

**CHILTERN DISTRICT COUNCIL
LICENSING AND REGULATION COMMITTEE – 18 OCTOBER 2012**

Background Papers, if any, are specified at the end of the Report

LICENSING ACT 2003 – STATEMENT OF LICENSING POLICY

Contact Officer: Ian Snudden 01494 732057

RECOMMENDATIONS

That Members approve the amended Statement of Licensing Policy and recommend it for approval by Full Council

Report

- 1 The Licensing Act 2003 require local authorities to prepare and publish 'Statements of Policy' for determining applications and that such policies be reviewed every 5 years. However since 2010 when the policy was last reviewed, there have been a number of changes as a result of the enactment of the Police Reform and Social Responsibility Act 2011. A review of the policy has been undertaken in light of the relatively small changes to the legislation and Government guidance and a consultation with all interested parties has been undertaken. There are no proposed significant changes in policy.
- 2 The changes include:
 - the Licensing Authority and the Local Authority responsible for public health becoming responsible authorities;
 - the removal of the vicinity test for those who wish to make a representation in response to an application and the change in name of those individuals who may make a representation from 'interested parties' to 'other persons';
 - the reduction of the evidential burden on Licensing Authorities when making decisions, such that instead of having to take 'necessary' steps to promote the licensing objectives, the Licensing Authority must take 'appropriate' steps;
 - the change from a 3-yearly review of the statement of licensing policy to a 5-yearly review from the date of last revision.
- 3 At the time of writing the consultation had not ended and a verbal update will be provided. To date one response had been received from Buckinghamshire Safeguarding Children Board suggesting that paragraph 2.12 be amended. The amended Statement of Licensing Policy is presented in **Appendix**.

Background Papers: *Licensing act 2003*
Police Reform and Social Responsibility Act 2011
Amended guidance issued under section 182 of the Licensing Act 2003
