the responses to

the consultation and the statement of licensing policy will come back before full Council at its meeting on 25 November 2015.

3. Identification of Options

- 3.1 Option 1 – to approve the draft Licensing Policy, with the suggested amendments, for a period of consultation.
- 3.2 Option 2 – to approve a period of consultation on the draft Licensing Policy, with further amendments as suggested by members.
- 3.3 Option 3 – to resolve to maintain the current Licensing Policy without consultation.

4. Evaluation of Options

- 4.1 Option 1 – to approve the draft Licensing Policy, with the suggested amendments, for a period of consultation. This is the preferred option as it complies fully with the legislation and accords with the Council's policy on community involvement.
- 4.2 Option 2 – to approve a period of consultation on the draft Licensing Policy, with amendments as suggested by members. This option is appropriate should members wish to make further amendments to the draft document.
- 4.3 Option 3 – to resolve to maintain the current Licensing Policy without consultation. This option does not meet the statutory requirements under the Licensing Act 2003.

5. Appendices

Appendix 1 – Proposed revised Statement of Licensing Policy (with tracked changes)

Appendix 2 – Proposed revised Statement of Licensing Policy (clean copy)

6. Background Papers

None.

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