

Report of the Head of Licensing and Registration

Report to Licensing Committee

Date: 13th September 2011

**Subject: RESPONSES TO CENTRAL GOVERNMENT CONSULTATIONS ON THE
PRIMARY AUTHORITY SCHEME AND AGE RESTRICTED PRODUCTS**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. This report presents proposed responses to two Central Government consultations on issues which fall within the remit of the Licensing Committee:
 - a) The Department for Business, Innovation and Skills (BIS): The Future of the Local Better Regulation Office and Extending the Benefits of the Primary Authority Scheme (deadline for responses : 16th September 2011)
 - b) Local Better Regulation Office (LBRO) Age Restricted Products and Services Consultation (deadline for response : 16th September 2011)
2. The Licensing Authority intends to respond to the consultations by the given deadlines and seeks Members support for the proposed responses

Recommendations

3. The Licensing Committee is requested to consider the proposed responses to the two consultations and to make comment as necessary

1 Purpose of this report

- 1.1 To provide the Licensing Committee with an opportunity to comment on the draft responses to be submitted by the Licensing Authority prior to their submission to Central Government by the given deadlines

2 Background information

- 2.1 On 23rd June 2011 The Department for Business, Innovation and Skills (BIS) issued "The Future of the Local Better Regulation Office and Extending the Benefits of the Primary Authority Scheme. This consultation seeks views on a strategy for important elements of front line regulation. Its stated aim is to bring more consistent and targeted enforcement, while reducing burdens for businesses and regulators alike.
- 2.2 Again, on 23rd June 2011 The Local Better Regulation Office (LBRO) issued consultation on Age Restricted Products and Services. This consultation seeks views on the enforcement of age-restricted products and services legislation. It is relevant to anyone with an interest in the regulation of age-restricted products and services such as alcohol, tobacco, knives, fireworks and gambling.

3 Main issues

- 3.1 This report provides an opportunity for Members to comment on the draft responses by the Licensing Authority prior to their submission to Central Government
- 3.2 Attached at Appendix A is a Briefing note setting out the key issues for Entertainment Licensing in respect of the Primary Authority Scheme
- 3.3 The proposed response to the consultation on the future of the Local Better Regulation Office and extending the benefits of the Primary Authority Scheme is attached at Appendix B of this report. Members attention is drawn to Questions 8 to 12 of the document.
- 3.4 Appendix C contains a Briefing Note on the consultation regarding Age Restricted Products and Services and Appendix D contains the draft response to that consultation for Members comments

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Other Responsible Authorities are considering their own responses to the consultation. Comments arising from discussions by Licensing Committee on the documents can be addressed and incorporated in the response to Central Government

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 There are no identified implications for equality and diversity or cohesion and integration. Any impact assessment required for legislative change will be the responsibility of central government

4.3 Council Policies and City Priorities

- 4.3.1 The responses have regard to the Council's own Statement of Licensing Policies relating to the Licensing Act 2003 and the Gambling Act 2005 and the emerging Policy in respect of Sexual Entertainment Venues

4.4 Resources and Value for Money

- 4.4.1 Response to the consultations incurs no additional expense, however any changes to working practices subsequent to the Consultations may incur additional or unforeseen expenditure and will require evaluation

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 This report is purely to advise Members of the consultation and as such there are no implications in respect of legal, call-in or access to information. The outcome of the consultation will be reported back to Members in due course.

4.6 Risk Management

- 4.6.1 This report is presented for Members information and as such, no risks are identifiable.

5 Conclusions

- 5.1 Submission of a response to the consultation provides the Licensing Authority with an opportunity to participate in the consultation and shape policy

6 Recommendations

- 6.1 Members are asked to note and discuss the contents of the draft response and to make comment as necessary

7 Background documents

- 7.1 Local Better Regulation Office (LBRO) publication – Primary Authority – The Gateway to Better Local Regulation
- 7.2 Transforming Regulatory Enforcement: Freeing Up Business Growth – a discussion paper
- 7.3 Executive Summary “The Future of the Local Better Regulation Office and extending the benefits of the Primary Authority Scheme consultation (June 2011)
- 7.4 Local Better Regulation Office : Age Restricted Products and Services Consultation (June 2011)