



<b>REPORT TO:</b>	Licensing Committee
<b>DATE:</b>	23 <sup>rd</sup> September, 2015
<b>LEAD OFFICER:</b>	Head of Planning and Public Protection Services
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<b>SUBJECT:</b>	Proposed Review of Statement of Licensing Policy

**1. PURPOSE OF THE REPORT**

1.2 To inform Members of the Licensing Committee of the requirement to commence the consultation process associated with the Review of the Council's Statement of Licensing Policy.

**2. EXECUTIVE SUMMARY**

2.1 One of the responsibilities of the Local Authority, when acting in its capacity as Licensing Authority, and in accordance with Section 5 of the Licensing Act, is to determine and publish a Statement of Licensing Policy.

2.2 As required by legislation and Guidance issued by the Home Office under Section 182 of the Licensing Act, the Council is required to consult upon and prepare a Statement of Licensing Policy on at least a 5 yearly basis.

**3. POWER TO MAKE THE DECISION**

3.1 Section 5 of the Licensing Act 2003.

**4. BACKGROUND INFORMATION**

4.1 The first Statement of Licensing Policy adopted by the Council came into effect in January 2005.

4.2 The Statement of Licensing Policy establishes a local framework for decision-making when considering applications for relevant permissions or variations to existing terms and conditions. The Policy is of significant importance as the Licensing Committee and Sub-Committee are required

to have due regard to it, along with Guidance issued by the Home Office, when determining an opposed application.

- 4.3 The current Policy is due for Review and it is necessary for the Council to undertake a consultation process. In accordance with the statutory timescales, the revised Policy must be in place to take effect from January 2016.

## **5 CONSIDERATION**

- 5.1 Members will recall that the current Policy was prepared jointly with colleagues in Conwy County Borough Council; as that arrangement has come to an end, there has been a return to a “stand alone” Policy. Officers have, however been working alongside officers from other North Wales authorities in a collaboration project in preparation for this review.
- 5.2 Members will note that much of the content remains the same, however the introduction of the Police Reform and Social Responsibility Act 2011, the Anti-social Behaviour Crime and Policing Act 2014, along with the Deregulation Act 2015 have necessitated some changes.
- 5.3 It is considered that whilst a Statement of Licensing Policy must be individual to each authority, it would be helpful to applicants and responsible authorities alike, if those of neighbouring authorities were compiled in a similar manner. For this reason, Members will also note that, along with the changes mentioned above, the order of contents has been changed to a certain extent.
- 5.4 The draft Policy can be examined at Appendix A to this report, along with an explanatory table (Appendix B) detailing the major changes to the current Policy.
- 5.5 The document itself may still be subject to change as the collaboration project progresses, but officers expect the final draft to be ready for public consultation by October - November 2015.

## **6 CONSULTATION**

- 6.1 In order to comply with statutory requirements, the following agencies will be consulted:
- North Wales Police
  - North Wales Fire & Rescue Service

- Planning Services
- Trading Standards
- Environmental Health
- Children's Services
- Health & Safety
- Representatives of the local licensed trade
- Representatives of local businesses and residents
- All County Councillors
- Town and Community Councillors
- Community Safety Partnership

6.2 A public notice will also be published in an appropriate newspaper.

6.3 It is proposed that the following timescales be applied to allow for the proper consideration of the draft statement of policy:

- Proposed period for consultation – October/November 2015
- Adoption by Council – December/January 2016
- Publication of Policy – Early 2016

## **7 RECOMMENDATION**

That Members consider the attached draft Statement of Licensing Policy and authorise officers to commence consultation.