

# LICENSING COMMITTEE

## Revised Statement of Licensing Policy (2023-2028) (Consultation Draft)

7 September 2023

### Report of Licensing Manager

#### PURPOSE OF REPORT

To introduce members of Licensing Committee to a draft of the Council's Statement of Licensing Policy (2023-2028) prior to undertaking the statutory consultation.

**This report is public.**

#### RECOMMENDATIONS

(1) That the content of the report is noted.

##### 1.0 Introduction

1.1 Section 5 of the Licensing Act 2003 (requires that a licensing authority publish a Statement of Licensing Policy for a five-year period. Lancaster City Council's Statement of Licensing Policy 'expired' in January 2021.

1.2 The Covid-19 pandemic impacted the Council's ability to consult with relevant bodies under section 5(3) of the Licensing Act 2003. Furthermore, resources and department priorities have not allowed for the completion of the review of the Policy, until now.

##### 2.0 Proposal Details

2.1 The draft attached at **Appendix 1** has been prepared in accordance with the provisions of the Licensing Act and Guidance issued by Secretary of State for Culture Media and Sport under Section 182 of the Act (currently dated August 2023). The Licensing Authority is therefore, bound by the Act, any regulations made under it, and the Section 182 Guidance.

##### 3.0 Details of Consultation

3.1 For the purpose of reviewing the Policy, in accordance with the requirements of the Act, Lancaster City Council will consult with:

- Lancashire Constabulary
- Lancashire Fire and Rescue Service
- Representatives of existing holders of premises and personal licences

- Representatives of existing holders of club premises certificates
- Local businesses and their representatives
- Local residents and their representatives
- Lancashire Public Health

3.2 As part of the consultation process, letters will be sent to all licence holders, and other stakeholders, with a request for responses by **Monday 30<sup>th</sup> October 2023** (7-weeks).

Copies of the draft policy will be placed on the Licensing pages of the Lancaster City Council website, additionally, hard copies will be available at the Town Halls in Morecambe and Lancaster.

Any responses to the public consultation will be considered by Licensing Committee, prior to approval by Full Council.

#### **4.0 Options**

4.1 The report is for noting.

4.2 Members are welcome to provide verbal feedback as part of today's meeting or via the formal consultation period.

#### **5.0 Conclusion**

5.1 Lancaster City Council must review, update and publish its Statement of Licensing Policy every 5 years. A thorough review has been undertaken and a draft policy prepared for public consultation. The consultation period will last 7-weeks, responses will be considered by Licensing Committee at its November meeting prior to the policy being approved by Full Council.

### **CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):**

The draft policy is subject to statutory consultation; licence holders, local businesses and stakeholders, as well as responsible authorities will be notified of the draft and comments are welcome.

### **LEGAL IMPLICATIONS**

Section 5 of the Licensing Act 2003 requires that a Licensing Authority publish a Statement of Licensing Policy for a five-year period, although current policy expired in January 2021 it has been used as a basis for decision-making since that time.

The draft policy sets out the general approach of how the Licensing Authority will determine applications made under the Licensing Act 2003 for the next 5 years, the policy will be kept under review and changes made as required during that period.

### **FINANCIAL IMPLICATIONS**

None Identified.

**OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces**

None Identified.

**SECTION 151 OFFICER'S COMMENTS**

None.

**MONITORING OFFICER'S COMMENTS**

None.

**BACKGROUND PAPERS**

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