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# **Licensing Committee**

**Report of the meeting held on 23rd June 2015.**

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## **Matters for Information**

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### **1. LICENSING ACT 2003 – STATEMENT OF LICENSING POLICY**

The Licensing Act 2003 requires that for each five year period, the Council must determine its policy on how it will exercise its statutory duties related to its licensing function and publish a statement to that effect. The District Council's current policy expires in January 2016 and the Council is now required to determine the policy for the period to 6th January 2021. As part of this process, the Council must undertake a period of consultation and take into consideration any comments which are received.

For the purposes of public consultation, the Committee has considered the contents of a draft Statement of Licensing Policy. The Policy has been redrafted to incorporate changes in legislation, government guidance and the Local Government Association Best Practice Framework for the review of licensing policy statements. Legislation requires the Authority to consult with a number of specified bodies and consultation will be undertaken over a ten week period from 26th June to 4th September 2015. A final draft will then be submitted to the Committee in October 2015 for endorsement, prior to its consideration and adoption by Council.

As there is likely to be a need for further amendments to the draft as a result of feedback from the consultation process or from additional legislative change, the Head of Community has been authorised to make any amendments as necessary.

In considering the draft Statement, Panel Members have commented upon the timetable for its adoption and have expressed concern that the Council would be unable to fulfil its licensing duties under the Licensing Act 2003 if it did not have a new policy in place by 7th January 2016. Whilst this did represent a risk to the Authority, the Panel have been advised that it is to be hoped that if Members had any significant concerns these can be raised during the consultation period.

### **2. GAMBLING ACT 2005 – STATEMENT OF PRINCIPLES**

The Gambling Act 2005 requires the Council to licence premises where gambling takes place and to licence certain other activities relating to gambling.

The Council is required to publish a Statement of Principles which outlines how it will exercise its functions under the Act. The current Statement expires on 31<sup>st</sup> January 2015 and the Council must have adopted a further Statement in advance of this date. As part of this process, the Council must undertake a period of consultation and take into consideration any comments which are received.

For the purposes of the consultation, the Panel has reviewed and approved a draft Statement of Principles, which has been drafted to take into account the relevant provisions of the draft fifth edition of the Gambling Commissions Guidance to Local Authorities. The consultation will run from 26th June to 4th September 2015 and a final draft will then be submitted to the Committee for endorsement, prior to its consideration and adoption by Cabinet and Council.

The Committee has authorised the Head of Community to make any amendments to the draft Statement as are considered necessary as a result of the public consultation exercise or arising from any new guidance issued by the Gambling Commission to Licensing Authorities.

R Fuller  
Chairman