

Report of Head of Licensing and Registration

Report to Licensing Committee

Date: 15th January 2012

Subject: Home Office Consultation – Alcohol Strategy

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. The Government has issued a consultation on delivering the Government's policies to cut alcohol fuelled crime and anti-social behaviour (otherwise known as the Alcohol Strategy).
2. The consultation is being presented to Licensing Committee for comment to inform the response which will be provided either from Licensing Committee or Leeds City Council.

Recommendations

3. That Licensing Committee provides comment on the consultation which will inform the Council's response.

1 Purpose of this report

- 1.1 To present for consideration of Licensing Committee the Government's consultation on delivering the Government's policies to cut alcohol fuelled crime and anti-social behaviour.

2 Background information

- 2.1 The Government, through the Rebalancing the Licensing Act reforms brought about changes to tackle binge drinking and the effect it has on communities. The Government is now consulting on a number of further changes to tackle drink fuelled antisocial behaviour and crime.

3 Main issues

- 3.1 The consultation (provided at Appendix 1) seeks views on the following measures:

- Introduction of a recommended minimum unit price of 45p
- Introduction of a ban on multi-buy promotions in the off-trade.
- Review of the existing mandatory licensing condition (irresponsible promotion, free tap water, age verification policies, small measures)
- Introduction of a new health related licensing objective for alcohol licensing related specifically to cumulative impact.
- Introduce the concept of ancillary sales of alcohol and either:
 - Remove the need for a personal licence holder to authorise all sales; or
 - Remove the need for a premises licence
- Allow licensing authorities to determine their own, less burdensome TEN process, i.e.
 - Enable holders of community premises to notify of licensable activities by email or letter
- Increase the number of TENs per year from 12 to 15 or 18
- Introduce local discretion on whether late night refreshment should be licensable by:
 - Exemption of certain areas
 - Exemption of certain types of premises
- Introduce new centrally prescribed exemptions for late night refreshment
- Remove the requirement for a newspaper advertisement
- Deregulate the ban on alcohol sales in motorway service areas
- Remove the requirement to renew a personal licence after ten years

- 3.2 The consultation will run for ten weeks until 6th February 2013. We are preparing a response to the consultation in conjunction with Community Safety and are seeking the views of Members of the Licensing Committee to inform that view.

- 3.3 It is normal practice for Licensing Committee to provide a response to alcohol consultations on behalf of the Leeds City Council. However this consultation has attracted interest from a number of sections within the council, including Community Safety.

- 3.4 Should the view of Licensing Committee be similar to that gathered by Community Safety it is likely that the responses will be combined to form a Leeds City Council response to the consultation. However if there are wide differences of opinion, it is likely that the response resultant from comments at this meeting will be presented from Licensing Committee, and that Community Safety will provide their own response.
- 3.5 Due to timescale restrictions it is not possible to present the consultation response to Licensing Committee before submitting it to the Home Office. Therefore it is proposed that a draft response is circulated to Members for comment following the meeting.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 This report is about a Home Office consultation which has been widely distributed to other interested parties in Leeds including the health authority and through Community Safety to wider groups in the community. In addition Entertainment Licensing has distributed the consultation through the Licensing Enforcement Group to partner agencies.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 As the consultation, and the response affects all sectors of society there are no specific concerns for equality, diversity, cohesion and integration.

4.3 Council policies and City Priorities

- 4.3.1 The Licensing Act 2003 Statement of Licensing Policy sets out how the council will perform its functions under the Licensing Act 2003. It is likely that any changes that occur as a result of this consultation may affect the Licensing Policy. A general review of the policy in conjunction with the first raft of changes is currently underway.
- 4.3.2 The licensing regime contributes to the following aims:

By 2030, Leeds will be fair, open and welcoming

- Local people have the power to make decisions that affect them
- There is a culture of responsibility, respect for each other and the environment
- Our services meet the diverse needs of our changing population
- Everyone is proud to live and work

By 2030, Leeds' economy will be prosperous and sustainable

- Opportunities to work with secure, flexible employment and good wages

By 2030, all Leeds' communities will be successful

- Communities are safe and people feel safe

4.3.3 The licensing regime contributes to the following city priorities:

Best city... for communities:

- Reduce crime levels and their impact across Leeds
- Effectively tackle and reduce anti-social behaviour in communities

4.4 Resources and value for money

4.4.1 This report requests comments on the Government's consultation and has little effect on resources or value for money.

4.5 Legal Implications, Access to Information and Call In

4.5.1 As this reports recommends that comments are provided to inform the consultation response, there are few legal implications.

4.6 Risk Management

4.6.1 The nature of this report provides very little risk for the council other than reputational. The report proposes that any response proffered with in the name of the Licensing Committee or the Council is distributed to Members before being sent and therefore minimises reputational risk..

5 Conclusions

5.1 This report presents the Government's consultation on the second stage of their Alcohol Policy. Members are asked for their comments which will inform the response which will be circulated before being submitted.

5 Recommendations

6.1 That Licensing Committee provides comment on the consultation which will inform the Council's response.

Background documents¹

7.1 There are no unpublished background documents that relate to this matter.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.