

## Agenda Item

**REPORT OF** LEAD LICENSING OFFICER  
**To:** LICENSING COMMITTEE  
**Subject:** LICENSING ACT POLICY REVIEW  
**Date:** 18 OCTOBER 2023

**Reference:**

### **PURPOSE OF REPORT:**

To review and update the Authority's current Statement of Licensing Policy under s.5 of the Licensing Act 2003

## **1. INTRODUCTION**

Section 5 of the Licensing Act 2003 requires each Licensing Authority "*to determine a policy with respect to the exercise of its licensing functions*". The policy must be reviewed every five years.

The current Statement of Licensing Policy will expire on 6<sup>th</sup> January 2024. At the Licencing Committee meeting on 21 June 2023 members approved the draft policy. It was also agreed that consultation on the draft policy be carried out over an 8 week period and the responses reported to this Committee.

## **2. REPORT**

The Council received only one response to the consultation. This was from the Police Licensing Officer at Devon and Cornwall Police. The Lead Licensing Officer has also made additional amendments to the Policy from the draft presented to the meeting on 21 June 2023.

A summary of the main changes to the policy can be found in Appendix A.

The full revised policy is included in Appendix B. The proposed changes are highlighted in yellow.

## **3. IMPLICATIONS**

### Legal Implications

The proposed changes bring the policy up to date with current legislation and good practice.

### Financial Implications

None

### Human Resources Implications

None

### Sustainability Implications

None

Equality/Diversity

None

Risk Management

There is a risk of legal, financial and reputational damage to the Council if it does not have an up to date and robust policy.

Compliance with Policies and Strategies

The policy aligns with other Policies and Strategies

Data Protection (GDPR) Implications

None

Climate Change

None

Lead Member Views

Councillor Bright, Chair, has been consulted.

#### **4. CONCLUSIONS**

The Statement of Licensing Policy sets out the Authority's approach to the regulation of the Licensing Act 2003 and the standards it will apply in relation to licensed premises. The proposed revisions to the current Policy are designed to keep it up to date, relevant, robust and to reflect evolving guidance from the Home Office since the last review in 2018.

#### **5. RECOMMENDATIONS**

It is recommended:

1. that Members approve the revised Statement of Licensing Policy;
2. that the revised Policy be presented for formal adoption by full Council;

#### **SUPPORTING INFORMATION**

Consultations: In accordance with this report

Contact Officer: Chris Parkhouse

Background Papers: Licensing data area/files