

REPORT OF THE EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

LICENSING AND REGULATORY COMMITTEE – 13th NOVEMBER 2023

LICENSING ACT 2003 - REVIEW OF STATEMENT OF LICENSING POLICY

1.0 PURPOSE OF THE REPORT

- 1.1 To advise the Committee of the requirement on the Council, in its capacity of a Licensing Authority, to undertake a review of the Council's Statement of Licensing Policy, ("the Licensing Policy"), under the Licensing Act 2003, ("the Act"), and to carry out a consultation exercise as prescribed under Section 5 of the Act; and
- 1.2 To seek the Committee's approval to start consultation as part of the review process as set out in this report.

2.0 DESCRIPTION OF DECISION

- 2.1 The Committee is requested to note the contents of the report and give their approval that the Licensing Section undertakes a consultation exercise on the Council's draft Statement of Licensing Policy under the Licensing Act 2003.

3.0 INTRODUCTION/BACKGROUND

- 3.1 Section 5 of the Act requires all Licensing Authorities to prepare and publish a Statement of Licensing Policy that they propose to apply in exercising their functions under the Act. Such Statements are to apply across a stated five year period. Pursuant to the Act, the Council's Licensing Policy is required to be approved by Council. The Licensing Policy is considered when the Council exercises its functions under the Licensing Act 2003.
- 3.2 The Council's previous Licensing Policy was agreed by Council at its Meeting of the 25th November, 2015 and was subsequently published. It took effect on the 7th January, 2016 and had application up to and including the 6th January, 2021.
- 3.3 During each five year period the Council is required to keep its Licensing Policy under review and to make such revisions as it considers to be appropriate. The Policy should have been subject to review during 2020, with a revised document potentially having application as from and including the 7th January, 2021. However, due to impact of the Coronavirus pandemic, a full review of the Policy had not been possible.
- 3.4 At its meeting on 26th October, 2020 the Licensing and Regulatory Committee agreed:
 - (a) That a period of consultation commenced with the relevant stakeholders to obtain comments on the proposal that the Statement of Licensing Policy be rolled forward as from and including the 7th January, 2021 to the 6th January, 2026, with a review of the Licensing Policy being undertaken as and when deemed appropriate to do so within the stated five year period;

- (b) That the period of consultation commenced on the 19th October, 2020 until 5pm on the 2nd November, 2020; and
- (c) To recommend to Council that the existing Statement of Licensing Policy be rolled forward as from and including the 7th January, 2021 to the 6th January, 2026, with a review of the Licensing Policy being undertaken as and when deemed appropriate to do so within the stated five year period.

4.0 CURRENT POSITION

- 4.1 Officers have completed a review of the current Statement of Licensing Policy. The current Statement was prepared having regard to the Licensing Act 2003 and the Secretary of State's Section 182 Guidance issued to Licensing Authorities. A copy of the Draft Statement of Licensing Policy is attached at **Appendix 1**.
- 4.2 The Committee are recommended to agree that the revised draft Statement of Licensing Policy be subject to consultation in accordance with the statutory procedure. Any responses received following the consultation will be reported to the Committee for its consideration at a future meeting.
- 4.3 Following its consideration of any responses received to the consultation, the Committee will be asked to determine whether to make any further amendments to the revised draft Statement of Licensing Policy under the Licensing Act, prior to the Statement being referred to Council for approval in April 2024.

5.0 REASONS FOR DECISION

- 5. To facilitate compliance with the requirements of the Licensing Act 2003 and to ensure compliance with the decision of the Licensing & Regulatory Committee at its meeting on 26th October, 2020.

6.0 ALTERNATIVE OPTIONS

- 6.1 None submitted.

7.0 RELEVANT CONSIDERATIONS

- 7.1 It is important to ensure that the Council does not have a period of time, however short, when it does not have a Licensing Policy in force.

8.0 GLOSSARY

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

9.0 LIST OF APPENDICES

- 9.1 Appendix 1 - The Council's Draft Statement of Licensing Policy.

10.0 Background Papers

- 10.1 None.