



Report to: Meeting of the Full Council - 12 December 2023
Committee Chairman: Councillor Jean Hall, Licensing Committee
Director Lead: Matthew Finch, Director – Communities & Environment
Lead Officer: Damian Wilkins, Environmental Health & Licensing Manager Ext. 5314

Report Summary	
Report Title	Review of Statement of Licensing Policy 2024-2029
Purpose of Report	To seek adoption by Full Council following an amended Statement of Licensing Policy receiving approval from the Licensing Committee after a six week consultation period.
Recommendations	That Full Council adopt the revised Statement of Licensing Policy 2024-2029 in order to allow licensing decisions to be made.
Reason for Recommendation	Section 5 of the Licensing Act 2003 requires that each Licensing Authority must in respect of each five-year period, determine its policy with respect to the exercise of its licensing functions and publish a statement of that policy. The Statement of Licensing Policy 2024-2029 has been consulted upon and received approval from the Licensing Committee on 30 November 2023.

1.0 Background

- 1.1 The Licensing Act 2003 requires the Council to have in place a Policy relating to the carrying out of its functions under that Act. In respect of carrying out its duties the Council is required to adopt and have in place a Statement of Licensing Policy relating to those duties. The Policy sets out the principles which the Council will apply in considering and granting licences under the Act.
- 1.2 The Licensing Act requires the Policy to be reviewed every five years. The current Policy was adopted in January 2019 and therefore needs to be reviewed and adopted before January 2024.
- 1.3 The purpose of the Statement of Licensing Policy is to assist the Licensing Authority in determining applications and to provide clarity for applicants, residents and members of the business community. This also provides information and guidance on the general approach that the Licensing Authority will take when assessing applications and sets out expected operating standards.

- 1.4 This Licensing Authority covers a wide variety of licensed premises undertaking a range of activities, including pubs, restaurants, private members' clubs, village and community halls, cinemas, off-licences and late night food premises. It is therefore important that the Licensing Policy is sufficiently flexible to reflect their differing needs and characteristics.
- 1.5 In June 2023 a draft copy of a revised Policy was presented to the Licensing Committee and it was agreed that the draft should be released for consultation. Following a six week consultation, we have received one consultation response from the Fire Service regarding the wording of part of the Policy.
- 1.6 On 30 November Officers submitted an update report to the Licensing Committee with the results of the consultation and Members agreed with the minor amendment and subsequently recommended adoption by the Full Council of the Policy available at **Appendix 1**.

2.0 Proposal/Options Considered

- 2.1 Members should be aware that if we are unable produce a licensing policy statement in accordance with the Act and accompanying Regulations this will render the Authority susceptible to criticism and legal challenge. Without adoption of the Statement of Licensing Policy, the Licensing Authority is powerless to make decisions or exercise the licensing objectives in its locality.
- 2.2 The Licensing Committee recommends to Full Council that the draft Statement of Licensing Policy as amended, is adopted at this meeting for the period 2024 until 2029.

3.0 Implications

In writing this report and in putting forward recommendations, Officers have considered the following implications: Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding and Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate:

3.1 Legal

Section 5 of Licensing Act 2003 requires that Licensing Authorities have in place a Statement of Licensing Policy with respect to the exercise of its licensing functions and that this policy is reviewed at least every five years.

3.2 Financial

The associated preparation and publication costs will be met in full from Licensing Act 2003 applications and annual fees income.

3.3 Safeguarding

The protection of children from harm is one the licensing objectives underpinning the Licensing Act 2003.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Licensing Act 2003

Section 182 Guidance