

Report to: Council

Date: 22nd October 2008

Report of: Director of Legal & Democratic Services

Report No:

Contact Officer: Andrew Fisher

Tele No: 336570

Report Title:

**LICENSING ACT 2003
REVISED STATEMENT OF LICENSING POLICY**

**Confidential /
Non Confidential:**
(delete as approp)

(Non-Confidential) This report does **not** contain information which warrants its consideration in the absence of the press or members of the public

Purpose:

To invite the Council to consider formally adopting the revised Statement of Licensing Policy.

Recommendations:

The Council is recommended to formally adopt the attached Statement of Licensing Policy.

Decision:

Background Doc(s):

Statement of Licensing Policy adopted January 2005

1. BACKGROUND

- 1.1 The Members of the Council will be aware that the Council is required to publish a Statement of Licensing Policy by section 5 of the Licensing Act 2003.
- 1.2 The original Statement of Licensing Policy was published in January 2005, prior to the Licensing Act coming into force in November 2005.
- 1.3 The Act requires such policy statements to be reviewed every three years.
- 1.4 On 14th November 2007 a Policy Development Group met to review the current Licensing Policy.
- 1.5 The Policy Development Group received a presentation from the Licensing Unit outlining the position in Bolton at the time, the experience in the town since the Act came into force and the Group considered proposals to amend the existing policy to take account of this experience, the impact of the legislative changes and revised guidance from the Government.
- 1.6 The Group also heard from a senior Police Officer who provided information about alcohol related crime and disorder in the town, the impact of the new legislation on the profile of crime and disorder both in the town centre and across the borough, the times of day when offences were committed and how this had changed as a result of pubs and clubs opening later.
- 1.7 Proposals, designed to ensure that licence applicants and holders were better able to discharge their obligations to meet the 'licensing objectives', were considered by the Group and Officers were instructed to develop the proposals and produce a 'review' document which could be circulated for consultation in accordance with the requirements of the Act.
- 1.8 The review document was circulated for consultation in accordance with Section 5 of the Licensing Act 2003. Copies were sent to each of the responsible authorities, premises licence holders, club premises certificate holders and the document was placed on the Council website. The views of Legal Services were invited.
- 1.9 The Licensing Unit received three substantive replies, one from the Police, one from the British Beer & Pub Association and one from Legal Services.
- 1.10 On 29th July, the proposed changes were considered by the PDG, following the completion of the consultation process. After considering the responses to the consultation, the Group resolved that the proposed amendments to the Statement of Licensing Policy should reflect the changes suggested by Legal Services and should then be recommended for adoption as the new Statement of Licensing Policy of the Council.
- 1.11 On 2nd September the revision to the Statement of Licensing Policy was considered by the Executive Member for Corporate Resources who recommended that it should be adopted by the Council until January 2011.
- 1.12 The revised Statement of Licensing Policy, incorporating the amendments agreed by the Policy Development Group and recommended to the Council by the Executive Member for Corporate Resources is attached to the report.

2. RECOMMENDATION

2.1 The Council is recommended to formally adopt the attached Statement of Licensing Policy.