

Report to Licensing Act Committee

Subject: Gedling Statement of Licensing Policy

Date: 6 November 2018

Author: Director of Health and Community Wellbeing

Wards Affected

All wards

Purpose

To inform Members of the responses to the consultation on the Authority's Statement of Licensing Policy, and to seek Member support for the amended policy at Appendix 1 to be submitted to Council for approval.

Key Decision

This is not a key decision.

Background

- 1.1 The Licensing Act 2003 ('the Act') requires a licensing authority to prepare and publish at least every five years a statement of policy that they propose to apply when exercising their functions under the Act.

At the meeting of the Licensing Act Committee on 3 July 2018 Members considered a report informing them of the requirements of the Licensing Act 2003 in relation to the review of the Authority's Statement of Licensing Policy and proposed amendments to the existing policy. The proposed amendments were suggested by officers after meetings with colleagues across the County who are all members of the Nottinghamshire Authority's Licensing Group (NALG). The Authorities across Nottinghamshire work together in this way to ensure that policies across the County are as consistent as possible.

At the meeting Members resolved to:

Approve the proposed changes to the Council's Statement of Licensing Policy to go out to consultation for a period of ten weeks in accordance with the Licensing Act and as detailed in this report.

The consultation period ended on 21 September 2018.

The Council has received one consultation response from Nottinghamshire Police as follows:

'There is no mention of vulnerability within the policy. Whilst the awareness of and action taken to prevent vulnerability is not one of the 4 licensing objectives it is nonetheless obviously important. There are references to actions that venues should take that would reduce vulnerability eg the suggestion of providing a taxi call point – this is under the heading of reducing crime and disorder.

Is there anything that could be put in to specifically address the issue of vulnerability – the link between excessive alcohol making people more likely to be vulnerable, a suggestion that venues have a responsibility for the wellbeing of their patrons, a suggestion that venues engage with any vulnerability training they are offered by responsible authorities, a suggestion they engage with schemes such as the "Ask Angela" scheme, provision of basic facilities to assist patrons in need such as phone chargers, bottles of water, a room where vulnerable people can wait to be collected by taxi or other transport.'

As part of the proposed amendments that went out for consultation the Authority has amended the existing policy to include reference to vulnerable persons under the section relating to children. However, after consideration of the Police comments officers recommend further changes to the section of the policy relating to management practice for the Protection of Children from Harm to include practices in relation to vulnerable adults.

Proposal

- 2.1 1. That in addition to the changes to paragraph 6.22 contained in the approved changes attached at Appendix 1, the following further change be made to the policy following the Nottinghamshire Police response to the consultation:

The title of paragraph 6.22 be amended to state: *Examples of recommended management practice for the Protection of Children from harm and the protection of vulnerable adults.*

In addition, the following bullet points be added to paragraph 6.22 in relation to the protection of vulnerable adults:

- *Training staff in their responsibility not to serve to a person when drunk*
 - *Encouraging staff to attend vulnerability training*
 - *Providing facilities to support vulnerable adults when assistance is required. (access to phone and/or charge, cold water, safe room away from others)*
2. That the draft policy including the proposed amendments at Appendix 1, be referred to full Council for final approval before publication in January 2019.

Financial Implications

4.1 There are no financial implications.

Appendices

5.1 Appendix 1 – Proposed changes the Gedling Statement of Licensing Policy.

Background Papers

There are no background papers.

Recommendation:

That Members:

- **Note the response to the consultation on the Gedling Statement of Licensing Policy**
- 1. **Approve the draft policy at Appendix 1 which includes the amendments which were the subject of consultation and amendments post consultation to take in to account representations from Nottinghamshire Police, to be referred to full Council for final approval before publication in January 2019.**

Reasons for Recommendations

The production and external consultation of the draft amended Gedling Statement of Licensing Policy will ensure that this Authority complies with the requirements of the Licensing Act 2005 concerning policy consultation and national licensing guidance.