



## Licensing Committee – 2 October 2013

### Licensing Legislation - Update

#### Purpose of report

To inform members of proposed changes to the Licensing Regime.

#### Attachment(s)

None

#### 1.0 Background

1.1 Government have announced a series of changes to licensing regimes that affect East Northamptonshire Council. There are consultations on the personal licence system and new Scrap Metal licensing regime. In addition we are currently consulting on the introduction of licensing boats for hire and a potential review of the criminal records policy.

#### 2.0 Proposed changes

##### 2.1 Personal Licences consultation

The Government are currently consulting on the future of the personal licence currently issued as part of the Licensing Act 2003. The proposal is that the personal licence regime will be scrapped. They then intend to use the current Designated Premises Supervisor system to ensure the safe sale of alcohol.

##### 2.2 Scrap Metal Dealers Act 2013

A new Scrap Metal Dealers Act 2013 came into force on the 1<sup>st</sup> October. This was the subject of a Policy and Resources Report on the 26<sup>th</sup> September. As part of this report and the powers imposed the Licensing Committee via a Licensing Panel will be responsible for determining licences where representations are received. The new regime is based on the principles of the Licensing Act 2003.

##### 2.3 Review of Criminal Records Policy for Taxi Drivers

The Criminal Records Policy has been in place for three years and is now subject to review. The intention is to review the policy and undertake the necessary consultations with respect to a review. It would be helpful for a couple of Licensing Committee members to be actively involved in the review process.

##### 2.4 Boat Licensing

We are currently consulting on the proposed introduction of boat licensing along the River Nene. This will be the subject of a Policy and Resources Committee report in November 2013, however, it is important that members of this committee are aware of the consultation and actively feed into the process.

##### 2.5 Enforcement Policy Review

The Environmental Services Enforcement Policies have been revised and are currently out for consultation, this includes the licensing enforcement policy. The consultation ends on the 5<sup>th</sup> October, it is important that Licensing Committee members have looked at the licensing elements of this policy prior to it being placed in front of Policy and Resources in November to ensure their comments are taken into account.

## 2.6 The County Alcohol Harm Reduction Strategy

The County Harm Reduction Strategy is currently being consulted on, with a view to the strategy being published in the near future. This is a key document that officers have been commenting on as it has been developing to ensure the role of local authorities is recognised within the document.

## 3.0 Equality and Diversity Implications

3.1 There are no equality and diversity implications arising from the report.

## 4.0 Legal Implications

4.1 Implementation of each of the reforms will involve their own legal implications that will need to be considered in more detail when the provisions of the Act are commenced, and the reforms require local implementation.

## 5.0 Risk Management

5.1 There are no identified risks arising from the report.

## 6.0 Financial Implications

6.1 These reforms will affect the number of applications received and as such the income received from these types of licences.

## 7.0 Corporate Outcomes

7.1 The Corporate Outcomes affected by this policy are:

- Good Quality of Life
- Effective Partnership Working
- Effective Management
- Good Reputation
- High Quality Service Delivery
- Strong Community Leadership
- Knowledge of Customers and Communities.

## 8.0 Conclusion

8.1 This information is provided for members for information about changes proposed to the licensing regime.

It is recommended that two members of this Committee be nominated to assist in the Criminal Records Policy review, as per paragraph 2.3.

<b>Legal</b>	Power: Licensing Act 2003, Scrap Metal Act 2013				
	Other considerations:				
<b>Background Papers:</b>					
<b>Person Originating Report:</b> Julia Smith Health Protection Manager 01832 742066 jsmith@east-northamptonshire.gov.uk					
<b>Date: 18 September 2013</b>					
<b>CFO</b>		<b>MO</b>		<b>CX</b>	