

CITY COUNCIL - 8 DECEMBER 2014

REPORT OF THE CHAIR OF THE LICENSING COMMITTEE

REVIEW OF STATEMENT OF LICENSING POLICY

1 SUMMARY

- 1.1 This report seeks approval to adopt revisions to the Statement of Licensing Policy for the City. A copy of the revisions is attached at Appendix 1.
- 1.2 The proposed revisions were subject to public consultation. The only response received was from Nottinghamshire Police who indicated that they had no comment to make.

2 RECOMMENDATIONS

It is recommended that Council as the Licensing Authority for Nottingham:

- 2.1 Adopt the revisions, and authorise the publication of the revised Statement of Licensing Policy to take effect from 7 January 2015.

3 REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)

- 3.1 It is a statutory requirement that the Council has a Statement of Licensing Policy and that any amendments go through a process of public consultation.
- 3.2 It is felt that the amendments to the Saturation Zone are appropriate in order to promote the licensing objectives, in particular the prevention of crime and disorder and the prevention of public nuisance.
- 3.3 The amendments also align this document with other Councils policies such as the recently adopted Time and Place Plan.

4 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 4.1 Not to make any revisions to the Statement of Licensing Policy – this was not felt to be appropriate and the outcome of the public consultation indicate that there were no objections to the proposals.

5 BACKGROUND

- 5.1 The Council is a Licensing Authority for the purpose of the Licensing Act 2003. The purpose of the Statement is to inform individuals making applications for licences of the Authority's standards and values in promoting the licensing objectives within the framework of the Act and approved guidance issued by the Department of Culture, Media and Sport in accordance with Section 182 of the Act.
- 5.2 The Statement was reviewed last year with a new Statement adopted by Council on 9th December 2013 effective from 7 January 2014 for a five year period.
- 5.3 Following a request to reconsider the boundaries of the City Centre Saturation Zone and other concerns regarding alcohol related crime, revisions to the Statement of Licensing Policy were approved by Council on 12 May 2014 for release for public consultation. The

evidence in support of the revisions was presented as appendices to the report to Council in May and has been made available for re-inspection and consideration in the members rooms in advance of full Council. Consultation took place between 30 June and 21 September 2014 with both the public and the statutory consultees.

- 5.4 There was one response received in relation to the consultation, that being from Nottinghamshire Constabulary and which merely indicated that they had no comment to make on the proposals.
- 5.5 It is proposed that the revisions be incorporated into the existing Statement of Policy (which will then remain in force until 6 January 2019 unless reviewed earlier) and that the revisions shall come into effect from 7 January 2015.

6 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY)

- 6.1 The statutory fees levied for the licensing regime are intended to cover the cost of the review of the Statement of Policy.

7 RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS, CRIME AND DISORDER ACT IMPLICATIONS AND EQUALITY AND DIVERSITY IMPLICATIONS)

- 7.1 In devising its Licensing Policy the Licensing Authority must have regard to the four licensing objectives and the Statutory Guidance. In relation to Saturation Policies the Guidance indicates that these should be evidence based arising from a concern about crime and disorder, public safety, public nuisance or the protection of children from harm which is being caused by the customers of licensed premises in the area identified or where the risk of cumulative impact in that area is imminent.
- 7.2 As with any Council policy, if the revisions to the Statement are adopted they will be open to challenge by way of judicial review however given the lack of challenge at the consultation stage that risk is perhaps small.
- 7.3 The Statement of Licensing Policy has been prepared to enable fairness to all parties in relation to Equality & Diversity issues.

8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

- 8.1 Evidence supporting the existing City Centre Saturation Zone and boundary Statement of Sergeant Richard Shaw dated 27 March 2013 including:
- Item RS/1 – Pub, Club, Off-Licence density in the East Midlands
 - Item RS/2 – Violence – City Division
 - Item RS/3 – Alcohol Report February 2013

 - Time and Place Plan April 2014

 - Draft Land and Planning Policies Document

9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- 9.1 Licensing Act 2003
- 9.2 Guidance issued under section 182 of the Licensing Act 2003

9.3 Review of Statement of Licensing, City Council 12 May 2014

COUNCILLOR BRIAN GROCOCK
CHAIR OF THE LICENSING COMMITTEE