

REPORT OF THE EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

LICENSING AND REGULATORY COMMITTEE – 25 MARCH 2024

LICENSING ACT 2003 - REVIEW OF STATEMENT OF LICENSING POLICY

1.0 PURPOSE OF THE REPORT

- 1.1 To update Committee of the outcome of the consultation exercise undertaken in respect of the Council's Draft Statement of Licensing Policy, ("the Draft Policy Document"), and to seek approval to submit a final Statement of Licensing Policy, ("the Final Policy Document") to cabinet to commence the process of formal adoption of the Statement of Licensing Policy by Council..

2.0 DESCRIPTION OF DECISION

- 2.1 The Committee is REQUESTED: -

- 2.1.1 To note the contents of this Report and RECOMMEND that cabinet accepts the Final Policy Document set out in Appendix 2 for approval by Council,
- 2.1.2 To APPROVE that the Final Policy Document be taken forward to the next scheduled meeting of Cabinet.
- 2.1.3 To REQUEST that Cabinet provides comments in response to the consultation and Final Draft
- 2.1.4 To REQUEST that the next scheduled Economic Prosperity Scrutiny Committee be requested to provide its comments in response to the consultation and Final Draft,
- 2.1.5 To RECOMMEND that Council amends the Terms of Reference of the Licensing and Regulatory Committee and the Scheme of Delegation and Appointment of Proper Officers insofar as it relates to the Executive Director for City Development in order for the same to be updated and to authorise the Assistant Director of Law and Governance to amend the Constitution, accordingly, including the making of any consequential amendments.
- 2.1.6 To APPROVE the commencement of a consultation exercise in relation to a Cumulative Impact Assessment (CIA) under the Licensing Act 2003.
- 2.1.7 To APPROVE the commencement of a consultation exercise in relation to Minimum Unit Pricing.

3.0 INTRODUCTION/BACKGROUND

- 3.1 Committee considered at its Meeting held on 13th November 2023 a report in respect of the Council's draft Statement of Licensing Policy.
- 3.2 On 13th November 2023, Members agreed that the revised draft Statement of Licensing Policy be subject to consultation in accordance with the statutory procedure and that any responses received following consultation be reported

to the Committee for its consideration at a future meeting.

- 3.3 Members are advised that consultation commenced on the Draft Policy Document with all relevant stakeholders on 1st December 2023 up to 5pm on 2nd February 2024.

This included:-

- a) Consultation with stakeholders;
- b) Social media posts about the Draft Policy Document.
- c) A media statement about the consultation process; and
- d) Information publicised on the licensing section of the Council's website.

4.0 CURRENT POSITION

- 4.1 The consultation ended at 5.00pm on Friday 2nd February 2024. A total of 6 responses were received from various respondents, including consultees. Several respondents submitted suggested amendments to the Draft Policy Document. Officers are grateful for the time taken by respondents to consider the Draft Policy Document and to then submit submissions for the Council's consideration as the consultation exercise is of central importance to the Council's desire to review its Licensing Policy. Submissions were received from two categories of respondents: individuals and organisations/ businesses.
- 4.2 All submissions received have been collated in a single document shown at **Appendix 1** and have been carefully considered and reviewed by Officers. The respondents' submissions have been set out in the middle column of the document, while Officer responses are shown in the right-hand column.
- 4.3 As will be seen from the contents of **Appendix 1**, it is proposed that most of the issues raised by respondents be accepted, with corresponding amendments being made to produce the Final Policy Document which is shown at **Appendix 2**. The views of respondents have helped inform and model the intended Final Policy Document. For ease of reference, where amendments are being proposed in relation to issues raised by respondents, where appropriate, the number of the relevant Paragraph contained in the Final Policy Document has been set out.
- 4.4 The proposed Final Policy Document that has been prepared having due regard to amendments made following consideration of received submissions from respondents, (as shown in **Appendix 1**), is attached at **Appendix 2**.
- 4.5 In terms of highlighting the main issues that were raised by respondents under the consultation exercise, for the benefit of Members, the main issues relate to the following matters: -
- (a) Consideration of the issues surrounding Cumulative Impact.
 - (b) Consideration of the introduction of minimum unit pricing, and
 - (c) Promotion of an alcohol-free childhood

- 4.6 A proposal has been made to include Cumulative Impact Assessments (CIA) in the Policy to minimise the adverse impact of alcohol on the health of local people and the resulting demand for health services.
- 4.7 Officers have considered the consultation response received in respect of Cumulative Impact and account has also been taken of policies implemented by neighbouring councils regarding this.
- 4.8 Committee is advised that the previous regime for CIA covering a number of areas ceased to have effect on 19th September 2021
- 4.9 Committee approval is therefore sought to commence engagement work and a consultation exercise in relation to a Cumulative Impact Assessment under the Licensing Act 2003.
- 4.10 A proposal has been made to introduce Minimum Unit Pricing (MUP) into the Policy citing evidence that MUP aids in tackling alcohol related harm.
- 4.11 Officers have considered the consultation response received in respect of Minimum Unit Pricing and account has also been taken of policies implemented by neighbouring councils regarding this.
- 4.12 Committee approval is therefore sought to commence a consultation exercise in relation to Minimum Unit Pricing under the Licensing Act 2003.
- 4.13 The inclusion of information contained in the Policy regarding “An Alcohol-Free Childhood was welcomed”. Several suggestions were made to expand upon this further.
- 4.14 Officers have considered this, and further information has been incorporated into the body of the Policy and additional model conditions have been placed in the relevant section.
- 4.15 Committee is advised that some of the respondents who have submitted submissions may wish to attend the meeting of 25th March 2024 in order to address the Committee on their submissions and the Final Policy Document. A copy of the Procedure that is to be applied at the Meeting, so that they can address the Committee, is shown in **Appendix 3**.
- 4.16 In the event that a Statement of Licensing Policy is approved by the Council, the following consequential steps that will be taken by the Licensing Section: -
- (a) A copy of the Final Policy Document will be added to the Council’s website, i.e. that part relating to licensing matters;
 - (b) A link to the Final Policy Document will be shared with those Councillors who are members of the Licensing and Regulatory Committee;
 - (c) A training session will be arranged for the benefit of Councillors who are members of the Licensing and Regulatory Committee, regarding the application of the Final Policy Document at Committee Meetings.
 - (d) The Final Policy Document will be publicised via press release, plus on social media; and
 - (e) A link to the Final Policy Document will also be shared with consultees;

5.0 REASONS FOR DECISION

5.1 The Committee is being asked to approve the matters set out in Section 2 above of the report to enable the Council to review its Statement of Licensing Policy.

6.0 ALTERNATIVE OPTIONS

6.1 There are no alternative options.

7.0 RELEVANT CONSIDERATIONS

7.1 None submitted

8.0 GLOSSARY

8.1 No acronyms or abbreviations have been used in this Report.

9.0 LIST OF APPENDICES

9.1 Appendix 1 -. Consultation responses
Appendix 2 - The Council's Draft Statement of Licensing Policy
Appendix 3 - Procedure to be Followed by the Licensing and Regulatory Committee.

10.0 Background Papers

10.1 None.