

Report to Licensing Committee

Agenda
Item:

A.1

Meeting Date: 27 May 2015
 Portfolio: Finance, Governance and Resources
 Key Decision: Not Applicable:
 Within Policy and
 Budget Framework NO
 Public / Private Public

Title: LICENSING ACT 2003 - UPDATE
 Report of: Director of Governance
 Report Number: GD 34/15

Purpose / Summary:

This report gives an update on the Council's current position regarding applications under the Licensing Act 2003.

Recommendations:

Members are requested to note the information.

Tracking

Executive:	n/a
Overview and Scrutiny:	n/a
Council:	n/a

This report is presented to give an update on the Council's current position under the Licensing Act 2003.

1 Background

1.1 The Licensing Act 2003 took effect on 24th November 2005, from which date this Council administered all licences issued.

1.2 This report summarises the current situation with regard to licences issued under the Act and explains recent changes in the legislation.

2 Licence figures – as at 12 May 2015

2.1 Personal Licences

Previous Report - 1498

Current Licences – 1503

Total licences surrendered/revoked - 18

2.2 Premises Licences

With alcohol

Previous Report - 394

Current Licences – 395

Total licences surrendered/revoked - 132

Without alcohol

Previous Report - 81

Current Licences – 79

Total licences surrendered/revoked - 35

2.3 Club Premises Certificate

With alcohol

Previous Report - 22

Current Licences – 21

Total licences surrendered/revoked – 6

Without alcohol

Previous Report - 0

Current Licences – 0

2.4 Temporary Event Notices

Year	No. Received	No. Refused
2006	199	5
2007	261	3
2008	267	2
2009	203	12
2010	243	5
2011	276	6
2012	247	4
2013	200	3
2014	200	2
2015 to date	43	

2.5 Current applications – Includes new, change of DPS, variation of hours, transfers etc.

Pending applications – 17

3 Current Issues

3.1 Personal Alcohol Licences

3.2 The Licensing Act 2003 states that the sale of alcohol must be authorised by a Personal Licence Holder. This licence was issued either under 'grandfather rights' or by the applicant passing a relevant course and disclosure check. The licence lasts for 10 years.

3.3 In 2014 the Government consulted on abolishing personal licences altogether. There was strong opposition from both the trade and licensing authorities and the Government decided to retain them, however they would last indefinitely rather than 10 years. The appropriate legislation was not made and the first 10 year licence renewals were submitted for renewal in February/March 2015. Interim guidance was issued by the Government for those licences due for renewal before the new legislation became law. This interim procedure created additional work without any ability to charge a fee.

3.4 On 1 April new legislation came onto the statute book removing the requirement to renew personal licences. All current licences therefore last indefinitely. This

creates the additional problem that over the years licence holders die, move house or receive relevant convictions, which the licensing authority may not be aware of.

4 RECOMMENDATIONS

Members are requested to note this report.

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**Appendices None
attached to report:**

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's –None

Community Engagement – None

Economic Development – None

Governance – None

Local Environment – None

Resources –None