

Licensing Act 2003 Committee	Agenda Item:
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Meeting Date	3 rd December 2015
Report Title	Revised Statement of Licensing Policy
Portfolio Holder	Cllr Ken Pugh
SMT Lead	Mark Radford
Head of Service	
Lead Officer	Angela Seward
Key Decision	No
Classification	Open
Forward Plan	Reference number: Not Applicable

Recommendations	<p>The Committee is asked ,following the recent consultation to:</p> <ol style="list-style-type: none"> 1. Approve the revised ‘Statement of Licensing Policy’ attached as appendix 1 2. Recommend to Council that it approves the revised ‘Statement of Licensing Policy’ under the Licensing Act 2003.
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Purpose of Report and Executive Summary

- 1.1 This report presents the revised Statement of Licensing Policy and details the consultation response.

2 Background

- 2.1 Swale Borough Council, as a Licensing Authority must produce a Statement of Principles (Policy) to identify how applications under the Licensing Act 2003 will be considered. The Policy lasts for a period of five years, the five year periods are specified by the Secretary of State, therefore we must consult on and re-publish our Licensing Policy by January 1st 2016
- 2.2 When the Policy was reviewed, prior to the consultation exercise approved by the Committee on 22 July 2015, some additions were made, these were necessary to reflect changes in the legislation and the revised governmental guidance issued in March 2015. Other than that the review of the Statement of Licensing Policy was very much a ‘care and maintenance’ review and the Committee were aware of this when it agreed the consultation document. The level of response to the consultation below must be seen in this context.

3 Proposal

3.1 The revised Statement of Licensing Policy is attached as Appendix I. Members of The Licensing Committee must decide whether the Policy is fit to be published for a period not exceeding 5 years from 1st January 2016 in line with the statutory framework for Licensing and if so to recommend approval to Council.

It is recommended that the Committee, following the recent consultation:

1. Approve the revised 'Statement of Licensing Policy' attached as appendix 1
2. Recommend to Council that it approves the revised 'Statement of Licensing Policy' under the Licensing Act 2003.

4 Alternative Options

4.1 The Policy must be reviewed in line with the statutory requirements under the Licensing Act 2003.

5 Consultation Undertaken or Proposed

5.1 Consultation was carried out for a formal period from 3rd August to 5th November 2015.

5.2 The following authorities/persons were consulted.

- The Chief of Police for the area
- The Police Licensing Officer for Kent & Medway
- The Fire Authority for the area
- Sittingbourne and Faversham LVA
- The British Institute of Innkeeping
- The British Beer and Pub Association
- Kent Magistrates Services
- Local Businesses with a relevant interest (Shepherd Neame/Enterprise Inns)
- The Councils Planning and Environmental Departments
- All Swale Borough Councillors

In addition a public notice was placed in the local newspaper on 5th August 2015 for one consecutive week.

5.3 No responses were received, therefore no alterations have been made to the Policy as agreed by the Committee as the consultation document.

6 Implications

Issue	Implications
Corporate Plan	<p>A borough to be proud of: the statement seeks to strike the right balance between promoting and encouraging live and recorded music, dancing, theatre and other forms of entertainment for the wider cultural benefit of communities generally but not to cause a disturbance.</p> <p>A community to be proud of: by promoting the four licensing objectives in this way the authority is enriching and enhancing the community whilst maintaining its regulatory and enforcement role.</p> <p>A council to be proud of: the statement will support good decision making processes</p>
Financial, Resource and Property	<p>The SBC Graphics Department will produce the Policy in the corporate style from when finally approved in December 2016. To reduce costs, the Policy will be published on our website, and on request, hard copies can be provided to customers.</p> <p>By carrying out consultation in line with the requirements of the Act, resources and financial cost will be reduced this time.</p>
Legal and Statutory	The Licensing Authority must formally review its adopted Statement of Licensing Policy every five years, as required under Section 5 of the Licensing Act 2003.
Crime and Disorder	None – apart from those mentioned in the policy.
Risk Management and Health and Safety	None.
Equality and Diversity	The Policy is fair and balanced in the needs of all members of the community and users of the licensing service. It has been designed to avoid disadvantage or discrimination.
Sustainability	None.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report

- Appendix I: Revised Statement of Licensing Policy

8 Background Papers

8.1 None