

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 to Simplify the procedures for Licensing Statements; Interim Authority Notices and Reinstatements on Transfer; and Temporary Event Notices

Summary and Recommendations

Purpose of report: To detail the proposals by DCMS to simplify the procedures for Licensing Statements; Interim Authority Notices and Reinstatements on Transfer; and Temporary Event Notices

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 to delegate authority to the Head of Environmental Development to reply in support of the consultation or as otherwise directed by the Committee.

1. The purpose of this report is to detail the proposals by DCMS to simplify the requirements for:
 - (a) the revision of licensing statements
 - (b) making an interim authority notice or applying for reinstatement on transfer following death, incapacity or insolvency of the licence holder
 - (c) the notification of temporary event notices

2 Introduction

2.1 The Government's proposal

a) Licensing statements

- To remove the requirement that licensing authorities determine and publish a Licensing Statement every 3 years; and
- To allow licensing authorities to consult only those stakeholder groups likely to be affected, rather than the full list of mandatory consultees, when conducting a revision of a licensing statement.

b) Interim Authority Notices (IANs) and Reinstatements on Transfer (RTs)

- To extend the period during which specific persons may notify interim authority following the death, incapacity or insolvency of the licence holder from 7 to 28 consecutive days;
- to extend the period during which a person may apply for an RT following the death, incapacity or insolvency of the licence holder from 7 to 28 consecutive days;
- to extend the period during which the police may object to an interim authority notice from 48 hours to 2 working days; and
- to extend the period during which interim authority has effect from 2 months to 3 months.

c) Temporary Event Notices

- To extend the period during which the police may object to a TEN from 48 hours to two or three working days; and
- to give a new power to the police so that there would be discretion to allow a late notification (i.e. fewer than ten working days before the first day of the event) by notifying the licensing authority. This will be referred to as 'police confirmation'. (There would still be the requirement to provide a minimum notice period of 3 days).

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 Officers to reply to the consultation in support of the proposals put forward or as otherwise directed by the Committee.

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Background papers:

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