

<b>27 July 2022</b>		<b>ITEM: 10</b>
<b>Council</b>		
<b>Licensing Act 2003 Statement of Licensing Policy</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key	
<b>Report of:</b> Cllr G Collins, Chair Licensing Committee.		
<b>Accountable Assistant Director:</b> Leigh Nicholson, Assistant Director Planning, Transport and Public Protection		
<b>Accountable Director:</b> Julie Rogers, Director of Public Realm		
<b>This report is:</b> Public		

## **Executive Summary**

The Licensing Act 2003 requires a licensing authority to review their Statement of Licensing Policy at least once every 5 years. A reviewed policy has been produced and consulted on, the consultation response has been considered by the Licensing Committee with the final versions agreed and ready for adoption.

### **1. Recommendation(s)**

#### **1.1 That the Committee –**

- (a) Adopts the reviewed Statement of Licensing Policy as attached at Appendix A, with immediate effect.**

### **2. Introduction and Background**

- 2.1 The Licensing Act 2003 required the Council as a Licensing Authority to produce a Statement of Licensing Policy. The legislation further requires the Council to review, determine and publish its policy with respect to the exercise of its licensing functions at least every 5 years.
- 2.2 The current Statement of Licensing Policy first came into effect in 6 January 2014. The statement is now overdue for review and requires publication as soon as possible.

### **3. Issues, Options and Analysis of Options**

- 3.1 The Council as a Licensing Authority is obliged to have a statement of Local Licensing Policy in place. The current Policy expired on 6 January 2018. It is therefore imperative that the Council adopts a reviewed as soon as possible.
- 3.2 The reviewed policy has only seen minor amendments particularly around legislative changes in the following areas:
- The introduction of the Home Office as a Responsible Authority
  - The introduction of the right to work checks
  - The updating of the application procedures
- 3.3 The reviewed policy was subject to public consultation. All consultation responses were reported to the Licensing Committee in September 2021, for consideration. It was resolved at that Committee that the Statement of Licensing Policy as attached as **Appendix A**, be approved, and recommend to Full Council that it be adopted and implemented with immediate effect.

### **4. Reasons for Recommendation**

- 4.1 The reviewed policy has been subject to public consultation. The consultation responses have been considered by the Licensing Committee and have been incorporated where appropriate.
- 4.2 Adoption of the policy is a Full Council function.

### **5. Consultation (including Overview and Scrutiny, if applicable)**

- 5.1 Consultation on the reviewed draft policy has been undertaken. All premises licensed under the Licensing Act 2003 by Thurrock Council were written to inviting them to view the draft policy, and to make any comments via the Councils online consultation portal.
- 5.2 Consultation has also been undertaken with other stakeholders and with responsible authorities, including police; fire and rescue; trading standards; health and safety; planning; public health and environmental health.
- 5.3 The draft policy has also been published on the Council's online consultation portal for comments by the public.
- 5.4 The consultation period ran from 2 August 2021 to 16 September 2021.

### **6. Impact on corporate policies, priorities, performance and community impact**

- 6.1 Thurrock's Statement of Licensing Policy underpins the Authority's administration of the licensing regime. It should accord with the general principles in the Secretary of State's Guidance and promote the licensing objectives, which are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Laura Last**  
**Senior Management Accountant**

There are no financial implications for Thurrock Council.

### **7.2 Legal**

Implications verified by: **Simon Scrowther**  
**Principal Lawyer**

The granting of Licences is a legal function of the authority and the adoption of a revised Statement of Licensing Policy a statutory requirement under the Licensing Act 2003. The final policy will need to be adopted by Full Council. This review will bring the policy in line with all recent changes to legislation and statutory guidance

### **7.3 Diversity and Equality**

Implications verified by: **Roxanne Scanlon**  
**Community Engagement and Project  
Monitoring Officer, Community Development  
and Equalities**

A Community and Equality Impact Assessment has been undertaken and there are no there are no Diversity and Equality Implications at this stage.

### **7.4 Other implications** (where significant) – i.e. Staff, Health Inequalities, Sustainability, Crime and Disorder or Looked After Children

None

## **8. Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

None

**9. Appendices to the report**

Appendix A – Reviewed Statement of Licensing Policy.

**Report Author:**

Paul Adams, Licensing Manager, Licensing Team, Public Protection