



Northumberland County Council

Licensing Committee

DATE: 20th June 2018

Licensing Act 2003 - Revised Section 182 Guidance

Report of the Interim Director of Place: Mr Paul Johnston

Cabinet Member: Councillor John Riddle

Purpose of report

To inform Members of the revised Section 182 Guidance issued by the Home Office.

Recommendations

Members note to content of the report.

Link to Corporate Plan

This report is relevant to the enjoying, thriving and living priorities included in the NCC Corporate Plan 2018-2021

Key issues

Section 182 of the Licensing Act 2003 requires the government to issue guidance to licensing authorities on the discharge of their functions under the Act.

There have been a number of revisions to this guidance since its introduction in 2005 and the Home Office have recently published a new version.

The Licensing Authority must have regard to the guidance when making all decisions relating to the Licensing Act.

The main changes to the guidance are:

Temporary Event Notices (TENs)

Clarification of the meaning of “premises” in relation to TENs

Further advice on record keeping in relation to TENs

Further guidance on hearings in relation to TENs

Removed “Hearings to impose conditions” from 2017 version

Applications for a premises licence

Inclusion of a new section “Beer gardens or other outdoor spaces”

Further advice on application advertising requirements

Revised guidance on “The role of responsible authorities”

Updated guidance on licensing hearings

Reviews

Clarification of “The review of the premises licence under section 53C”

Appeals

Further advice in relation to “Giving reasons for decisions”

Policy statement

Major revision of the advice in relation to cumulative impact assessments Clarification on the interaction between licensing and development control

Implications

Policy	No amendments to policy proposed
Finance and value for money	None
Legal	None
Procurement	None
Human Resources	None
Property	None
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	

Risk Assessment	
Crime & Disorder	One of the licensing objectives within the Licensing Act 2003 is the prevention of crime and disorder.
Customer Consideration	None
Carbon reduction	None
Wards	All

Background papers:

Licensing Act 2003

Revised Guidance issued under section 182 of the Licensing Act 2003 available at <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>.

Report sign off.

	initials
Monitoring Officer/Legal	
Executive Director of Finance & S151 Officer	
Relevant Executive Director	
Chief Executive	
Portfolio Holder(s)	

Author and Contact Details

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