

Committee(s):	Date(s):	Item no.
Licensing Committee	15 November 2010	
Subject: Statement of Licensing Policy Review 2011		Public
Report of: Director of Environmental Services		For Decision
<p style="text-align: center;"><u>Summary</u></p> <p>The City of London Corporation in its capacity as Licensing Authority published its first statutory statement of licensing policy under the Licensing Act 2003 in January 2005; this was reiterated in January 2008 and is now required to be reviewed again by January 2011.</p> <p>The legislation requires that all licensing authorities review their policies every 3 years. During the summer of this year consultation letters on the review were sent to Members, residents, workers, the trade, responsible authorities, and others; a framework of those consulted is included in Annexe 4 to this report.</p> <p>The text of the current statement of licensing policy with proposed amendments to reflect the relevant concerns and comments received is attached to this report in Annexe 1. The suggested amendments are highlighted in a separate document attached at Annexe 2.</p> <p>Recommendations</p> <ul style="list-style-type: none"> • That Members consider the recommended amendments to the current policy in light of the consultation responses and determine the final text. • That Members recommend the policy document to Common Council for their approval within the timescale detailed in the report. 		

Main Report

Background

1. As part of the implementation of the Licensing Act 2003 the City Corporation in its capacity as Licensing Authority published its first statement of licensing principles. This document was drafted during 2004

and the text determined by your Committee in November of that year. Final approval by Common Council was granted the following month with the document being formally published on the statutory day of January 2005. This was subsequently reiterated in January 2008 and the current policy may be found at Annexe 3.

Current Position

2. The legislation states that licensing authorities must review and republish a statement of licensing policy every three years. This report therefore reflects the requirement that a further review must have taken place and the document published in January 2011.
3. During the summer of this year consultation was undertaken using a variety of methods with the categories of persons prescribed, as set out in the report to Licensing Committee on April 19 2010, including: Members, the City Police, the Fire Authority, residents, licence holders, City workers, the trade and other interested persons, see Annexe 4.
4. The basis of the consultation was the text of the current policy and requested responses based on four open questions set out in Annex 4. Forty one responses were received with some issues being raised that were outside the legal terms of the four licensing objectives. The analysis of the responses received is included at Annexe 5 to this report
5. All the responses were considered by a working panel set up by the Licensing Committee as agreed by your Committee at its meeting in April 2010.
6. The subsequent recommended amendments to the text are relatively few, some responses indicating that no changes were thought to be necessary. However, the main areas of concern have been addressed including noise and anti-social behaviour outside of premises, obstruction and cleanliness, and these are set out separately to the full revised text in Annexe 2 against the paragraphs in the original text . These are proposed to fully reflect the relevant concerns expressed by the consultees.
7. Attached at Annexe 1 is a draft of the new text with the proposed amendments. The main changes are to strengthen policy guidance, particularly for matters with respect to management control of noise, obstruction and other issues regarding consumption of alcohol external to licensed premises, whilst considering and maintaining the present balances within present legislation and associated guidance.

8. Additionally, some alterations in the text have been made to reflect changes and updates in legislation.
9. Under the terms of the legislation it is necessary for your Committee to determine the text of the policy at this meeting in order to meet the statutory timetable.

Proposals

10. It is proposed that the wording of the updated Policy as shown in Annexe 1 be agreed by your Committee and for it to then be finally agreed by Common Council prior to the statutory publication date of January 2011.

Financial and Risk Implications

11. The work is already carried out by the Licensing team in Environmental Health and Public Protection and the net cost is minimal except for the cost of publication as the document will be published electronically and be available on the City of London public web site. No changes to policy are proposed which have resource implications.

Legal Implications

12. The Comptroller and City Solicitor has been consulted in the preparation of this report and his comments are included in the body of the report.

Strategic Implications

13. This report supports the City's Sustainable Community Strategy theme: '... is safer and stronger' specifically supporting the objective 'to minimise any aspects of the emerging night time economy which are detrimental to the City, whilst continuing to support a vibrant and culturally rich environment.'

Consultees

14. As set out in paragraph 3 and Annexe 4 the comments from a wide range of statutory consultees including City Police, Members, City Residents, City Workers, The Licensed Trade and Responsible Authorities have been included in the review of the Policy.

Conclusion

15. The City of London Corporation is required by the Licensing Act 2003 to review its Statement of Licensing Policy and republish in January 2011.

16. This report introduces proposed amendments to the previous policy in response to representations received during the consultation process.

Annexes

<i>Annexe 1</i>	<i>Proposed Text for Statement of Licensing Policy 2011</i>
<i>Annexe 2</i>	<i>Proposed Changes to Original Text</i>
<i>Annexe 3</i>	<i>Original Text Version Statement of Licensing Policy 2008</i>
<i>Annexe 4</i>	<i>Framework and Timetable of Consultation</i>
<i>Annexe 5</i>	<i>Analysis of Consultation Responses</i>

Background Papers:

Committee Report April 19 2010

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