

LICENSING AND SAFETY COMMITTEE
19 APRIL 2007

CONSULTATION ON LICENSING ACT POLICY
(Director of Environment and Leisure)

1 PURPOSE OF DECISION

- 1.1 At its meeting on 1 February the Committee received a report on the need to review the Licensing Policy. It was agreed at this meeting that the Committee would receive a report on the proposals for the consultation which is due to be released for public consultation by 14 June 2007.

2 RECOMMENDATIONS

- 2.1 **That the Committee notes the proposed timetable and**
- 2.2 **Considers and agrees the areas within which to focus the questioning as proposed in paragraph 4.4.**

3 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 3.1 The legal implications are identified within the report.

Borough Treasurer

- 3.2 Financial implications in relation to the consultation exercise will be dealt within in existing budgets.

Impact Assessment

- 3.3 Not applicable.

Strategic Risk Management Issues

- 3.4 There are no issues to consider.

4 SUPPORTING INFORMATION

- 4.1 When carrying out a consultation, the "Code of Practice on Consultation" issued by the Better Regulation Executive, published in 2005, must be taken into account. Primary matters raised within this document are:

- (1) "Consult widely allowing a minimum of 12 weeks for written consultation."
- (2) Be clear about your proposals, what questions are being asked and the timescale for responses."

- (3) "Give feedback regarding the responses received and how the consultation process influenced the policy."

Failure to consult widely could result in a legal challenge to the Policy.

- 4.2 The consultation process will include those persons and bodies as listed at Annex A. This includes all the persons consulted for the original policy. The public consultation process starts on 14 June 2007 and ends on 6 September 2007, a period of 12 weeks.
- 4.3 Prior to public consultation, there will be internal consultation with responsible authorities and members. It is intended that this consultation will commence prior to 1 May.
- 4.4 Questions will be focused to establish:
 - (1) What matters within the Policy have worked well?
 - (2) What matters have not worked well, why and what changes could be made?
 - (3) What areas have not been covered and if so are measures required?
- 4.5 The responses received will be summarised, with the actions to be taken noted and this document will be published on the Council's website, at the conclusion of the consultation.
- 4.6 The revised policy will come back to this Committee at its 4 October meeting and Full Council on 18 November for final ratification.

Background Papers

Code of Practice on Consultation – Better Regulation Executive
Licensing Act 2003

Contact for further information

Robert Sexton - 01344 352580

E-mail: robert.sexton@bracknell-forest.gov.uk

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LIST OF CONSULTEES

- Bracknell Forest Borough Council Access and Mobility Officer
- Schools in Bracknell Forest
- Amateur Drama Groups in Bracknell Forest
- Arts Development Officer
- Association of Convenience Stores
- Bracknell Forest Creative Partnership (Cultural Strategy)
- British Institute of Innkeeping, British Beer and Pub Association, Association of Licensed Multiple Retailers, Bar Entertainment and Dance Association, National Association of Licensed House Managers and Guild of Master Victuallers
- British Transport Police
- Churches Together
- Community Safety Management Group
- Crime and Disorder Reduction Partnership:
 - Drug and Alcohol Action Team
 - Youth Offending Team
 - Community Drug Worker - BFBC
- Education Department
- Environment Department
- Equity
- Federation of Community Associations
- First in Berkshire (Bus Company)
- GOSE
- Health and Safety Care Partnership Board
- Holders of the various licences for premises in the Borough who will be affected by this Policy
- Late-night refreshments and take-aways
- Leisure Services Department
- Local businesses and representatives, including the Chamber of Commerce, Bracknell Retailers Forum, Bracknell Regeneration Partnership, Federation of Small Businesses, Voluntary Sector, Crowthorne Traders Association
- Local residents, representatives and Federation of Community Associations
- Members of Bracknell Forest Borough Council
- MP and MEP
- National Association of Local Government Arts Officers
- Other Local Authorities, e.g. Slough Borough Council, Royal Borough of Windsor and Maidenhead, Reading Borough Council, Wokingham District Council, West Berkshire Council, Surrey Heath Council, and Hart District Council
- Parish and Town Councils
- Primary Care Trust
- Racial Equality Council (Bracknell Forest)
- Race Equality Forum (BFBC)
- Royal Berkshire Fire and Rescue Authority
- Safety Advisory Group
- Senior Citizens Forum
- Social Clubs of large organisations
- Social Services & Housing
- Supermarkets, small stores and off-licences
- Thames Valley Police
- The Chairman of the Licensing Committee of East Berkshire Magistrates Court
- Victim Support
- Youth Forum