

Report to: Licensing and Environmental
Regulation Committee (LERC)

Date: 16th February 2016

Report of: Director of Place

Report No: LERC/05/16

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Report Title: **LICENSING ACT 2003**
REVIEW OF STATEMENT OF LICENSING POLICY

Non Confidential

This report does not contain information which warrants its consideration in the absence of the press or members of the public.

Purpose:

The Licensing and Environmental Regulation Committee to approve the Statement of Licensing Policy and approve the document for consultation.

Recommendations:

Licensing and Environmental Regulation Committee is asked to approve the proposed changes to the Statement of Licensing Policy and approve the proposals for consultation.

Following consultation and a subsequent meeting, recommend to a future meeting of the full Council that the changes are incorporated into the Council Statement of Licensing Policy.

Decision:

Summary:

1. BACKGROUND

- 1.1. The Licensing and Environmental Regulation Committee will be aware that the Council is required to review, consult and publish a Statement of Licensing Policy by Section 5 of the Licensing Act 2003.
- 1.2. The Council have previously published a Statement of Licensing Policy in 2005, 2008 and 2012.
- 1.3. It is proposed to carry out a review of the Statement of Licensing Policy during 2016. This Policy is a new policy taking account of changes to legislation and Bolton Council's Vision.

2. PROPOSALS

- 2.1. The new Statement of Licensing Policy will be circulated for consultation in accordance with Section 5 of the Licensing Act 2003. Copies will be circulated to the responsible authorities and to representatives of: premises licence holders; club premises certificate holders; residents and businesses. The document will also be placed on the Council website. The new Statement of Licensing Policy is attached to the report as Appendix 1.
- 2.2. Consultation will run for four weeks from 17th February 2016 to 16th March 2016.
- 2.3. Consideration has been given to the impact of the new Statement of Licensing Policy. A screening EIA has been completed, please see Appendix 2. The full impact of the proposals and mitigating measures will be considered following consultation.

3. CONSULTATION AND APPROVAL TIMETABLE

- 3.1. The proposed timetable is as follows:

PDG augmented by LERC	16 th February 2016
LERC	16 th February 2016
4 weeks consultation	17 th Feb – 16 th March 2016
LERC	TBC
Committee Admin	30 th March 2016
Full Council	13 th April 2016

- 3.2. Following the consultation period, a LERC meeting will be held for Members to consider the feedback from the consultation process and agree a new Statement of Licensing Policy.
- 3.3. The new Statement of Licensing Policy will be approved at full Council on the 13th April 2016.
- 3.4. Reporting at additional meetings may be required depending on the outcome of consultation.
- 3.5. The new Policy will last for 5 years, unless changes to legislation or other changes require a refresh of the policy before then.

4. Equality Impact Assessment

- 4.1. Under the Equality Act 2010, the council must have due regard to:
- Eliminating unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act;
 - Advancing equality of opportunity between people who share a protected characteristic and people who do not share it; and
 - Fostering good relations between people who share a protected characteristic and people who do not share it.
- 4.2. It is therefore important to consider how the proposals contained within this report may positively or negatively affect this work. To support this analysis, an Equality Impact Assessment (“EIA”) screening form has been completed for the proposals outlined in this report, and is attached at Appendix 2.
- 4.3. The EIA looks at the anticipated (positive and/or negative) impacts of the proposal on people from Bolton’s diverse communities, and whether any group (or groups) is likely to be directly or indirectly differentially affected.
- 4.4. At this stage it is not anticipated that the proposals will have a disproportionate impact on any of Bolton’s diversity groups.
- 4.5. The analysis of equality impact will be tested during consultation, and an updated EIA will be included with the report setting out the final proposals.

5. RECOMMENDATION

- 5.1. Licensing and Environmental Regulation Committee is asked to approve the proposed changes to the Statement of Licensing Policy attached as Appendix 1 and approve the proposals for consultation.
- 5.2. Following consultation and a subsequent meeting, recommend to a future meeting of the full Council that the changes are incorporated into the Council Statement of Licensing Policy.