To receive the report of the Cabinet at its meeting held on Wednesday 07 November 2007.

The Members who attended our meeting were: -

Councillor Denise Jones (Chair) (Leader of the Council)
Councillor Sirajul Islam (Vice-Chair) (Deputy Leader of the Council)
Councillor Ohid Ahmed (Lead Member, Regeneration, Localisation and Community Partnerships)
Councillor Abdul Asad (Lead Member, Employment and Skills)
Councillor Claire Hawkins (Lead Member, Children's Services)
Councillor Shiria Khatun (Lead Member, Culture)
Councillor Joshua Peck (Lead Member, Resources and Performance)
Councillor Abdal Ullah (Lead Member, Cleaner, Safer, Greener)
Councillor Motin Uz Zaman (Lead Member, Health and Wellbeing)
Other Members present: -

Councillor Rajib Ahmed
Councillor Shahid Ali
Councillor Tim Archer
Councillor Stephanie Eaton (Leader Liberal Democrat Group and Scrutiny Lead Member: Health)
Councillor Marc Francis (Chair, Overview and Scrutiny Committee)
Councillor Peter Golds (Leader Conservative Group)
Councillor Ahmed Hussain (Scrutiny Lead Member: Learning, Achievement and Leisure)
Councillor Waiseul Islam
Councillor Azizur Rahman Khan
Councillor Abjol Miah (Leader Respect Group)
Councillor Tim O'Flaherty
Councillor Bill Turner
Councillor Dulal Uddin

1. Licensing Act 2003 – Three Year Review of Licensing Policy (CAB 066/078)

We considered a report (attached as Appendix A to this council report) which informed us that: -

- This Authority’s current Licensing Policy was adopted at the meeting of Council held in December 2004. This Council was defined as a Licensing Authority under the Licensing Act 2003. As a Licensing Authority this Council must review its Licensing Policy every three years and publish the outcome of that review.
The minimum consultation that must be undertaken was statutory consultation, as set out in the Licensing Act 2003.

- Following consultation in relation to revisions proposed to this Authority’s Licensing Policy, we were required to consider and endorse a revised Licensing Policy, and to recommend that Council consider and adopt this; and accordingly the report before us requested us to do so. Consideration and adoption of the revised Licensing policy was scheduled to be considered by Council at its meeting due to take place on 28 November 2007.

- The Government had revised its guidance on the Licensing Act 2003 issued under Section 182 of the Licensing Act 2003 on 28 June 2007. The changes to the Licensing Policy set out in the report before us were compatible with this guidance unless it had been clearly stated otherwise.

- The report before us:
  (a) Detailed the responses to the consultation carried out in relation to the three year review of this Authority’s Licensing Policy, in accordance with the Licensing Act 2003.
  (b) An analysis of the responses to the consultation referred to above.
  (c) Suggested changes to this Authority’s current Licensing Policy.

We considered and noted the advice and comments of our Overview & Scrutiny Committee, in respect of the report before us, detailed in a paper presented to us for our consideration, by our Chair of the Overview and Scrutiny Committee, Councillor Francis.

Our Corporate Director Environment and Culture, Ms Cosgrave, at the request of our Chair, responded to the matters raised by our Overview and Scrutiny Committee, held on 6th November 2007.

A discussion followed during which we sought and were given clarification/assurance in relation to a number of matters including:

- Whether applications for all premises licences would continue to be examined on their individual merits or could be rejected on the basis of proximity to certain establishments, under the revised Licensing Policy proposed.
- Whether the presumption introduced by the proposed revised Licensing Policy, that applications for a licence to hold striptease in proximity to certain establishments were unlikely to be successful, encompassed children’s centres and nurseries.
- The poor response to consultation and how the revised Licensing Policy proposed would improve public understanding of the Licensing process and engagement with it.
- The prospect of robust enforcement action by this Authority should any breach of a licence be identified, and the adequacy of resourcing for this.
- With reference to Appendix 1, paragraph 2.7 of the report before us and the potential extension of consultation in relation to applications for premises licences:
  o The potential for Local Area Partnership (LAP) Steering Groups to form a consultative mechanism rather than LAP Forums.
  o Resource implications of wider consultation.
• Mechanisms for seeking removal of discriminatory notices displayed on licenced premises, and in particular those relating to Travellers.

Our Chair noted that our Overview and Scrutiny Committee was undertaking a review of Licensing matters and wider issues around striptease and the sex industry, and the outcome of this would be reported to us in early 2008; and then Moved, the recommendations as set out in the report.

We noted the results of the consultation in respect of the three year review of the Licensing Policy.

We also noted the recommended changes to the Licensing Policy detailed in the report before us.

We endorsed the draft Licensing Policy attached at Appendix 3 to the report before us.

We agreed that Council be recommended to adopt the Licensing Policy attached at Appendix 3 to the report before us.

**We therefore recommend Council to: -**

Adopt the Licensing Policy attached at Appendix 3 to the report (CAB 066/078) *(Attached at Appendix A to this Council report).*

Councillor Denise Jones
Chair of the Cabinet

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**LOCAL GOVERNMENT ACT 1972 SECTION 100D (AS AMENDED)**

**LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT**

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<thead>
<tr>
<th>Brief description of “background paper” number of holder</th>
<th>Tick if copy supplied</th>
<th>If not supplied, name and telephone</th>
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<tr>
<td>Cabinet Agenda – 07/11/07</td>
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<td>Angus Taylor 020 7364 4333</td>
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<td>Cabinet Meeting 07/11/07</td>
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