

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
RECORD OF EXECUTIVE / CHIEF OFFICER DECISION**

This form should be used to record key and other decisions made by individual Portfolio Holders and key decisions made by Chief Officers. The contact officer will ensure that the signed and completed form is given to Democratic Services as soon as reasonably practicable after the decision has been taken.

Unless permission has been obtained from the Chairman of Council and the Chairman of the Scrutiny and Overview Committee that this decision be treated as a matter of urgency under Rule 12.19 of the Scrutiny and Overview Committee Procedure Rules, this decision will come into force, and may then be implemented, on the expiry of five working days after the publication of the decision, unless called in under Rule 7 of the Budget and Policy Framework Procedure Rules or Rule 12 of the Scrutiny and Overview Committee Procedure Rules.

Portfolio	Housing and Environmental Services Portfolio Holder
Subject Matter	Draft Statement of Licensing Policy - Issue for Consultation
Ward(s) Affected	All Wards
Date Taken	Monday, 23 July 2007
Contact Officer	Myles Bebbington, Licensing Officer (myles.bebbington@scams.gov.uk)
Date Published	Monday, 23 July 2007
Call-In Expiry	Monday, 30 July 2007
Key Decision?	No – Licensing Policy approval will be a key decision
In Forward Plan?	Yes
Urgent?	No

Purpose / Background
<p>The purpose of this decision is to allow the attached draft policy statement to be circulated for consultation.</p> <p>The review of a statement of Licensing Policy is a requirement under Section 5 of the Licensing Act 2003 (The Act). Without a policy the Council may be subject to Judicial Review for failing in its responsibility to carry out a statutory duty. In preparing the draft statement of Licensing Policy, officers have given full regard to both the requirements of The Act itself and the guidelines issued by the Department of Culture Media and Sports and where appropriate relevant Council strategies such as crime and disorder. The revised Policy should be in place by the 8th January 2008.</p> <p>The Policy will continue to be a document that continually develops to reflect the changing nature of the alcohol and entertainments industry, Government initiatives and the needs of local businesses and residents alike.</p> <p>The existing policy was previously consulted on during 2005 with the final policy being considered and adopted by Full Council with a commencement date of the 7th February 2005.</p> <p>Careful consideration has been given to revised guidance issued on the 28th June 2007; suggested amended wording is marked by ‘tracked changes’.</p> <p>To ensure the Council meets the timescales set as closely as possible it is proposed to report on the matter as follows: -</p> <p>(a) Portfolio Holder agrees to issue of draft statement for consultation 23rd July 2007.</p> <p>(b) Portfolio Holder/Licensing Committee joint meeting to be held late October to consider the consultation responses and recommend any amendments to the draft policy to Cabinet.</p>

- (c) Policy to Cabinet on the 8th November 2007 for approval and recommended adoption to Full Council.
- (d) Full Council approval on 31st January 2008. The policy will then form the basis of any decision taken in respect of applications or enforcement under the Licensing Act 2003 by Officers or any Committee or sub-committee involved in licensing decisions.
- (e) The statement of Licensing Policy will be reviewed in full at 3 yearly intervals as required under Section.5 of the Act, but will be open to review at any time during that period should it prove necessary to do so.

Declaration(s) of Interest
Record below any relevant interest declared by any executive Member consulted or by an officer present in relation to the decision.

None

Dispensation(s)
In respect of any conflict(s) of interest declared above, record below any dispensation(s) granted by the Council's Standards Committee.

None

Consultation
Record below all parties consulted in relation to the decision.

None at present however as part of the consultation process it is proposed to consult with a broad range of people and organisations including:-

- Police
- Fire Authority
- Trading Standards
- Social Services
- Environmental Health
- Planning
- Health & Safety
- All Premises Licence holders
- Parish Councils
- Any other persons identified as representing business and residents in the area

The document will also be available for general comment via the Council's website and at Reception.

Other Options Considered and Reasons for Rejection

Delay the issue of the draft statement for consultation. Rejected on the grounds that the Council is under a statutory obligation to review and consult on the statement and ensure it has an approved revised Statement in place by 8th January 2008.

Final decision	Reason(s)
<p>The Housing and Environmental Services Portfolio Holder AGREED that the draft Statement of Licensing Policy be approved for circulation as a consultation document to:</p> <ul style="list-style-type: none"> • Police • Fire Authority • Trading Standards • Social Services • Environmental Health 	<p>Document to be consulted upon in line with Government guidance and to comply with S.5 of the Licensing Act 2003.</p>

<ul style="list-style-type: none"> • Planning • Health & Safety • All Premises Licence holders • Parish Councils • Any other persons identified as representing business and residents in the area 	
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Signed	Name (CAPITALS)	Signature	Date
Portfolio Holder	Signed copy available upon request from Democratic Services (democratic.services@scambbs.gov.uk)		
Chief Officer			

Further Information
<p>The following background papers were used in the preparation of this report:</p> <p>S.182 Guidance issued by DCMS (28/06/07)</p> <p>Licensing Act 2003</p> <p>South Cambridgeshire Statement of Licensing Policy</p>