# Adoption of Statement of Licensing Policy 2018-2023

## Purpose of this Report

This report recommends the adoption of the Licensing Act 2003 Statement of Licensing Policy 2018-2023 with effect from 31 December 2018.

## Background

### Section 5 of the Act

Section 5 of the Act requires each licensing authority to prepare and publish a statement of licensing policy every five years. The policy statement is expected to set out, for the benefit of applicants, responsible authorities and members of the local community, how the authority intends to approach its licensing responsibilities under the Act. Each authority is also required to keep the statement of policy under review throughout its term and make appropriate revisions as necessary.

### Current Statement of Licensing Policy

The current Statement of Licensing Policy was approved by full council on 20 November 2013.

### Changes to the Licensing Act

Since the last Statement of Policy was adopted in 2013 there have been some changes to the Licensing Act 2003, particularly concerning the definition of regulated entertainment and the introduction of the Immigration Act 2016. The document takes account of these changes but it does not fundamentally change the document.

### Updates to the Statement

On 26 June 2018, the Licensing Committee considered a draft Statement of Licensing Policy that had been updated to take into account amendments to...
the legislation and suggested amendments by Members. It was ‘RESOLVED,

1. Officers be authorised to consult on the draft Statement of Licensing Policy 2018-2023 as presented in LIC/18/01 Appendix A.
2. A consultation period of eight weeks be agreed.
3. The protection of vulnerable persons be integrated in to the policy.’

3.5 The Licensing Act requires that all the responsible authorities shall be consulted, along with any other bodies or individuals as appropriate. The draft policy was also placed upon the Hertsmere web site, through Hertsmere’s social media and in all libraries.

3.6 An 8-week consultation process took place between 9 July 2018 and 3 September 2018 and 3 responses were received from:

- Fire Protection;
- Public Health – Health Protection;
- Shiva Foundation

3.7 At the Licensing Committee held on 27 September 2018, careful consideration had been given to the consultation responses and amendments were made to the revised Statement of Licensing Policy where it was considered as appropriate.

3.8 It was ‘RESOLVED that the Committee endorse the post-consultation draft Statement of Licensing Policy amendments and recommend to Full Council that the policy is adopted at its next meeting on 21 November 2018. As set out at Appendix B to Report LIC/18/03 with the amendment of ‘should’ instead of ‘may’ in 5.44.’

4 FINANCIAL AND BUDGET FRAMEWORK IMPLICATIONS

4.1 Adopting the Statement of Licensing Policy will not place any new financial implications on the Council.

5 LEGAL POWERS RELIED ON AND ANY LEGAL IMPLICATIONS

5.1 The Licensing Act 2003 and the Guidance issued by the Home Office provides the legal framework for the adoption of the Policy.

6 EFFICIENCY GAINS AND VALUE FOR MONEY

6.1 None for the purposes of this report.

7 RISK MANAGEMENT IMPLICATIONS

7.1 The Policy must be revised and adopted by the set date 31 December 2018 to ensure the continued and proper implementation of the Act and avoid legal challenge, reputational and financial risk.
8 PERSONNEL IMPLICATIONS
8.1 None for the purposes of this report.

9 EQUALITIES IMPLICATIONS
9.1 None for the purposes of this report.

10 CORPORATE PLAN and POLICY FRAMEWORK IMPLICATIONS
10.1 None for the purposes of this report.

11 ASSET MANAGEMENT IMPLICATIONS
11.1 None for the purposes of this report.

12 HEALTH AND SAFETY IMPLICATIONS
12.1 None for the purposes of this report.

13 BACKGROUND DOCUMENTS USED TO PREPARE THIS REPORT

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