

Committee: Licensing Committee

Date: 11 January 2011

Agenda item: 6

Wards: All

Subject: The Licensing Act 2003 (Premises Licences & Permitted Temporary Activities) (Forms & Notices) (Amendment) Regulations 2010

Lead officer: Ian Murrell, Service Manager EH, TS & Licensing

Lead member: Cllr Martin Whelton, Cabinet Member for Community & Culture

Forward Plan reference number:

Contact officer: Alan Powell, Principal Licensing Officer

Recommendations:

- A. The Licensing Committee note the amendments to the above legislation
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The Licensing Committee note changes contained within the Licensing Act 2003 (Premises Licences and Permitted Temporary Activities) (Forms & Notices) (Amendment) Regulations 2010

2 DETAILS

- 2.1. Two Orders came into force on 1 October 2010 that amend the Licensing Act 2003.
- 2.2. They are the Health & Social Care Act 2008 (Consequential Amendments No2) Order 2010 and the Legislative Reform (Licensing) (Interim Authority Notices) Order 2010
- 2.3. The amendments prescribe replacement forms in relation to applications for:
- grant of a premises licence
 - grant of a provisional statement
 - transfer of a premises licence
 - interim authority notices
 - temporary event notices
- 2.4. The effect of these regulations are minimal insofar as the Licensing Committee and Licensing Sub-committees are concerned, in that they simply amend application forms to remove reference to the Department of

Culture Media & Sport and insert a further category of persons who can apply for licences in their own right.

3 ALTERNATIVE OPTIONS

3.1. None for the purposes of this report

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. None for the purposes of this report

5 TIMETABLE

30 November 2010 - First reading of Bill

13 December 2010 - Second reading– Bill sent to a Public Bill Committee for scrutiny

No further information at this stage on when the Bill will reach the House for final approval

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. None for the purposes of this report

7 LEGAL AND STATUTORY IMPLICATIONS

7.1. None for the purposes of this report at this time.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1. These are statutory functions and are applied globally. An equalities impact assessment of the attached policy and other related functions of the Service are undertaken on a regular basis.

9 CRIME AND DISORDER IMPLICATIONS

9.1. None for the purposes of this report

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1. None for the purposes of this report.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

None

12 BACKGROUND PAPERS

12.1. The following documents have been relied upon in compiling this report and the policy but do not form part of this report

- The Health and Social Care Act 2008 (Consequential Amendments No2) Order 2010
- The Legislative Reform (Licensing) (Interim Authority Notices) Order 2010

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