

REPORT TO:	Licensing Committee
DATE:	12 October 2022
LEAD OFFICER:	Head of Planning, Public Protection & Countryside Services
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SUBJECT:	Review – Licensing Act 2003 Statement of Licensing Policy

1. PURPOSE OF THE REPORT

- 1.2 To update Members of the Licensing Committee following the statutory 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 at the Licensing Committee of 15th September 2021 Members authorised Officers to commence the statutory consultation to review the existing policy.
- 4.2 Officers have undertaken a thorough review of the current policy, taking into account any relevant changes in legislation, guidance and good practice.

4.3 The review was originally undertaken in partnership with other North Wales Local Authorities, as part of an ongoing effort to achieve consistency, where possible, across the region.

4.4 The draft Statement of Licensing Policy for the forthcoming five years, is shown at Appendix A.

4.5 The summary of proposed changes can be found at Appendix B

4.6 The final approval of the draft policy rests with Cabinet as it is an executive function.

5. CONSULTATION

5.1 In order to comply with statutory requirements, the following agencies were consulted on the Draft Statement of Licensing Policy:

- i. All responsible authorities (including Police and Fire Service)
- ii. Representatives of holders of premises licences, club premises certificates and personal licence holders
- iii. All County Councillors Town and Community Councillors

5.2 Details of the consultation were published on Denbighshire's website, and a notice was placed in a conspicuous position so that it could be seen from outside of the Council Offices.

5.3 The consultation opened on the 18th July 2022 until the 26th August 2022.

5.4 As a result of the consultation one response were received from an interested party and one from the Local Health Board being a Responsible Authority under the Licensing Act 2003. North Wales Police have supported the proposed changes. The details of the consultation responses and the Licensing Authority's consideration of those responses can be found at Appendix C.

5.5 To assist Members, the existing Statement of Licensing Policy (2017-2022) can be found at Appendix D.

6. RECOMMENDATION

6.1 That Members consider the attached draft Statement of Licensing Policy along with the responses received as detailed at Appendix C.

6.2 Members may resolve to:

- i. Approve the changes made to the Draft Policy as per the consultation document ie. without any changes following the

consultation; or

- ii. Approve the proposed recommended amendments to the draft policy as detailed at appendix C (column 4).

- 6.3 To approve a final draft policy subject to the considerations at 6.2 above and to instruct Officers to move the policy for approval at Cabinet.