

Blaby District Council
Council

Date of Meeting	25 July 2023
Title of Report	Licensing Act 2003 Statement of Licensing Policy 2023 - 2028 This is not a Key Decision and is on the Forward Plan
Lead Member	Cllr. Les Phillimore - Housing, Community & Environmental Services
Report Author	Environmental Health Manager
Corporate Priority	A Place to Live

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 the Statement of Licensing Policy 2023 – 2028 be approved.
- 2.2 That delegated authority is given to the Group Manager of Environmental Health, Housing & Community Services, in consultation with the relevant Portfolio Holder and the Chairman of Licensing and Regulatory Committee, to update the Policy if minor amendments or changes are required.

3. Reason for Decisions Recommended

- 3.1 It is appropriate that members of the Council review and agree the Policy, inclusive of any amendments to the Policy whilst in draft form 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 the Statement of Licensing Policy 2023 – 2028 is approved.

That delegated authority is given to the Group Manager of Environmental Health, Housing & Community Services, in consultation with the relevant Portfolio Holder and the Chairman of Licensing and Regulatory Committee, to update the Policy if minor amendments or changes are required.

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 **Appendix C**.

There were no significant concerns raised as a result of the responses, and it was agreed by the Licensing & Regulatory Committee that as a result of the response from Public Health at Leicestershire County Council, a new "Public Health" section should be included in the Policy moving forwards. This will allow applicants to voluntarily consider Public Health when making an

application for a licence. This is now included in the revised Policy attached to this report.

It was also agreed that when legislation and guidance is released regarding Martyn's Law, mentioned by Leicestershire Police in their response, this may lead to further review of the Policy for which significant changes may be necessary. Once more is known and understood about the introduction of Martyn's Law, a review of the Policy can take place when appropriate.

4.4 Significant Issues

There are no significant issues relating to Human Rights, Human Resources, Equalities, Public Health Inequalities, and Climate Local. There are issues regarding Legal Implications, these are addressed Section 8.

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

5.1 There are no costs and no opportunities for savings.

	Current year	2023/24
Revenue	Met within existing budgets	Met within proposed budgets
Capital	None	None

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. Environmental impact

- 8.1 There are no impacts on the environment as a result of this report.

9. Other significant issues

- 9.1 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.

Legal matters

- 9.2 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.

10. Appendix

- 10.1 Appendix A – Licensing Act 2003 Statement of Licensing Policy 2023 – 2028 DRAFT
- 10.2 Appendix B – Summary of Policy changes
- 10.3 Appendix C – Consultation responses

11. Background paper(s)

- 11.1 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 \(www.gov.uk\)](#)

12. Report author's contact details

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