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Directorate of Law and Property

Legal and Democratic Services, 5 Ednam Road, Dudley, West Midlands. DY1 1HL

www.dudley.gov.uk



Our Ref  
PJT/LH

Your Ref

Please ask for  
Philip Tart

Direct Dial

13th March 2007

Dear Mr Richardson

**Consultation on Revised Guidance Made Under  
Section 182 of the Licensing Act 2003**

With reference to the above, please find enclosed a copy of Dudley Metropolitan Council's response to the consultation document issued in January 2007.

Should you require any further information or clarification, please do not hesitate to contact Janet Elliott, Licensing & Service Improvement Officer or myself.

Yours sincerely

Philip Tart  
ASSISTANT DIRECTOR  
(LEGAL & DEMOCRATIC SERVICES)

Mr Simon Richardson  
Licensing Guidance Review Team  
Tourism Division  
6th Floor,  
Department of Culture, Media and Sport  
2-4 Cockspur Street  
LONDON SW1Y 5DH



Consultation on Revised Guidance Made Under Section 182 of the Licensing Act 2003

Response of Dudley Metropolitan Borough Council

12<sup>th</sup> March 2007

Question 1: Agreed

Question 2: Not Applicable

Question 3: Agreed

Question 4: Not Applicable

Question 5: Do Not Agree

Question 6: There should be an ability to extend cumulative impact policy to off sales and takeaway establishments.

We have successfully introduced a cumulative impact policy for Stourbridge Town Centre but Elected Members and the public are expressing increasing concern about the impact that off sales and takeaway establishments are having on local communities.

While the planning regime may be able to assist, our ability to control the increasing number of these establishments, through the licensing process, it would be a major benefit.

Question 7: Option 1

Question 8: No other options should be considered

Question 9: No

Question 10: Yes

Question 11: Do not agree

Question 12: We do not agree that Members of the Licensing Committee should be involved in dealing with specific matters

We have no other objections to the proposed amendment but because the administrative task of informing ward councillors of licensing applications will increase costs we suggest the following: -

The legislation should be changed to require applicants to notify ward councillors in addition to the notice and advertising requirements so that the additional burden does not fall on the local authority.

Question 13: Agreed

Question 14: Not Applicable

Question 15: Agreed

Question 16: Not Applicable

Question 17: Agreed

Question 18: Not Applicable

Question 19: Agreed

Question 20: Not Applicable

Question 21: Agreed

Question 22: Not Applicable

Question 23: Agreed

Question 24: Not Applicable

Question 25: Do not Agree

Question 26: We feel that it is useful to have guidance in a single document to enable Licensing Officers to have reference to the closely linked issue of police powers to close premises

We fail to understand what harm Chapter 11 is doing!

Question 27: Agreed

Question 28: Not Applicable

Question 29: Yes

Question 30: Not Applicable

Question 31: No