

Meeting:	Licensing and General Purpose Committee
Date:	7 March 2005
Subject:	Licensing Act 2003, Transitional Arrangements
Responsible Officer:	Chief Environmental Health Officer
Contact Officer:	P Sivashankar, Service Manager, ext 5605
Portfolio Holder:	Councillor Philip O'Dell
Key Decision:	No
Status:	Public

Section 1: Summary

Decision Required

To receive and endorse the arrangements for facilitating the Licensing Act and appeals process.

Reason for report

To continue to keep the Committee informed of the new duties and to give notification of additional training and other initiatives put in place by the Licensing Section to address the new Licensing Act 2003.

Benefits

To respond to the needs of the businesses and residents in the climate of change

Cost of Proposals

Implementation will be undertaken within existing approved staff resources and budgets.

Risks

All existing licensees have until 6th August to make their conversion application. If they miss this date they will have to stop selling alcohol. It is imperative for this Section to reach all Licensees to make sure they are properly informed and ready for the second appointed day in November 2005.

Implications if recommendations rejected

N/A

Section 2: Report

2.1 Brief History

2.1.1 The Transitional period started on 7th February 2005. All Justice's Licences, which were in place on this date, are now eligible for conversion under the Licensing Act 2003. However, the conversion applications have to be received by this Authority by 6th August 2005, even though the Transitional period extends up to November 2005.

2.1.2 The initial "rush" expected with the application process has not yet materialised.

2.1.3 Specialist training has been organised for members of the Licensing Panel on Saturday 19th March 2005 between 10am and 2pm at the Sangat Centre, Sancroft Road, Harrow. Additional dates will be made available in the future depending on the availability of members and demand.

2.2 Options considered

2.2.1 The number of applications received so far has fallen well below expectations. It appears that difficulties in understanding the Regulations and the complex requirements for applications are contributing directly to this delay in the process.

2.2.2 If adequate numbers of applications are not received by this Section in the initial months, we may be overwhelmed with applications in the later months. To reduce this risk this Section has and will continue to organise drop in sessions to help applicants with filling in their applications and to answer any questions throughout February, March and April. These sessions have been well attended and it appears local businesses welcome the opportunity of closer working with the Council. These sessions are also attended by the Police Licensing Sergeant to support the Licensing Team.

2.2.3 As suggested by the legislation and Statutory Guidance, specialist training for members has been arranged for the 19th March 2005 between the hours of 10am and 2pm. It is likely that hearings will start from late March and all Licensing Panel members are expected to have attended formal training before sitting on a Licensing Appeals Panel

2.3 Consultation

N/A

2.4 Financial Implications

Provision for the costs are fee income arising have been made in the 2005-2006 revenue budget.

2.5 Legal Implications

None

2.6 Equalities Impact

2.6.1 During the drop in sessions this Section will have translators available to assist applicants in completing their forms and responding to questions.

Section 3: Supporting Information/ Background Documents

None attached