

MAIDSTONE BOROUGH COUNCIL

COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE

13 DECEMBER 2016

**REPORT OF THE LICENSING COMMITTEE HELD ON 29 SEPTEMBER
2016**

Draft Licensing Compliance and Enforcement Policy

Issue for Decision

To adopt the revised Licensing Compliance and Enforcement Policy.

Recommendation Made

That the draft Licensing Compliance and Enforcement Policy attached as appendix A be adopted.

Reasons for Recommendation

On 29 September 2016 the Licensing Committee considered a report which provided an update on the draft Licensing Compliance and Enforcement Policy (appendix A). It was explained that the service specific policy would help to ensure that consistency could be applied across the Licensing Partnership through the harmonisation of policies.

It is best practice to be transparent and concise in how we, as the Licensing Authority, achieve compliance and enforcement. It is important to review our policy, including our approach to compliance and enforcement matters to reflect change over time, changes in resources and to reflect changes in legislation in order to maintain public confidence and continue to achieve public safety and prevent offences being committed under the various Acts.

A Compliance and Enforcement Policy enables clarity on the position of licence holders, what is expected of them, steps the Licensing Authority would expect them to take to rectify an issue and steps we may take to resolve an issue in relation to non-compliance and offences under various Acts.

The draft Policy at appendix A if adopted will also act as new guidance to Members of the Licensing Committee/Sub-Committee when making decisions on the status of a licence. The guidance will outline actions that are reasonable and proportionate to ensure decisions are fair, in the public interest and proportionate and that any decision taken is defensible.

Alternatives Considered and Why Not Recommended

Members could decide to retain the existing umbrella policy in isolation. This is not recommended as it would not fulfil the needs of the Licensing Partnership to enable greater harmonisation of policies and consistency of approach or be service specific.

Background Documents

None