

LICENSING SERVICE – ANNUAL REPORT**LICENSING COMMITTEE****18 OCTOBER 2018****CLASSIFICATION:****Open****If exempt, the reason will be listed in the main body of this report.****WARD(S) AFFECTED****All Wards****GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING****KIM WRIGHT**

1. INTRODUCTION

- 1.1 The purpose of this report is to inform the Committee of the activities and performance of the Service during the 2017/18 municipal year and to show aims and targets for the forthcoming 2018/19 year.

2. RECOMMENDATION(S)

- 2.1 That the Licensing Committee notes the report.

3. BACKGROUND

- 3.1 The Licensing Service has been preparing an annual report to the Licensing Committee since 2009. This report provides an update on the main operational functions of the Licensing Service in terms of applications, policy and enforcement.

4. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

- 4.1 This report requests the Licensing Committee to note the activities and performance of the Service during 2017/18 and the aims and targets for 2018/19.
- 4.2 The Licensing Service generated an annual income total of £433k in 2017/18, against budgeted income of £581k. Expenditure was £939k against budgeted expenditure of £948k.
- 4.3 The income attributable to the Highways Act 1980 is excluded from this total as the administration of highways functions transferred to Streetscene as part of the Cross-Cutting Enforcement Review. The respective service income budgets were updated in 2018/19 to accommodate this transfer.
- 4.4 The Licensing Service will continue to manage its costs within the financial constraints determined by income from externally regulated and locally set fees.

5. COMMENTS OF THE DIRECTOR OF LEGAL

- 5.1 This report is solely for noting as such there are no legal matters arising from the report that require comment on at this stage.
- 5.2 Notwithstanding paragraph 5.1 it should be noted that since the last report legislative changes has resulted in the following;
- The Policing & Crime Act 2017 removed the requirement to lay the S.182 Guidance before Parliament when it's revised. The guidance will retain its statutory status, but this simply now allows amendments to made far quicker. A new statutory guidance was issued in April 2018
 - The Policing & Crime Act 2017 also placed Cumulative Impact polices (SPAs) on a statutory footing since April 2018.
- 5.3 Since the last report The House of Lords select committee, appointed on 25th May 2016, to consider the Licensing Act 2013 reported back before 4th April 2017. The Licensing Committee have already been updated on this and the initial response to the report.
- 5.4 The Government's response to the report was provided in November 2017 and it noted that the Select Committee stated that 'where it works well, it really works well.' The Government felt it would be hasty to consider any substantive overhaul of the Act, but agreed with the Select Committee as to clarifying 'points of practice' for the Licensing Committee by updating the Statutory Guidance, which was done in April 2018. The Government also confirmed that they would also look into making the licensing function more effective, in addition to learning any lessons from the planning system.
- 5.5 In responding to some of the specific points raised the Government stated the following;
- Agent of Change is to be dealt with as a planning matter
 - Adverts to remain
 - Appeals to remain in the Magistrates Court
 - Late Night Levies to remain
 - Local fees will be considered later
 - S.182 Guidance updated to; remove points relating to the Police, clarified S.19 Closure Notices, clarified Temporary Event Notices, explained the need to update those residents involved on Appeals/Settlement, Sub-Committee's consisting of 3 members, applicants be given sufficient time in hearings, beer gardens and the role of Responsible Authorities.

APPENDICES

Appendix 1 – Annual Report

EXEMPT

Not applicable.

BACKGROUND PAPERS

Not applicable.

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