

Report to Licensing Committee

Agenda
Item:

A.1

Meeting Date: 14th October 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 67/15

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 17 September 2015

2.1 Personal Licences

Previous Report - 1503

Current Licences – 1539

Total licences surrendered/revoked - 22

2.2 Premises Licences

With alcohol

Previous Report - 395

Current Licences – 395

Total licences surrendered/revoked - 138

Without alcohol

Previous Report - 79

Current Licences – 78

Total licences surrendered/revoked - 36

2.3 Club Premises Certificate

With alcohol

Previous Report - 21

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	87	

In response to a request for a breakdown of Temporary Events from last meeting, this year's events to date comprise of:

39 Charity/fund-raising events (School PTAs, young farmers, leek clubs etc.,)

These consist of a mixture of applicants with no one applicant being a majority.

26 Individual/private events (wedding receptions, 21st parties etc.,)

These consist of a mixture of applicants with no one applicant being a majority.

22 Licensed premises (extension of their current time limits)

A mixture again of applicants.

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

Pending applications – 14

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. This licence was issued 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 now last indefinitely.
- 3.5 Licensing holders have been contacted regarding this change and notified that should they wish their licence to be updated to show 'indefinite' rather than their expiry date, they could request a new licence at a cost of £10.50.
- 3.6 Since April of this year, to date there have been 44 amended licences issued.
- 3.7 Personal Licence holders are also under a legal duty to inform us if and when they change their address and again, we would issue an amended licence.

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