

REPORT OF THE LICENSING AND PUBLIC PROTECTION COMMITTEE

LICENSING ACT 2003 - STATEMENT OF LICENSING POLICY

Introduction

1. The purpose of this report is to seek approval to the revised Statement of Licensing Policy required to be produced under the Licensing Act 2003.

Background

2. Section 5 of the Licensing Act 2003 requires the licensing authority to determine and publish its Statement of Licensing Policy every five years.
3. The current Statement of Licensing Policy has been in effect since October 2012.
4. The City Council is required to approve a new Policy to come into force with immediate effect and the enclosed document is now presented for approval.
5. Extensive consultation has been carried out with stakeholders and statutory consultees including:
 - Responsible authorities
 - Members of Birmingham City Council's Licensing Forum
 - Representatives of holders of premises licences, holders of club premises certificates and holders of personal licences
 - Interested persons or organisations the licensing authority considers to be representative of businesses and residents in the area.
6. The licensing authority invited comments to be submitted on its current Statement of Licensing Policy for two months, between September 30th and November 30th 2014
7. The legislation allows special policies regarding cumulative impact to be included within the Statement. The effect of a special policy is to create a reputable presumption that licence applications likely to add to the cumulative impact in a specified area will normally be refused, subject to representations being made
8. As part of the review of the Statement of Licensing Policy officers also consulted with the statutory consultees above having particular regard to the Special Policy (cumulative impact) areas, namely:
 - Whether there is evidence to retain and/or extend the geographical area for the current special policy areas for: Broad Street (now called Westside), Hurst Street/Arcadian and Central Moseley.

- Whether there is evidence to suggest any of the existing special policies should be extended to include off sales and late night refreshment.
 - Whether there is evidence to suggest any further areas of special policy should be implemented.
9. On 15th April 2015, the Licensing and Public Protection Committee considered evidence received as a result of the consultation concerning the proposed special policies.
10. Approval was given by the Licensing and Public Protection Committee to the proposal for revised special policies to be recommended in respect of Broad Street, Central Moseley and Hurst Street/Arcadian areas as follows:
- Broad Street – Retain the geographical area, extend the scope to include on sales, off sales and late night refreshment
 - Hurst Street/Arcadian – Retain the geographical area, extend the scope to include on sales, off sales and late night refreshment
 - Central Moseley – Adjust geographical area to the property line and extend the scope to include on and off sales.

MOTION

That the City Council approves the Statement of Licensing Policy and authorises:-

(i) the Director of Legal and Democratic Services to update the list of Policy Framework Plans to include the same; and

(ii) the Director of Regulation and Enforcement to do what is necessary to publish and comply with the same.