

TO: LICENSING COMMITTEE

DATE: 28 November 2007

SUBJECT: REPORT TITLE

BY: Licensing

Classification: Unrestricted

Summary: The committee is asked to adopt the enforcement protocol agreed by the Kent and Medway Regulatory Licensing Steering Group.

Implications: Human Resources Implications - None

Finance Implications - None

Legal Implications - None

Crime & Disorder Implications - None

Equalities & Diversity Implications - None

Sustainability Implications - None

Risk Implications - None

Decision Required: Whether to adopt the protocol, which is the same as the previously adopted protocol except for the addition of Gambling Act.

Introduction/Background

On 24th October 2007, (minute 563), the committee resolved to adjourn a decision on the proposed licensing Enforcement Protocol, pending sight of the overall costing figures for the running of the Licensing section.

It should be noted that Licensing Act fees are set by Government and Gambling Act fees are set by council within maximum set by law.

The estimated revised budget for 07/08 shows a surplus of £36k, but much of this is attributable to Gambling Act licence income. (Since the Gambling Act is in its first year, income has been unpredictable, and, since the Government insists that Gambling Act income covers expenditure and no more, it is conceivable that, if there is a surplus, pressure may be applied to reduce fees in the future.)

The non Gambling Act surplus for 07/08 is about £25k. The Licensing Officer returns from maternity leave in March 2008 and this will bring an increase in salary costs of somewhere in the region of £10k. A spreadsheet prepared by the Head of Finance is attached.

Licensing Act enforcement is 95%+ noise related with other environmental issues (e.g. litter) making up most of the rest. Such issues fall within the ambit of the environmental protection team. Residual enforcement relates to regulatory issues such as checking personal and premises licences. SIA Licenses etc. this is not done on a programmed basis.

Issue for decision

Whether to sign up to the countywide agreed protocol in the knowledge that commitment to the protocol may be limited by resources.

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Date - 26th November 2007

Report approved by - Mike Hawkins

List of background documents -