

**FLINTSHIRE COUNTY COUNCIL**

<b>Date of Meeting</b>	Tuesday, 26 January 2016
<b>Report Subject</b>	LICENSING ACT 2003 STATEMENT OF LICENSING POLICY
<b>Report Author</b>	Chief Officer (Planning & Environment)

**EXECUTIVE SUMMARY**

To request that Members consider and approve the next Flintshire County Council Statement of Licensing Policy. The Licensing Act 2003 requires the Licensing Policy to be reviewed every five years.

**RECOMMENDATIONS**

1	That Members consider and adopt the Licensing Act 2003 Statement of Licensing Policy that will have effect from January 2016 for a five year period.
2	That any decision to make changes to this policy during the five year period is delegated to Licensing Committee.

**REPORT DETAILS**

<b>1.00</b>	<b>EXPLAINING THE REQUIREMENT FOR A LICENSING POLICY</b>
1.01	It is a requirement of the Licensing Act 2003 that the Licensing Authority must review its Statement of Licensing Policy every five years. The policy was previously reviewed in November 2010 and was implemented in January 2011.
1.02	The next period will begin in January 2016.
1.03	The North Wales Licensing Authorities worked together on the review of their policies as part of the Collaboration Project. Although the table of contents remains the same for each Authority, it was understood that due to the differences in the six counties, the content would remain specific to

	the individual areas.
1.04	To summarise, the changes to the policy were non contentious. Paragraphs which repeated the guidance issued under Section 182 of the act were removed, reference was made to new legislation i.e. The Live Music Act, and each Authority included a section in relation to Public Health.
1.05	The Licensing Authority undertook a public consultation process throughout December 2015 to invite observations or comments about the policy.
1.06	Those consulted included Responsible Authorities (eg. Police; Fire; Planning; Social Services for Children; Pollution Control; Trading Standards etc); County Councillors; Town and Community Councils and Licence Holders. Details of the consultation were also placed on the Council's website and displayed in Main Reception. A Member's drop in session was arranged, and presence was offered at Town and Community Council meetings if required. In addition, Licensing Officers made members of local Pubwatch groups aware of the consultation.
1.07	Only one response was received in relation to the consultation. A summary of this is shown at Appendix A.
1.08	As a result of this, a slight change was made to the Policy. The final draft is shown as Appendix B.

## **2.00 RESOURCE IMPLICATIONS**

2.01	The policy must be monitored for necessary changes and must be reviewed again in five years.
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## **3.00 CONSULTATIONS REQUIRED / CARRIED OUT**

3.01	Consultation was carried out as required by the Act.
3.02	In previous S182 (Licensing Act 2003) guidance documents licensing authorities were advised to follow the consultation principles guidance issued by the Cabinet Office. Paragraph 13.6 of the current guidance states that it is a matter for the licensing authority to decide the duration.
3.03	It was decided in this instance, a consultation duration of four weeks would be proportionate.

## **4.00 RISK MANAGEMENT**

4.01	None in respect of this report.
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## **5.00 APPENDICES**

5.01	A: Summary of consultation responses B: Final draft Statement of Licensing Policy

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
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6.01	<p>Cabinet Office Consultation Principles  <a href="https://www.gov.uk/government/publications/consultation-principles-guidance">https://www.gov.uk/government/publications/consultation-principles-guidance</a></p> <p><b>Contact Officer:</b> Gemma Potter  Community Protection Team Leader - Licensing</p> <p><b>Telephone:</b> 01352 703371</p> <p><b>E-mail:</b> gemma.potter@flintshire.gov.uk</p>
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<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
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7.01	<p><b>Statement of Licensing Policy:</b> A document that sets out how Flintshire County Council will carry out its licensing function for the next five years.</p> <p><b>Collaboration Project:</b> A collection of task groups aiming to work together in certain areas across the six North Wales Authority areas.</p> <p><b>The Live Music Act 2012:</b> An Act which caused certain licensable activity in relation to live music and dancing to become deregulated.</p> <p><b>Responsible Authorities:</b> Bodies to whom the Licensing Act 2003 delegates a licensing role. A Responsible Authority can make a representation about an application for a licence or to vary a licence.</p> <p><b>Pubwatch:</b> A meeting run by members of the Licensed Trade, to which the Police and Licensing Authority are usually invited. The main aim is to discuss emerging issues or problems within the night time economy.</p> <p><b>Section 182 Guidance:</b> Guidance issued under Section 182 of the Licensing Act 2003</p>
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