

## **EAST SUFFOLK COUNCIL**

### **BOAT LICENSING SCHEME ADDENDUM**

#### **PERSONAL WATERCRAFT Introduction**

This policy sets out East Suffolk Council's approach to licensing Personal Watercraft to be let for hire or to be used for carrying passengers for hire and the procedure that it will adopt in relation to applications to licence Personal Watercraft. It should be read in conjunction with the existing Boat Licensing Scheme

The policy of the Council is to refuse applications for Personal Watercraft Licences. This nil policy is intended to be strictly applied and will only be overridden in genuinely exceptional circumstances. Such circumstances will not be taken to include the quality of the management of the proposed Applicant.

The policy is intended as a guide to applicants, people who want to object to applications and members of the Licensing Committee who are responsible for determining applications. It also aims to guide and reassure the public and other public authorities, ensuring transparency and consistency in decision making.

When the decision making powers of the Council are engaged each application will be dealt with on its own merits but this policy gives prospective applicants an early indication of whether their application is likely to be granted or not. It also provides prospective applicants details of what is expected of them should an application be made.

The relevant Legislation is section 94 of the Public Health Acts Amendment Act 1907.

The policy has been prepared following the decision of East Suffolk Council's Licensing Committee on 20<sup>th</sup> January 25 with regard to:

- Consultation responses
- Human Rights Act 1998
- Equality Act 2010

## **Policy Considerations Impact**

In considering applications for the grant of a Licence the Council will, in addition to the considerations in the existing Boat Licensing Scheme, assess the likelihood of licensing causing an impact on the environment, local community and public safety.

In considering applications for renewal, in addition to the requirements stated in the existing Boat Licensing Scheme the Council will take into account

- the applicant's ability to minimise the impact of their business on environment, local community and public safety.
- any representations about the Application.
- whether appropriate measures have been agreed and put into place to mitigate any adverse impacts

## **Determining an application**

All applications will be referred to the Licensing sub-committee for determination. All East Suffolk Council Councillors will be informed of the application.

The applicant, and Councillors will be notified the date, time and venue of the hearing and invited to attend to address the committee in person.

The applicant will be notified in writing about the outcome of their application within 5 working days of the decision being made, the sub-committee will be required to state its reasons for any decision.

## **Appeals**

Any applicant who is aggrieved by a decision to refuse an application or by the imposition of any conditions can appeal to the Magistrates Court within 21 days of receiving the decision in writing.