

LICENSING ACT 2003 ‘Statement of Licensing Policy’ (2020 revision) – Summary of changes (post-consultation draft)

1. The Mid Suffolk District

- The numbers of licence types etc. will be updated prior to implementation after full council. The figures referenced are the current total as of August 2020.

2. Generally (rest of document)

- Inclusion of Regulatory to the Licensing and Regulatory Committee
- Removal of duplication in regard to informing residents and businesses about how the Licensing Authority makes decisions
- Updates to ‘other legislation’ including
 - o The repeal of the Race Relations Act 1976 which was replaced by the Equality Act 2010.
 - o All European Legislation may be subject to change which has been highlighted within the policy.
 - o Policing and Crime Act 2017 has brought important powers to the Licensing Authority to enable the Authority to suspend a Personal Licence.
 - o Introduction of the Immigration Act 2016 has meant far greater checks being undertaken on new applicants for both Premises and Personal Licences which includes the requirement to provide evidence of an applicants right to work within the UK
 - o Deregulation Act 2015 has had an impact on the provision of regulated entertainment by allowing exemptions in certain circumstances.
- The Corporate Manager has changed from just Licensing to Public Protection
- The Constitution is part 3h for the scheme of delegations under the Licensing Act 2003
- Amendment to the Private Security Industry Act 2001 as it does not include the word Authority

- The Council now has a Corporate Enforcement Policy which has replaced the General Enforcement Policy
- The Home Office advised including firearms and weapons under the prevention of crime and disorder as this appears to be a prevalent national problem.
- Removal of the requirement on contacting the police and safer neighbourhood team as it is a duplication of 14.1.2 where applicants are strongly advised to contact and seek the view of all responsible authorities.
- An extension to the condition of banning individuals it is suggested to have radio links and/or a ring around system between local premises
- Under Public Safety more emphasis is being placed on:
 - o Communication with local authorities and emergency services and ensuring the presence of trained first aiders and appropriate first aid kits on the premises
 - o Frequent waste disposal especially of glass bottles
 - o Maintenance and repair of all of the licensed premises at specified intervals and the details of these to be retained
 - o Greater liaison with public transport/taxi & private hire service providers
 - o Ensuring the siting of external lighting (including security lighting) is placed to ensure adequate lighting of the external area
- Liaison with public transport has been removed from public nuisance as this was deemed more appropriate in relation to public safety
- As part of the protection of children from harm the Home Office have advised in relation to issues which may cause concern in regard to a premises to include where it is known that unaccompanied children have been allowed access
- In regard to limiting access of children there has been an addition of restrictions or exclusions when certain activities are taking place
- Under Provisional statements representations that are made by individuals where a provisional statement has been put in place will not be considered under two new criteria and they are:
 - o The application for a licence is in the same form as the licence described in the provisional statement
 - o The work in the schedule of works has been satisfactorily completed
- Section 41A has been added to Variations of Licences for Transfer Applications as this had been omitted previously.