

EXECUTIVE

LEADER: Cllr Jeremy Christophers

DATE: 3 November 2015

REPORT OF: LICENSING MANAGER

SUBJECT: LICENSING ACT 2003 – REVIEW OF STATEMENT OF
LICENSING POLICY

PART I

RECOMMENDATIONS

The Executive is recommended to comment on the representations received and refer the Statement of Licensing to Council.

1. BACKGROUND

In December 2010 Council approved the current Statement of Licensing Policy which has been in effect since 7 January 2011. Under Section 5(1) and (2) of the Licensing Act 2003 this policy is required to be reviewed every three years. This was changed to five years on the 25 April 2012 by the Police Reform and Social Responsibility Act 2011.

2. GROUPS CONSULTED

Teignbridge District Council's review of the Licensing Policy was made available for consultation on 23 July 2015 (copy attached at Appendix A). The final date for comments was 16 October 2015. However, there have been no comments received prior to the completion of this report.

The consultation exercise for the review of the licensing policy has been wide. The list of consultees is reproduced below. A letter was sent to each of the consultees inviting them to make comment on the policy. They were given the choice of downloading a copy of the review of the licensing policy from Teignbridge District Council's website or requesting a printed copy to be sent out by post. The Licensing Office received seventeen requests to supply printed copies these were from town councils and licensed businesses. A copy of the review of the licensing policy was placed on the Council's internet site and libraries within the District.

Devon and Cornwall Police
Devon & Somerset Fire & Rescue Service
TDC Planning Department
TDC Environmental Health Department
TDC Leisure & Tourism Department
All Parish Councils

TEIGNBRIDGE DISTRICT COUNCIL

All District Councillors
All Premises Licences Holders
All Personal Licence Holders
All known LVA operating within the Teignbridge District
All known Chambers of Trade operating within the Teignbridge District
Teignmouth Harbour Commission
HM Principal Inspector of Health & Safety
Various Solicitors
Dartmoor National Park
Child Protection Agency
Health Authority
Circus Arts Forum
Other various individuals and organisations

The proposed review of the licensing policy is based on the revised guidance published by the Home Office March 2015. Devon Licensing Officers Group given similar characteristics and demographics of some Districts have aligned their policies to achieve a consistent approach to regulations. This should assist the responsible authorities – particularly the police.

At the time of writing this report have not received any comments or representations.

3. TIME-SCALE

The Licensing Authority must adopt a policy prior to the 7 January 2016 in order to continue to exercise its powers under the Licensing Act 2003. Once the Council has approved its Licensing Policy it will be published and will be available for anybody to view through the Council's website.

Section 5 (as amended) of the Licensing Act 2003 requires every licensing authority to determine its licensing policy for the following five years. Section 5(3) requires consultation with the police, the fire authority, representatives of current licence holders, and such others as the authority considers to be a representative of businesses and residents in its area before adoption.

The Licensing Act 2003 requires the policy to be approved by the Full Council. The Executive is asked to comment on the representations received before the final report is prepared for Full Council on the 23 November 2015.

Andrea Furness
Licensing Manager

Cllr Sylvia Russell
Portfolio Holder for Health & Wellbeing

Wards affected	All
Contact for any more information	Andrea Furness – 5545 Licensing Manager
Background Papers (For Part I reports only)	Licensing Act 2003; Guidance issues under Section 182 of the Licensing Act (March 2015)
Key Decision	N
In Forward Plan	Y
In O&S Work Programme	N
Appendices attached:	A: Draft Statement of Licensing Policy