



Licensing Committee

Tuesday, 17 October 2023

Statement of Licensing Policy 2024-2029

Report of the Director – Neighbourhoods

1. Purpose of report

- 1.1. It is a statutory requirement that a new Statement of Licensing Policy be adopted with effect from 7 January 2024.
- 1.2. In reviewing the Policy, the Council must carry out the statutory consultation as provided by the Act. Any comments will be considered and where appropriate the draft Policy will take these into account. Once the revised Policy has been approved and published it will be valid until 6 January 2029.

2. Recommendation

It is RECOMMENDED that the Licensing Committee endorses the Statement of Licensing Policy and recommends it be approved by Council.

3. Reasons for Recommendation

The Council is required to produce a Statement of Licensing Policy every five years upon which it will base its decisions. If approved the final Policy will go forward for approval by full Council and will be adopted no later than 7 January 2024.

4. Supporting Information

- 4.1. The Council is the Licensing Authority as defined by the Licensing Act 2003. The Council is responsible for licensing and regulating licensed premises such as pubs, off-licences, late night takeaways and Registered Members' Clubs. It also issues personal licences to sell alcohol and effects transfers and variations of licences. The Authority also processes notices for temporary (occasional) events.
- 4.2. A Statement of Licensing Policy sets out the policies the Licensing Authority will apply when making decisions on licensing applications and reviews. It also serves to advise applicants of any local policies or requirements to consider when drafting an application. The Licensing Authority must have regard to its Statement of Licensing Policy when making decisions alongside any statutory guidance issued by the Home Office under Section 182 of the Licensing Act 2003.
- 4.3. A copy of the draft Statement of Licensing Policy is attached at Appendix A.

4.4. The draft Policy has been circulated for public consultation, one response has been received from the Director of Public Health and the comments have been accepted and the Policy amended.

4.5. The revisions to the previous Policy are provided in the table in Appendix B and include:

- Paragraphs 4.2 -4.9 - These paragraphs relate to the Director of Public Health as a statutory consultee and their role. The Director of Public Health has updated and highlighted areas within the Borough with relatively higher levels of alcohol related harm.
- Paragraphs 5.3-5.4 – Amendments to the definition of responsible authorities
- Paragraph 6.13 – Reference to public health issues
- Paragraphs 6.16-6.19 – Introduces the “entitlement to work in the UK” for applicants applying for licences
- Paragraph 7.2 – reference to Community Protection Notices as a mechanism for dealing with anti-social behaviour
- Paragraph 7.12- 7.13 - Updates around drugs and spiking of drink
- Paragraph 7.20 – Rewording in relation to “pool of conditions”
- Paragraph 7.26 – Changes in respect of counter terrorism as a result of new legal requirements
- Paragraph 7.27 and 7.28 – Narrative on cumulative impact has been removed as we do not have a cumulative impact area
- Paragraph 7.32-34 – Rebuttable presumption removed from the Policy as it has been removed from the section 182 guidance
- Paragraph 7.52 – inclusion of alcohol delivery services
- Paragraph 7.53-55 – Inclusion of pavement licences which have now been transferred to licensing authorities and are required to be included within the Policy
- Paragraph 8.5-8.7 – Safeguarding in relation women and girls.

5. Risks and Uncertainties

None identified

6. Implications

6.1. Financial Implications

The statutory fees levied for the regime are intended to cover the cost of the review of this Policy.

6.2. Legal Implications

It is a statutory requirement that a Statement of Licensing Policy be produced every five years and that the draft Statement is the subject of consultation with prescribed bodies and individuals.

6.3. Equalities Implications

An EIA has been completed in Appendix C.

6.4. Section 17 of the Crime and Disorder Act 1998 Implications

One of the key licensing objectives is to prevent licensed premises from being a source of crime and disorder. The Policy supports and assists with crime and disorder reduction by controlling those who manage premises open to members of the public and imposing conditions on relevant premises licences.

6.5. Biodiversity Net Gain Implications

There are no biodiversity net gain implications in this report.

7. Link to Corporate Priorities

Quality of Life	Ensuring the health and safety of residents and supporting the reduction of crime and disorder
Efficient Services	There are no links to this priority in this report
Sustainable Growth	There are no links to this priority in this report
The Environment	There are no links to this priority in this report

8. Recommendation

It is RECOMMENDED that the Statement of Licensing Policy be endorsed and sent to Full Council for final approval.

For more information contact:	Geoff Carpenter Service Manager Public Protection Tel: 0115 9148229 gcarpenter@rushcliffe.gov.uk
Background papers available for Inspection:	Report to Full Council 6 December 2018 'Statement of Licensing Policy'
List of appendices:	Appendix A: Draft Statement of Licensing Principles 2024-2029 Appendix: B: List of changes following consultation Appendix: C- EIA Appendix: D- Consultation response from Director of Public Health