

# **West Wiltshire District Council**

## **Cabinet**

**28 July 2004**

### **New Licensing Act Policy Project Group**

#### **1 Purpose**

This report informs the Cabinet of the proposed timetable to implement the new duties under the Licensing Act 2003, and recommends that a Policy Project Group is set up to help develop a new Licensing Policy.

#### **2 Background**

The new Licensing Act brings alcohol and other new licensing controls to the council. On 7 July the Department of Culture, Media and Sport (DCMS) issued new guidance on the Act giving details on how Councils should adopt the new duties. The DCMS has set the first appointed date for 7 February 2005. This is the date when the first applications under the new Act will be received. The second appointed date is likely to be November 2005. This is the date after which all existing licence holders should have applied for their new licence.

We are still awaiting an announcement on the level of fees which will be set by central government. Local councils have been given seven months to prepare for the transition to the new regime following the February deadline.

To develop a new licensing policy, upon which all licensing decisions will be made, the Council must consult with a group of interested parties including the police and fire authorities, residents and trade groups and current licence holders. This group, known as the Forum, will be the initial consultation group for the policy.

Members also have a key role in developing the policy, and a Policy Project Group is suggested as the appropriate mechanism for this.

#### **3 Key issues**

It is proposed that the Policy Project Group hold two meetings to consider the Licensing Policy. The first meeting would look at the draft policy in the same week as the Forum meeting. The second meeting could then review the policy following the extensive consultation that will take place in August and September.

In order to achieve the first appointed date set by the DCMS, the Policy Project Group will have to hold its initial meeting during the week commencing 16 August. The second and final meeting would be held during the week commencing 27 September.

This timetable then allows the policy to be considered by Cabinet on 27 October and Council on 3 November.

**Financial implications:** There are none for establishing the policy.

**Legal issues:** the Council must consult upon the policy before adoption.

**Human rights:** There are no issues in the establishing of a Policy Project Group.

#### **4 Options**

The Act requires that the Council adopt a Licensing Policy. The option is whether the Cabinet wishes to have the ability to take an active role in the development of the policy or not. Cabinet will have the opportunity to comment on the draft policy at its meeting on 27 October.

**Membership:** The membership of the Policy Project Group must be in accordance with the constitution. It is recommended that the following membership applies:

- Chaired by Cllr Richard Wiltshire, Portfolio Holder for Environment
- One member nominated from each Area Seminar
- A member from a non majority political group

#### **5 List of background papers**

Guidance issued under section 182 of the Licensing Act 2003

#### **6 Recommendations**

It is recommended that Cabinet:

- Note this report
- Agree to appoint a Policy Project Group to undertake the work in accordance with the timescale as set out above.

Cllr Richard Wiltshire  
Portfolio holder

John Carter  
Environmental Health Manager