

CARLISLE CITY COUNCIL

Report to:- **The Chairman and Members of the Licensing Committee**

Date of Meeting:- 10 August 2011

Agenda Item No:-

Public

Operational

Delegated Yes

Accompanying Comments and Statements

Required

Included

Cumbria Fire Service

No

No

Cumbria Constabulary

No

No

Environmental Services

No

No

Planning Services

No

No

Title:- **LICENSING ACT 2003 UPDATE**

Report of:- **ASSISTANT DIRECTOR (GOVERNANCE)**

Report reference:- **GD 45/11**

Summary:-

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

Recommendation:-

Members are requested to note the information.

J A Messenger
Licensing Manager
Governance Directorate

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:- Records of Licences issued, recent legislation

To the Chairman and Members of the Licensing Committee on 10 August 2011

This report is presented to give an update on the 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 1st August 2011

2.1 Personal Licences

Previous Report - 1133
Current Licences – 1149
Total licences surrendered/revoked - 8

2.2 Premises Licences

With alcohol
Previous Report - 378
Current Licences – 380
Total licences surrendered - 61

Without alcohol
Previous Report - 98
Current Licences – 96
Total licences surrendered - 13

2.3 Club Premises Certificate

With alcohol
Previous Report - 22
Current Licences – 22
Total licences surrendered - 5

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 to date | 136 | 4 |

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

Pending applications – 19

3 Current Issues

3.1 Police Reform and Social Responsibility Bill

This Bill is now going through the committee stage in the House of Lords and we are expecting some feedback in the near future. Areas covered include:

- Primary Care Trust to be a Responsible Authority
- The test in relation to licensing objectives would change from 'necessary to appropriate'
- Changes to Temporary Event Notices
- Suspend licence upon non-payment of annual fee
- Review of Statements of Licensing Policy extended to every 5 years
- Early Morning Restriction Orders on closing hours

4 RECOMMENDATION

Members are asked to note this report.

Prepared by:

J A Messenger

Licensing Manager