

REPORT TO	ON
Licensing and Public Safety Committee	14 January 2020



TITLE	REPORT OF
Revised Statement of Licensing Policy 2020	Head of Licensing

Is this report confidential?	No
------------------------------	----

**PURPOSE OF THE REPORT**

1. To provide an opportunity to comment on the draft statement of Licensing Policy prior to undertaking a period of formal consultation.

**RECOMMENDATIONS**

2. That Committee consider and approve (with or without amendments) the draft statement of Licensing Policy
3. That Committee agree that a formal consultation exercise should be carried out in respect of this draft statement of Licensing Policy to obtain the views of effected parties and stakeholders.
4. That Committee agree to receive the outcome of a consultation exercise at a future meeting

**CORPORATE OUTCOMES**

5. The report relates to the following corporate priorities:

Excellence, Investment and Financial Sustainability	
Health, Wellbeing and Safety	
Place, Homes and Environment	x

Projects relating to People in the Corporate Plan:

Our People and Communities	
----------------------------	--

**BACKGROUND TO THE REPORT**

6. The Section 182 Guidance issued under the Licensing Act 2003 provides an overview of the requirements involved when creating and revising Licensing policies. The following extracts are taken from the Guidance;

*14.2 Section 5 of the 2003 Act requires a licensing authority to prepare and publish a statement of its licensing policy at least every five years. Such a policy must be published before the authority carries out any function in respect of individual applications and notices made under the terms of the 2003 Act. During the five-year period, the policy must be kept under review and the licensing authority may make any revisions to it as it considers appropriate, for instance in the light of feedback from the local community on whether the licensing objectives are being met. If the licensing authority determines and publishes its policy in this way, a new five-year period commences on the date it is published. Previously, licensing authorities were required to determine their licensing policies for each three-year period. Licensing policies published in respect of the three-year period that began on 7 January 2011 are to be treated as though they apply to a period of five years beginning at that date.*

*14.3 Where revisions to the section 182 Guidance are made by the Secretary of State, it will be for the licensing authority to determine whether revisions to its own licensing policy statement are appropriate.*

*14.4 Before determining its policy, the licensing authority must consult the persons listed in section 5(3) of the 2003 Act. These are:*

- the chief officer of police for the area;*
- the fire and rescue authority for the area;*
- each local authority's Director of Public Health in England (DPH)<sup>14</sup> or Local Health Board in Wales for an area any part of which is in the licensing authority's area,*
- persons/bodies representative of local premises licence holders;*
- persons/bodies representative of local club premises certificate holders;*
- persons/bodies representative of local personal licence holders; and*
- persons/bodies representative of businesses and residents in its area.*

*14.5 The views of all these persons or bodies should be given appropriate weight when the policy is determined. It is recognised that in some areas, it may be difficult to identify persons or bodies that represent all parts of industry affected by the provisions of the*

The published date of the current policy is 25<sup>th</sup> March 2015 so this policy will expire on the 25<sup>th</sup> March 2020.

## **PROPOSALS (e.g. RATIONALE, DETAIL, FINANCIAL, PROCUREMENT)**

7. After consideration of the draft policy attached to this report as Appendix A a 6-week consultation is proposed to commence with a view to bringing any comments back before the Committee in March 2020. Thereafter a final draft can be completed and put before full council for final ratification as soon as practicable.

## **CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION**

8. Proposed 6 week consultation to commence in January 2020 .

## **AIR QUALITY IMPLICATIONS**

9. There are no air quality implications arising from this report.

**COMMENTS OF THE STATUTORY FINANCE OFFICER**

There are no direct financial implications relating to the revised policy.

**COMMENTS OF THE MONITORING OFFICER**

10. It is important to ensure that the council has an effective licensing policy. The changes will require to be consulted on with stakeholders. Ultimately it will be a matter for full Council to approve the final document.

**OTHER IMPLICATIONS:**

<p>▶ <b>Risk</b></p> <p>▶ <b>Equality &amp; Diversity</b></p> <p>.</p>	<p>We must have an effective Licensing policy in place. This is a vital tool in ensuring that licensing is conducted in an effective manner.</p> <p>There are no concerns from an equality and diversity point of view.</p>
--	---

**Appendix A- Draft Statement of Licensing Policy**

LT Member's Name  
Job Title

Report Author:	Telephone:	Date:
Mark Marshall, Head of Licensing	01772 625401	23 <sup>rd</sup> December 2019