

**Decision Maker:** GENERAL PURPOSES AND LICENSING COMMITTEE

**Date:** 10<sup>th</sup> February 2015

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** NON STATUTORY CONSULTATION FOR LICENCE APPLICATIONS

**Contact Officer:** Paul Lehane, Head of Food Safety, Occupational Safety and Licensing  
Tel: 020 8313 4216 E-mail: Paul.Lehane@bromley.gov.uk

**Chief Officer:** Executive Director of Environment & Community Services

**Ward:** (All Wards);

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1. Reason for report

To advise Members of the decision to cease non-statutory public consultation for licence applications as part of the required budget savings for 2015-2016 .

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2. **RECOMMENDATION(S)**

**Members are asked to note this report.**

## Corporate Policy

1. Policy Status: Existing Policy: Statements of licensing policy - Licensing Act 2003 & Gambling Act 2005
  2. BBB Priority: Excellent Council Quality Environment Safer Bromley Vibrant, Thriving Town Centres:
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## Financial

1. Cost of proposal: Estimated Cost A saving of £45k
  2. Ongoing costs: Full year savings of £45k to be made from 2016/17
  3. Budget head/performance centre: Public Protection & Safety Portfolio budgets
  4. Total current budget for this head: £2.5m
  5. Source of funding: Existing Revenue Budget 2014/15
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## Staff

1. Number of staff (current and additional):
  2. If from existing staff resources, number of staff hours:
- 

## Legal

1. Legal Requirement: Statutory Requirement:
  2. Call-in: Applicable Not Applicable: Further Details
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## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Residents and businesses in the vicinity of a licence application. Typically 100 per application and 30-40 applications per year.
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## Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments:

### **3. COMMENTARY**

3.1 On the 14 January 2015 the Executive considered a report ref FSD15001 on the draft budget savings required for 2015-16.

Savings of £612k were identified for Public Protection & Safety to reduce the service to the statutory baseline which included the reduction in the number of licensing officers from 3 to 2.

3.2 The statutory baseline service for the licensing team was based on ceasing to undertake non-statutory public consultation for licensing applications made under both the Licensing Act 2003 and Gambling Act 2005.

3.3 Since the implementation of the Licensing Act 2003 the Council has voluntarily undertaken additional and non-statutory public consultation by writing to local residents, residents associations and businesses advising them of the application. This practice has been specifically referred to in the Statement of Licensing Policy for the Licensing Act 2003 and the practice has been adopted for applications under the Gambling Act 2005.

3.4 Applicants for licences under these two acts are required to publish details of their application by -

- a. Displaying a poster on the premises.
- b. Placing an advert in a local paper.
- c. Sending a copy of their application to the 'Relevant Authorities'.

These requirements will not change.

3.5 Managing the budget savings can only be achieved if we cease undertaking the non-statutory consultation with the anticipated reduction in the number of representations received with the consequent reduction in the number of hearings which have to be referred to Licensing Sub Committee.

3.6 In addition to this the capacity of the team to provide informal advice, undertake routine inspections of licenced premises and respond to complaints will be reduced proportionally.

3.7 We will continue to advise ward members of relevant applications. Residents Associations will be informed of the change in practice and directed to the Council's Website where information about new applications can be found.

### **4. POLICY IMPLICATIONS**

The Council's Statement of Licensing Policy 2011-2016 makes reference to our current practice of consulting local residents, residents associations and businesses. This policy will be formally reviewed during the latter half of 2015 as required by the Licensing Act 2003. The revised policy will reflect the changed practice but in the interim period a note will be added to the website.

### **5. FINANCIAL IMPLICATIONS**

Public Protection & Safety have to make budget savings of £612k by 2016-17. Reducing the licensing service to the statutory baseline through the loss of 1 licensing officer contributes approx. £45k towards the savings.

**6 LEGAL IMPLICATIONS**

There are no legal implications as our current consultation practice is over and above that required by the Acts.

**7. PERSONNEL IMPLICATIONS**

The budget savings will result in 9 posts being deleted from the Public Protection & Safety Division one of which will be a licensing officer.

<b>Non-Applicable Sections:</b>	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	[Title of document and date]