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| REPORT TO: | Licensing Committee |
| DATE: | 15th September 2021 |
| LEAD OFFICER: | Head of Planning, Public Protection & Countryside Services |
| CONTACT OFFICER: | Senior Licensing Officer licensing@denbighshire.gov.uk 01824 706433 |
| SUBJECT: | Review – Licensing Act 2003 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 current Statement of Licensing Policy came into effect on 1st April 2017 and is now due for review.
- 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 April 2022.
- 4.4 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, the majority of the proposed changes have been drafted by the 6 North Wales Licensing Authorities, and have been highlighted in red within the draft Statement of Policy. A copy of the draft policy can be viewed at Appendix A.
- 4.5 Members will note, that there are no significant proposed changes, other than to include legislative changes, Health Board responsibilities, strengthen matters relating to drugs and the inclusion of local initiatives. All proposed changes that have been made are highlighted in the attached document which can be found at Appendix A

5. CONSULTATION

- 5.1 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,
Immigration,
Licensing,
Representatives of the local licensed trade
Representatives of local businesses and residents
All County Councillors Town and Community Councillors
Community Safety Partnership
- 5.2 A public notice will also be published in an appropriate newspaper and at main Council buildings.
- 5.3 In addition to the above, all licence holders and permit holders will be contacted to inform them of the consultation process and to seek their views.

- 5.4 Following consultation, should representations be received, Officers will report back to the December meeting, however should there be no representations to the draft policy, Officers would be seek approval from Members to submit a report to Full Council to approve the draft Statement of Policy.

6. **RECOMMENDATION**

- 6.1 That Members consider the attached draft Statement of Licensing Policy and authorise officers to commence consultation, and
- a. That should there be no representations received as a result of the consultation carried out, Members support the draft Statement of Licensing Policy for submission to Full Council, or
 - b. Should representations be received as a result of the consultation, Officers report back to the December Licensing Committee meeting