

CABINET – 25 NOVEMBER 2015

LICENSING ACT 2003 - APPROVAL OF THE COUNCIL'S STATEMENT OF LICENSING POLICY

Report of the Executive Director of Commercial Development

1. Purpose of the Report

- 1.1 To brief the Cabinet upon the responsibility of the Council with regard to the publishing of a statement of licensing policy under the Licensing Act 2003 (the "Act").

2. Description of Decision (Recommendations)

- 2.1 To recommend the Council to approve the statement of licensing policy attached as Appendix 1.

3. Introduction/Background

- 3.1 The Act requires the Council, as a licensing authority, to be responsible for the licensing of premises for the provision of "licensable activities" as defined. These activities include the sale by retail of alcohol and the provision of regulated entertainment.
- 3.2 The Act requires that licensing authorities publish, in respect of a period of five years, a statement of licensing policy which indicates how they will undertake these functions. The current policy statement was agreed at a meeting of the Council in November 2010 and its period of validity will expire on 6 January 2016. A renewed statement is required to be published before 7 January 2016.
- 3.3 In determining policies the Act requires licensing authorities to consult specified persons including statutory agencies and representatives of the public and the licensed trade. This consultation exercise has now concluded.

4. Current Position

- 4.1 Comments on the proposed statement of licensing policy were received from the following person and organisations:
- The Sunderland Health and Wellbeing Board;
 - The Council's Acting Director of Public Health
 - The Safer Sunderland Partnership; and
 - Balance, the North East Alcohol Office.

As appropriate, the responses of these respondents have been incorporated in the revised statement of policy attached.

4.2 The consultation responses are attached at Appendix 2.

4.3 On 5 November 2015 the Scrutiny Committee considered the proposed statement of licensing policy and resolved to support the Council's responsibility in publishing its statement of licensing policy under the Licensing Act 2003.

5. **Reasons for the Decision**

5.1 To enable the Council to comply with the statutory obligation to publish a Licensing Act 2003 statement of policy.

6. **Alternative Options**

6.1 As this is a statutory obligation no other options have been considered.

7. **Impact Analysis**

(a) **Equalities** – No impact

(b) **Privacy Impact Assessment (PIA)** – No impact

(c) **Sustainability** – The statement of policy is intended to assist responsible businesses and to minimise the environmental impact of non-compliant businesses e.g. with regard to noise pollution.

(d) **Reduction of Crime and Disorder – Community Cohesion / Social Inclusion** – One of the objectives of the Licensing Act 2003 is the prevention of crime and disorder and this is dealt with by the statement of policy.

8. **Other Relevant Considerations / Consultations**

(i) **Legal Implications** – The Head of Law and Governance advises that the Council has a legal requirement to publish the statement of licensing policy.

(ii) **The Public / External Bodies** – Statutory consultees have been consulted.

9. **Glossary**

None.

10. **List of Appendices**

Appendix 1 - Statement of Licensing Policy
Appendix 2 – Consultation responses

11. Background Papers

None

