

Licensing Committee 30/1/18

House of Lords Licensing Act Review
and Government response.

Licensing Act 2003: post legislative scrutiny

Remit

- what extent has the LA03 met it's objective of balancing rights and responsibilities?
- Are the 4 licensing objectives underpinning the Act the right ones?
- Has the act proved sufficiently flexible to addressing changing circumstances?
- What lessons can be learned?

Conclusions and recommendations

We think it is unfortunate that in 11 years since the full implementation of the Licensing Act there has been piecemeal amendments made by 9 different Acts of Parliament and a large number of significant amendments made by other Acts and by secondary legislation and changes to the s.182 guidance.



Recommendations

- Transfer function of Licensing committee to planning committee
- Equivalent of the planning inspectorate to hear appeals
- Training for all Councillors sitting on licensing committees. Compulsory and to a standard set out in the s182 guidance.
- Health and Wellbeing is not a licensing objective.
- Licensing committees should take into account planning decisions and vice versa.
- Scrap the Late night levy, Emros and Cans.
- Put Cumulative impact policies on a statutory footing.
- Licensing fees to be set locally.
- Create a national database for personal Licence holders.
- Training for Police Licensing officers



Government response November 2017

- Basically rejected all recommendations
- However LGA to progress training for Councillors, College of Policing to progress training for police licensing officers.
- CIPS will be put on a statutory basis.
- Fees; The Government intends to make no change to the existing fees in the immediate future because of the business rate rise “The Government therefore considers that now is not the time to make changes to the licensing fees. The policy will be considered in due course.”