

Blaby District Council
Licensing & Regulatory Committee

Date of Meeting 15 June 2023
Title of Report **Licensing Act 2003 Statement of Licensing Policy**
Report Author Environmental Health Manager

1. What is this report about?

- 1.1 The Licensing Act 2003 requires Blaby District Council as the Licensing Authority to prepare and publish a Statement of Licensing Policy at least every five years. The current Policy was approved by Council in September 2018, and is due to expire in September 2023.
- 1.2 The Statement of Licensing Policy details how the Licensing Authority, over the next five years, will exercise its functions under the Licensing Act 2003 in the administration and compliance of licences and notices issued under the Act.
- 1.3 A recent four week consultation with Relevant Authorities and other interested parties has been undertaken, this report features responses from the consultation.

2. Recommendation(s) to Council

- 2.1 That, following consideration of the consultation responses and agreement of any subsequent amendments, the Statement of Licensing Policy 2023 – 2028 be agreed.
- 2.2 Delegate authority to the Group Manager of Environmental Health, Housing & Community Services, in conjunction with the Portfolio Holder and the Chairman of Licensing and Regulatory Committee, to update the Policy in the future should amendments or changes be required as a result of changes in legislation or best practice guidance.

3. Reason for Decision(s) Recommended

- 3.1 It is appropriate that members of the Licensing & Regulatory Committee review and agree the Policy.
- 3.2 This is to ensure that any last minute amendments to the Policy whilst in draft form can be incorporated into the final Policy submitted to Council in July 2023 prior to it coming into effect on 1st September 2023.

4. Matters to consider

4.1 Background

The Licensing Act 2003 requires Blaby District Council as the Licensing Authority to prepare and publish a Statement of Licensing Policy at least every five years. The current Policy was approved by Council in September 2018, and is due to expire in September 2023.

The Home Office guidance issued under Section 182 of the Licensing Act 2003 provides guidance on the preparation of the Policy together with details on the consultation process, which must be followed. The current guidance (issued December 2022) has been taken into consideration.

The Statement of Licensing Policy details how the Licensing Authority, over the next five years, will exercise its functions under the Licensing Act 2003 in the administration and compliance of licences and notices issued under the Act.

The revised Statement of Licensing Policy is attached at **Appendix A**, and changes made from the previous Policy is attached as **Appendix B**.

4.2 Proposal(s)

That, following consideration of the consultation responses and agreement of any subsequent amendments, the Statement of Licensing Policy 2023 – 2028 be agreed.

Delegate authority to the Group Manager of Environmental Health, Housing & Community Services, in conjunction with the Portfolio Holder and the Chairman of Licensing and Regulatory Committee or its equivalent Policy Committee, to update the Policy in the future should amendments or changes be required as a result of changes in legislation or best practice guidance.

4.3 Relevant Consultations

A consultation exercise regarding the revised Policy was commenced on 12th May 2023 for four weeks, ending on 9th June 2023.

The Authority issued correspondence to Responsible Authorities and other persons as required in the guidance, explaining how to submit a representation if desired. In addition, a link was placed on the consultation page of the Council's website. This allowed any other interested party wishing to be involved to submit representations.

Responses were received during the consultation period. The responses are detailed in the table attached at **Appendix C** (to be provided to the Committee prior to the meeting).

4.4 Significant Issues

There are issues regarding Legal Implications, these are addressed in Section 8.

5. What will it cost and are there opportunities for savings?

5.1 There are no costs and no opportunities for savings.

6. What are the risks and how can they be reduced?

| 6.1 | Current Risk | Actions to reduce the risks |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | The Licensing Authority is required to review its Statement of Licensing Policy every five years under the Licensing Act 2003. | The Policy has been reviewed within the mandatory period and will be kept under review whilst it is in effect until 2028. |
| | A Policy must be determined and published before the authority carries out any function in respect of individual applications and notices made under the terms of the 2003 Act. | The Policy is anticipated to be determined and approved by July following Committee and Council approval and will be published to take effect from 1 st September 2028. |

7. Other options considered

7.1 There are no other options available.

8. Other significant issues

8.1 In preparing this report, the author has considered issues related to Human Rights, Human Resources, Equalities, Public Health Inequalities, and Climate Local and there are no areas of concern.

8.2 Legal matters

The Licensing Authority is required to review its Statement of Licensing Policy every five years under the Licensing Act 2003 and to keep the Policy under review while it is in effect. The Statement of Licensing Policy details how the Licensing Authority will exercise its functions under the Licensing Act 2003.

9. Appendix

- 9.1 Appendix A – Licensing Act 2003 Statement of Licensing Policy 2023 – 2028
- 9.2 Appendix B – Summary of Policy changes
- 9.3 Appendix C – Consultation responses – To follow

10. Background paper(s)

- 10.1 Revised guidance issued under section 182 of the Licensing Act 2003 (December 2022) (accessible)
[Revised guidance issued under section 182 of the Licensing Act 2003 \(December 2022\) \(accessible\) - GOV.UK \(www.gov.uk\)](#)

11. Report author's contact details

Philip Fasham Environmental Health Manager
Philip.fasham@blaby.gov.uk 0116 272 7548