

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.

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 entitlement 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

11. Background Papers

The consultation responses may be inspected at Public Protection and Regulatory Services, Jack Crawford House, Commercial Road, Sunderland SR2 8QR (tel. 5611710)

CABINET MEETING – 25 NOVEMBER 2015

EXECUTIVE SUMMARY SHEET – PART I

Title of Report:

Licensing Act 2003 – Approval of the Council's Statement of Licensing Policy

Author(s): Executive Director of Commercial Development

Purpose of Report: 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

Description of Decision:

To recommend the Council to approve a statement of licensing policy

Is the decision consistent with the Budget/Policy Framework? Yes

If not, Council approval is required to change the Budget/Policy Framework

Suggested reason(s) for Decision:

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

Alternative options to be considered and recommended to be rejected:

None

Impacts analysed;

Equality ☒ Privacy ☒ Sustainability ☒ Crime and Disorder ☒

Is the Decision consistent with the Council's Co-Operative Values? Yes

Is this a "Key Decision" as defined in the Constitution? Yes

Is it included in the 28 day Notice of Decisions? Yes