



LICENSING COMMITTEE

Monday, 17 July 2023

Subject	Scheduled Review of the Council's Statement of Licensing Policy
Report by	Councillor Mike Ninnmey – Cabinet Member with responsibility for Community Health
Supporting Officer	Martin Clarke Licensing Manager and Housing Lead Lawyer 01502 523226 Martin.clarke@eastsoffolk.gov.uk

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not applicable
Wards Affected:	All Wards

Purpose and high-level overview

Purpose of Report:

To present the draft revised edition of the Statement of Licensing Policy (**attached at Appendix A**) to the Licensing Committee and to seek approval to consult on the revised document.

Options:

1. To approve the draft 6th edition of the Statement of Licensing Policy prior to commencement of a full consultation.
2. To not approve the draft policy.

Recommendation/s:

That the Committee:

- 1) Considers the proposed amendments to the draft revised edition of the Statement of Licensing Policy
and
- 2) Approves the proposed consultation for the draft revised edition of the Statement of Licensing Policy

Corporate Impact Assessment

Governance:

Licensing is a Council function exercised by the Licensing Committee and Licensing Sub-Committees.

ESC policies and strategies that directly apply to the proposal:

Statement of Licensing Policy

Environmental:

No impact

Equalities and Diversity:

No impact

Financial:

No impact

Human Resources:
No impact
ICT:
No impact
Legal:
No impact
Risk:
No impact

External Consultees:	Responsible Authorities (in terms of Licensing Act 2003) Town and Parish Councils Premises Licence holders Club Premises Certificate holders Members of the public via the Council's website
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Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: <i>(Select only one primary and as many secondary as appropriate)</i>		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>

P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T05	Caring for our Environment		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
XXX	Governance		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>
How does this proposal support the priorities selected?			
<p>Licensing plays an important role in the themes in the Council’s Strategic Plan of growing our economy and enabling our communities. The Statement of Licensing Policy gives clear guidance on licensing matters to applicants, licensees and the public; promoting economic growth for local businesses whilst enabling the community to make constructive representations should the need arise.</p>			

Background and Justification for Recommendation

1 Background facts	
1.1	The Licensing Act 2003 requires each local authority to publish a Statement of Licensing Policy and review it every five years, or sooner if required. This Statement must establish the principles to be applied when determining applications under the Act, such as applications for the sale/supply of alcohol, regulated entertainment and the provision of late-night refreshment.
1.2	<p>The Act specifies that in drafting and implementing the Policy, it must promote the four licensing objectives. These are:</p> <ul style="list-style-type: none"> • The prevention of crime and disorder. • Public safety. • The prevention of public nuisance. • The protection of children from harm.
1.3	Home Office Guidance issued under section 182 of the Licensing Act 2003 (the “Guidance”) provides local authorities with direction on the discharge of their functions under the Act. Licensing Authorities must have regard to the Act and the Guidance when preparing its Policy.
1.4	The Council first published its Statement of Licensing Policy in January 2005. This sets out the decision-making principles when licensing premises for alcohol, regulated entertainment and late-night refreshment. Until 2011 the prescribed period for reviewing the policy was every 3 years. In 2011 this period changed to every 5 years. The next policy due to be published in January 2024, will be the Council’s 6 th edition.

2 Current position

2.1	East Suffolk carried out its last consultation and review in 2018. The current Statement of Licensing Policy was published in January 2019 and covers the period January 2019 to January 2024.
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3 How to address current situation

3.1	The Statement of Licensing Policy has been updated and the Licensing Committee is asked to consider the document and approve a 4-week consultation. Responses to the consultation will be reported to the next meeting of the Licensing Committee in October 2023 in order that full Council can adopt the policy at its meeting in November 2023.
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3.2	<p>Updated information:</p> <ul style="list-style-type: none">• The addition of section 24 regarding ancillary delivery of alcohol and/or late-night refreshment. <p>It is proposed that, for the purposes of the consultation, an electronic link to the draft policy should be sent to:</p> <ul style="list-style-type: none">• Responsible Authorities (in terms of Licensing Act 2003)• Town and Parish Councils• Premises Licence holders• Club Premises Certificate holders• Members of the public via the Council's website <p>The draft policy will also be available on the East Suffolk Council's website.</p>
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4 Reason/s for recommendation

4.1	The Licensing Act 2003 required all Local Authorities to adopt a Statement of Licensing Policy and to update this policy following a consultation procedure.
4.2	The current Statement of Licensing Policy is due for a review and the new document must be published in January 2024.

Appendices

Appendices:

Appendix A	Draft Statement of Licensing Policy
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Background reference papers:

None