

SOUTH HOLLAND DISTRICT COUNCIL

**REPORT TO:** THE COMMITTEE OF THE LICENSING AUTHORITY

**BY:** HEAD OF COMMUNITY & NEIGHBOURHOOD SERVICES

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**SUBJECT:** LICENSING ACT 2003

**PURPOSE:** TO CONSIDER REPRESENTATIONS RECEIVED FOLLOWING  
CONSULTATION ON THE DRAFT LICENSING POLICY STATEMENT

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## 1.0 INTRODUCTION

1.1 The Licensing Act 2003 places a duty on the Licensing Authority to have in place and publish a Licensing Policy Statement. We currently have such a statement which came into force on 7 February 2005 and needs to be reviewed. We have consulted comprehensively. The 3 month consultation period has now ended.

## 2.0 REPRESENTATIONS

2.1 Some representations have been received as part of the consultation exercise. A copy of all the representations are attached at **Appendix A to this report**.

2.2 In order to assist the committee, officers have reviewed the representations received and where it was felt appropriate to do so, the draft statement of principles has been amended to reflect those representations.

## 3.0 STATEMENT OF PRINCIPLES

3.1 The proposed revised Licensing Policy Statement has been produced accordingly and is contained at **Appendix B to this report**. A copy of the council's existing Licensing Policy Statement and the draft revised Licensing Policy Statement [which was sent out for consultation] is attached at **Appendix C** to this report.

## 4.0 LEGAL & FINANCIAL IMPLICATIONS

4.1 We are under a legal duty to produce and publish a statement of Principles under the Licensing Act 2003 at least once every 3 years. The current policy statement took effect on 7 February 2005. Therefore a new Licensing Policy Statement will need to be approved and published prior to 6 February 2008. If this is done and no specific requirements are placed into the policy that would be unlawful, there will be no legal or financial implications for South Holland District Council associated with the report or recommendations.

## 5.0 STAFFING IMPLICATIONS

5.1 There are no staffing implications associated with this report.

## RECOMMENDATIONS

- 6.1 That the committee approve the Policy as it stands **or** the committee direct officers on any changes they may wish to make in respect of the Licensing Policy Statement and approve it, subject to any specified alterations.

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Background papers:- Existing Licensing Policy Statement  
Draft Reviewed Licensing Policy Statement  
Guidance issued under Section 182 of the Licensing Act 2003

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File Ref: CF/8.11.07/report to approve licensing act policy statement

Appendices: **Appendix A- Copy of representations received**  
**Appendix B- Proposed Licensing Policy Statement**  
**Appendix C- Existing Licensing Policy Statement and draft proposed Licensing Policy Statement**

Local Government (Access to Information) Act 1985

Please contact Craig Fowler, the Team Leader, Food Safety & Licensing if you want more information about this report or the background papers. You can contact him:

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