

## MEETING

<b>Date of Meeting</b>	Monday, 30 November 2015
<b>Report Subject</b>	Licensing Act 2003 Review of Statement of Licensing Policy
<b>Report Author</b>	Chief Officer (Planning and Environment)

### EXECUTIVE SUMMARY

To inform Members of the requirement to review the Statement of Licensing Policy under the Licensing Act 2003, and to provide a copy of the Draft Policy for 2016 – 2020 for Members to consider prior to the consultation beginning.

### RECOMMENDATIONS

1	To note the report.
---	---------------------

### REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE REVIEW OF THE LICENSING POLICY</b>
1.01	Local Authorities are required under the Licensing Act 2003 to review their Statement of Licensing policy every five years. The current policy is due to be revised by January 2016.
1.02	This is the fourth Statement of Licensing Policy to be issued and outlines the expectation of the Licensing Authority in relation to applicants, and details what applicants and service users may expect from the Licensing Authority.
1.03	Officers have undertaken a thorough review of the current policy, taking in to account a number of changes to the Act and the latest revised Guidance from the Home Office issued under section 182 of the Act. The Policy in draft is shown as Appendix A.

1.04	Flintshire have also been an active part of the Licensing Policy Task Group, in line with the North Wales Collaboration Programme
1.05	The requirement to consult is outlined below, following which it will be necessary to hold a Licensing Committee to agree a final draft before Full Council approval on 26 January 2016.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	Officers will be required to prepare consultation documents, and liaise with consultees, which is in addition to normal duties.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	<p>Before determining the Policy, the Licensing Authority is required to consult with the following:-</p> <ul style="list-style-type: none"> <li>• The Chief Officer of Police for the Licensing Authority's area;</li> <li>• The Fire and Rescue Authority for that area</li> <li>• Such persons as the Licensing Authority considers to be representative of holders of Premises Licenses issued by that Authority;</li> <li>• Such persons as the Licensing Authority considers to be representative of holders of Club Premises Certificates issued by that Authority;</li> <li>• Such persons as the Licensing Authority considers to be representative of holders of Personal Licence Holders issued by that Authority;</li> <li>• Such other persons as the Licensing Authority considers to be representative of business and residents in the area.</li> </ul>
3.02	The consultation will also be published on the Council's website.
3.03	In previous section 182 guidance documents, Licensing Authorities were advised to follow the consultation principles guidance issued by the Cabinet Office. The current guidance states that it is a matter for the Licensing Authority to decide the duration.
3.04	<p>It has been decided that Flintshire County Council will consult for 28 days (4 weeks). There have been very few changes in terms of the policy principles, and any additions are not contentious.</p> <p>It is proposed that the consultation will begin on 3<sup>rd</sup> December 2015 and will end on 31<sup>st</sup> December 2015.</p>

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	Not applicable.

<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix A – Draft Statement of Licensing Policy 2016 - 2020

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<a href="https://www.gov.uk/government/publications/consultation-principles-guidance">https://www.gov.uk/government/publications/consultation-principles-guidance</a>  <b>Contact Officer:</b> Gemma Potter Community Protection Team Leader - Licensing <b>Telephone:</b> <b>01352 703371</b> <b>E-mail:</b> <a href="mailto:gemma.potter@flintshire.gov.uk">gemma.potter@flintshire.gov.uk</a>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<b>Statement of Licensing Policy:</b> a document the Licensing Authority are required to produce every five years to outline the Council's expectations in relation to Licensing.
7.02	<b>Licensing Authority:</b> Flintshire County Council's Licensing Team, responsible for key decisions in relation to Licensing.
7.03	<b>Section 182 Guidance:</b> Guidance issued by the Home Office in relation to the Licensing Act 2003
7.04	<b>Licensing Policy Task Group:</b> a group of Local Authority Licensing specialists representing each of the North Wales Authorities
7.05	<b>North Wales Collaboration Programme:</b> a series of projects identified for north Wales Authorities to engage in collaborative working
7.06	<b>Premises Licence:</b> a licence for regulated licensable activity for a premise such as a public house
7.07	<b>Club Premises Certificate:</b> a licence for regulated licensable activity in a Club i.e. Members Club
7.08	<b>Personal Licence:</b> A licence an individual must hold to allow them to be named on a licence to authorise alcohol sales