

**Licensing and Safety Committee – 24<sup>th</sup> February 2010**

**Report of the Director of Corporate Resources**

**Amendments to the Guidance issued under Section 182 of the Licensing Act 2003**

**Purpose of Report**

1. To inform the Committee of the amendments made to the Guidance to the Licensing Act 2003.

**Background**

2. On the 28<sup>th</sup> January 2010, the Department for Culture, Media and Sport issued amendments to the Guidance to the Licensing Act 2003.
3. Section 8 of the Guidance, which deals with applications for premises licences has amended Elected Members roles when acting as an interested party in relation to making representations to an application/variation of a premises licence.
4. Currently Local Councillors can make representations in writing and at a hearing on behalf of an interested party such as a resident or local business if specifically requested to do so. They can also make representations as an interested party in their own right if they live or are involved in a business in the vicinity of the premises in question.
5. The Guidance has been amended as follows:-  
  
‘Local Councillors can also as Elected Members of the Licensing Authority make representations in their own right if they have concerns about any premises, regardless of whether they live or run a business in the vicinity of those premises. For example, Councillors may apply for a review of a licence if problems at a specific premises which justify intervention are brought to their attention’. These actions are of course subject to the Local Authorities (Model Code of Conduct) Order 2007.
6. This information falls within the Council's recent responsibility for liquor licensing, which as a direct link to the Council's key corporate priority that safety matters.

## **Finance**

7. There are no financial implications.

## **Law**

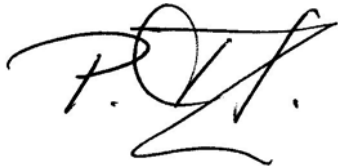
8. The Guidance is issued under Section 182 of the Licensing Act 2003.

## **Equality Impact**

9. This report complies with the Council's policy on equal opportunities.
10. The licensing of premises and individuals will impact on children and young people through their attendance at licensed premises.
11. There has been no consultation or involvement of children and young people in developing these proposals.

## **Recommendation**

12. That the Committee note the information contained in this report.



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DIRECTOR OF CORPORATE RESOURCES

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## **List of Background Papers**