

Summary of proposed changes to the draft statement of licensing policy under the Licensing Act 2003.

General

We have made a number of changes to our current policy:

- Changed the layout and style of the Policy to make it more accessible and easier to understand.
- Updated the Policy to incorporate changes in the law and national guidance and to update certain references and terms.
- Removed sections of the current policy that were out of date or no longer relevant.
- Included a number of changes as shown in the table below

Changes

Part 1 - Introduction	Changes
Introduction	<p>Revised and introduced new sections for easier reference.</p> <p>Provided enhanced information relating to the geographical area covered by the Policy.</p> <p>Included details on how the Policy is consulted upon.</p>
Part 2 – The Policy	Changes
The Policy	<p>Minor amendments and updates.</p> <p>Removed references to matters already regulated by existing legislation.</p>
Cumulative Impact Policy	Amended paragraph to reflect the intention that any Cumulative Impact Policy will exist as a separate document to this Policy.
Part 3 - Principles	Changes
Principles	<p>Minor amendments and re-wording.</p> <p>Removed references to specific initiatives and plans in favour of supporting any strategies allied with the licensing objectives.</p>
Conditions	Minor amendments and merging of

	<p>paragraphs.</p> <p>Removed references to outdated guidance.</p> <p>Removed references to matters already regulated by existing legislation.</p>
Licensing hours	Updated and summarised.
Early Morning Restriction Orders	Updated and summarised.
Late Night Levy	Minor amendments.
Representations	Minor amendments.
Reviews	Minor amendments.
Licensing authority as a responsible authority	Updated and summarised.
Deregulation of entertainment	New section – To clarify the types of entertainment which are de-regulated in light of legislative amendments.
Immigration Matters	New section – To clarify the impact of new legislation in terms of licensing.
Health as a responsible authority	Removed, have been responsible authority for 5 years and therefore no longer requires separate mention.
Live Music Act	Merged with new 'Deregulation of entertainment' section.
Minor Variations	Minor amendments
Sexual Entertainment Venues	Minor amendments
Children	Minor amendments
Part 4 - Licences	Changes
General	Minor amendments - removed outdated and duplicated paragraphs.
Late night refreshment	<p>Minor amendments</p> <p>Included new powers to exempt certain types of late night refreshment.</p>
Mobile premises	Removed as no longer considered necessary.
Gaming machines	Removed as regulated under the

	Gambling Act 2005 and already included within that Policy.
Part 5 – Personal licences	Changes
Personal licences	Re-worded and summarised. Incorporated new powers for local authorities to revoke or suspend personal licences. Reflected the fact that personal licences no longer need renewing.
Part 6 – Temporary event notices	Changes
Temporary Event Notices	Re-worded and summarised Removed elements of duplication where existing legislation already in place.
Part 7 – Club premises certificates	Changes
Club premises certificates	Minor amendments and summarised.
Part 8 – Operating schedule	Changes
Operating schedule	Minor amendments Removed elements of duplication where existing legislation already in place.
Part 9 - Enforcement	Changes
Enforcement	Re-worded and summarised. Removed references to specific actions which may be taken as this could be viewed as pre-determination. Removed references to how inspections will be conducted, this is an operational matter which requires a flexible approach. Removed duplications where legislation already exists.
Fees	Incorporated within general section.
Part 10 – Licensing Committee	Changes
Licensing Committee	Minor amendments and revisions.

Part 11 – Administration, Exercise and Delegation of Functions	Changes
Administration, Exercise and Delegation of Functions	Minor amendments
The role of Borough Councillors	Minor amendments
Part 12 – Appeals against licensing authority decisions	Changes
Appeals against licensing authority decisions	Summarised and removed specific reference to Scarborough Magistrates' Court.
Part 13 – Complaints against licensed premises	Changes
Complaints against licensed premises	Re-worded and summarised
Appendices	Changes
Appendix A	Replaced references to 'Licensing Manager' with 'Environment and Regulation Manager / Commercial Regulation Manager'.
Appendix B	Minor amendments