

**NORTH LINCOLNSHIRE COUNCIL**

**LICENSING COMMITTEE**

**POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To inform the members of the Committee about the Police Reform and Social Responsibility Act 2011 and its implications for the Licensing Authority.

**2. BACKGROUND INFORMATION**

- 2.1 The Police Reform and Social Responsibility Act 2011 was first presented to Parliament on 1 December 2010 and received Royal Assent on 15 September 2011, although the relevant part of the Act has not yet come into force.
- 2.2 The Act includes a number of changes to the Licensing Act 2003 and is the follow on from the Home Office Consultation entitled "Rebalancing the Licensing Act – A consultation on empowering individuals, families and local communities to shape and determine local licensing". A report was presented to this committee on 14 September 2010 on the consultation.
- 2.3 The changes proposed to the Licensing Act 2003 are contained within Part 2 of the Act. The main changes are as follows:
- Licensing Authority to be a Responsible Authority (s103).
  - Primary Care Trust and Local Health Boards to be Responsible Authority (s104).
  - Changes to Interested Parties (s105, 106, 107 & 108)
  - Conditions to be appropriate instead of necessary (s109, 110 & 111).
  - Add to the Responsible Authorities who can object to a Temporary Event Notice (TEN) (s112).
  - Allow conditions to be added to a TEN (s113).
  - Allow for late TENs (s114).
  - Relax the time limits applying to TENs from 96 hours to 168 hours (s115).

- Changes to the level of fine for persistently selling to children from a maximum of £10,000 to £20,000 (s118).
- The introduction of Early Morning Alcohol Restrictions between midnight and 06.00 (s119).
- Suspension of a Premises Licence or Club Premises Certificate for failing to pay the annual maintenance (s120).
- Power of Licensing Authorities to set fees (s121).
- Review of Licensing Policy every 5 years from 3 years (s122).
- Introduction of a Late Night Levy (s125 to s136).
- Repeal of legislation relating to alcohol disorder zones (s140).

2.4 The full impact of the changes will need to be determined, with the Act having significant changes on the Licensing Act 2003. Some of these changes will require significant deliberation and consultation, namely the introduction of the early morning restriction orders and the late night levy. These two elements of the new Act have the potential to reduce alcohol fuelled crime and disorder within North Lincolnshire.

### **3. OPTIONS FOR CONSIDERATION**

3.1 That the report be noted. Once the relevant part of the Act has been commenced a further report will be presented to the committee for consideration.

### **4. ANALYSIS OF OPTIONS**

4.1 No action is available at the moment, other than to note the report.

### **5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)**

5.1 There are no financial, staffing property or IT implications from this report.

### **6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)**

6.1 Licensing Act 2003

6.2 Police Reform and Social Responsibility Act 2011

6.3 The changes will have an impact to the statute and may have an impact on crime and disorder.

### **7. OUTCOMES OF CONSULTATION**

7.1 No consultation has been carried out regarding this report.

## 8. **RECOMMENDATIONS**

8.1 That the report be noted.

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**Background Papers used in the preparation of this report: Nil**