

REPORT TO:	Licensing Committee
DATE:	8 March 2017
LEAD OFFICER:	Head of Planning and Public Protection Services
CONTACT OFFICER:	Public Protection Business Manager licensing@denbighshire.gov.uk 01824 706066
SUBJECT:	Proposed Statement of Licensing Policy

1. PURPOSE OF THE REPORT

To present to Members of the Licensing Committee the final draft 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 A Statement of Licensing Policy has been in effect in the Council since 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 At its March 2015 meeting the Licensing Committee resolved that the draft Statement of Licensing Policy be approved for public consultation and that power be delegated to the Head of Planning and Public Protection to agree any changes arising from the collaboration project prior to consultation.

4.4 Members will recall from the March 2015 meeting it was highlighted 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, the Licensing Section formatted the policy similar to that of the other Licensing Authorities across the region. There are only minor changes to the content, e.g. new legislation references.

4.5 The latest version is attached at Appendix A.

5.0

CONSULTATION

5.1

This version is subject to a public consultation which includes:

- 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

5.2

Licensing officers will provide Members with a verbal summary of comments received.

6.0

CONSIDERATION

6.1

Members will be provided with an updated version highlighting any subsequent amendments at their Licensing Committee meeting on 8 March 2017

6.2

Members are asked to consider adopting that presented version subject to any final amendments as appropriate.

6.3

This Statement of Licensing policy has not, despite the formatting, significantly changed from the previous version and as such will not

require further approval by Full Council.

7.0

RECOMMENDATION

7.1

Members adopt the Statement of Licensing policy as presented on 8 March 2017 following any amendments agreed at the Licensing Committee on 8 March 2017 being made by Licensing officers.

7.2

The Statement of Licensing Policy be adopted with effect from 1 April 2017.