

## SUMMONS ITEM 9 (ii)

**Full Council  
19<sup>th</sup> September 2005**

**Motion selected by Councillor Paul Lorber,  
Leader of the Liberal Democrat Group**

### Standing Up For Local Residents And Our Community.

This Council notes the impact and regrettable contents of both the Licensing Act 2003 and Brent's Statement of Licensing Policy adopted in November 2004, specifically :

- The failure of the Act to promote Community Leadership by allowing representations from Ward Councillors based on their knowledge of a ward or local area ;
- The Government's failure to encourage or fund consultation with residents on new or varied license applications, and the inadequate arrangements put in place for publicising applications and inadequate resources for Councils to ensure these have been met ;
- The very limited grounds within the Act for refusal of new or varied applications – thereby removing local Councils' choices and failing to trust local judgement ;
- The genuine fears and concerns of residents across Brent and elsewhere over the impact of all-hours drinking ;
- The failure of many applicants to give adequate Notice in line with the Act's regulations;
- Brent's failure at Policy level to inform residents living close to pubs, clubs and other Licensed premises about applications received - meaning that many people miss making representations simply because they do not get to hear about them ;
- Brent's failure to introduce from day one a Policy dealing with the cumulative impact of multiple applications in an area, to give proper protection to residents living in key parts of Wembley, Willesden and other late-night "hotspots";
- Brent's failure to put application details on its Website despite Public Notices claiming this – forcing residents to turn up in person at the Council before 4pm on weekdays if they want full details ;
- Brent's failure to produce lists of Applications received, or inform Councillors of applications in their ward – out of line with any REAL "Ward Working"

Council further notes that, contrary to assertions made by some that Councils are prohibited from acting to protect residents, many other Councils including Islington, Wandsworth and Luton carry out a range of good practice including :

- advising residents living within a certain distance of premises of applications received for New or Varied Licenses
- putting details of Applications received on their Website, for easy public access
- automatically advising Councillors of applications in their wards

Council therefore instructs the Chief Executive to ensure that :

- Brent's Statement of Licensing Practice is revised to include automatically advising residents living close to premises of the details of applications for New or Varied Licenses, giving 28 days for representations in line with the Public Notice period ;
- Ward Councillors are automatically notified of all New and Variation Applications received from premises within their ward ;
- No further current or future Applications are considered by the Alcohol and Entertainment Sub-Committees unless or until these criteria have been met ;
- Immediate work is done to analyse the likely "cumulative impact" of applications on areas of Brent such as central Wembley, central Willesden and elsewhere, based on number and type of application received ; and that a policy to deal with cumulative impact is brought for approval to the next Full Council Meeting
- The Council writes to the Secretary of State at the Department for Culture, Media and Sport advising of this Council's grave concern at the failings of the Act highlighted above ; urging reconsideration based on the wide-reaching community impact of the new Licensing Act ; and calling for implementation to be delayed pending detailed study of and investigation into the widespread public concern about the effect on local communities.