

To: Licensing and Gambling Acts Committee

Date: 8 February 2010 **Item No:**

Report of: Head of Environmental Development

Title of Report: Proposal to amend the Licensing Act 2003 (Personal Licence: Relevant Offences)

Summary and Recommendations

Purpose of report: To detail the proposal by DCMS to amend the Licensing Act 2003 (Personal Licence: relevant offences) to update the list of offences that are treated as relevant offences for the purposes of obtaining and holding a personal licence

Report Approved by:

Finance: Gillian Chandler
Legal: Daniel Smith

Policy Framework: Statement of Licensing Policy

Recommendation(s):

- (a) To consider the information contained in this report and the appendix and delegate authority to the Head of Environmental Development to reply in support of the consultation or as otherwise directed by the Committee.

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1. The purpose of this report is to detail the proposals by DCMS to amend the Licensing Act 2003 to update the list of offences that are treated as relevant offences for the purposes of obtaining and holding a personal licence.

2 INTRODUCTION

- 2.1 Relevant offences are offences which an applicant for a personal licence must declare and will result in the application being considered by the police against the crime prevention objective of the Licensing Act (2003).

- 2.2 It has been brought to the attention of the DCMS that there are some offences not currently included in the list of 'Personal licence: relevant offences' in Schedule 4 to the Licensing Act 2003 which it is believed should be included. The relevant offences relate to the application for a grant or renewal, and the forfeiture or suspension, of a personal licence.
- 2.3 There are a number of offences ("new offences") that should be added to the relevant offences to enable the new offences to be capable of being considered as part of the process for obtaining and holding a personal licence.
- 2.4 The DCMS considers that the proposed additions (Appendix 1) are not contentious but rather strive to ensure a consistent approach to the relevant offences.

3 PROPOSED ACTION

- 3.1 The committee is requested to review the above information and the DCMS proposal notes attached at **Appendix One** and determine whether it is appropriate to delegate to the Head of Environmental Development the duty of replying to the consultation.

4. RECOMMENDATION

- 4.1 To delegate authority to the Head of Environmental Development to reply to the consultation in support of the proposals put forward or as otherwise directed by the Committee.

Appendices:

Appendix One Proposal to amend Licensing Act 2003 (Personal Licence: relevant offences)
http://www.culture.gov.uk/images/consultations/condoc_relevantoffences.pdf

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Background papers:

Version number: 1.0