



AGENDA ITEM:

SUMMARY

Report for:	Licensing, Health & Safety and Enforcement Committee
Date of meeting:	21 September 2021
PART:	I
If Part II, reason:	

Title of report:	Review of Licensing Enforcement Policy
Contact:	Nathan March – Licensing Team Leader, Corporate and Contracted Services
Purpose of report:	To present proposed updates to the Council's Licensing Enforcement Policy, and to seek approval to commence public consultation.
Recommendations	That consultation be carried out on the draft Licensing Enforcement Policy, with responses to be reported to a future meeting of the Committee.
Corporate objectives:	<ul style="list-style-type: none"> • A clean, safe and enjoyable environment • Delivering an efficient and modern council • Building strong and vibrant Communities • Ensuring economic growth and prosperity
Implications:	<u>Financial / Value for Money / Risk / Health & Safety</u> None arising.

Consultees:	This is a pre-consultation report. If the recommendation is approved, the results of public consultation will be reported to a future meeting of the Committee.
Background papers:	Draft Licensing Enforcement Policy 2021-2026 (attached as Appendix 1)
Glossary of acronyms and any other abbreviations used in this report:	

1. BACKGROUND

- 1.1. The Council exercises a wide range of licensing powers across numerous pieces of legislation, many of which contain enforcement provisions, such as offences for carrying out particular conduct, or powers of entry and inspection to premises where licensable activities are carried on, with or without licences. These powers are underpinned by generic enforcement legislation, such as the Police and Criminal Evidence Act 1984, and associated codes of practice.
- 1.2. The enforcement policy contains guidance for licensed businesses and persons affected by such businesses on how we will exercise our legal powers. It also brings together expectations created under various number of charters, codes of practice and statutory guidance, which we will also take into account when exercising our powers.
- 1.3. The current enforcement policy was last reviewed in 2016. As the enforcement policy references generic powers and is considered to have worked effectively over the last 5 years, no significant changes are proposed from the current version, and it is intended that this policy should have effect for a further 5 years, with effect from its adoption.
- 1.4. The draft licensing enforcement policy for 2021-2026 is appended to the report.

2. CONSULTATION AND TIMESCALES

- 2.1. It is considered important that those persons who may be affected by these policies have the opportunity to comment upon and influence the proposals, and as such public consultation on both policies is proposed. As this is not a statutory policy, there are no formal requirements relating to consultation. As such it is intended to publish the draft policy on the Council's website, with notification sent to key parties, including elected representatives, parish and town councils, and trade bodies.
- 2.2. As only minor changes have been made to the policy, a four week consultation is proposed.

3. RECOMMENDATION

3.1. That consultation be carried out on the draft Licensing Enforcement Policy, with responses to be reported to a future meeting of the Committee.