



AGENDA ITEM: 5

SUMMARY

Report for:	Licensing, Health & Safety and Enforcement Committee
Date of meeting:	21 July 2020
PART:	I
If Part II, reason:	

Title of report:	Review of Statement of licensing policy
Contact:	Nathan March – Licensing Team Leader, Corporate and Contracted Services
Purpose of report:	To present draft revisions to the Council’s Statement of Licensing Policy under the Licensing Act 2003
Recommendations	That officers commence consultation with responsible authorities, representatives of licence-holders and other persons on the proposed revisions to the Council’s Statement of Licensing Policy under the Licensing Act 2003 and report the results to a future meeting of the Committee.
Corporate objectives:	<ul style="list-style-type: none"> • A clean, safe and enjoyable environment • Ensuring efficient, effective and modern service delivery • Building strong and vibrant communities • Ensuring economic growth and prosperity
Implications:	<p><u>Equalities</u> A Community Impact Assessment has been provided as part of the report</p> <p><u>Financial / Value for Money / Risk / Health & Safety</u> None arising.</p>
Consultees:	This is a pre-consultation report. If the recommendation is approved, the results of public consultation will be reported to a future meeting of the Committee.

Background papers:	Draft Statement of Licensing Policy 2021-2026 Dacorum Borough Councils Licensing enforcement Policy - http://www.dacorum.gov.uk/home/environment-street-care/licensing
Glossary of acronyms and any other abbreviations used in this report:	

1. BACKGROUND

- 1.1. One of the major regulatory regimes under which the Council has statutory responsibilities is the licensing of alcohol supplies, regulated entertainment and late night refreshment under the Licensing Act 2003.
- 1.2. This Act requires licensing authorities (district councils or unitary authorities) to publish a written 'Statement of Licensing Policy', setting out how they intend to exercise the licensing and enforcement powers conveyed to them under the Act, the principles that they will follow, and their expectations of licensees. This policy must be periodically reviewed, so as to ensure that it reflects the current legislation, and is relevant to the issues arising in the authority's area.
- 1.3. Dacorum last reviewed its licensing policy in 2015 (Licensing Act 2003) and it is due for review and replacement by January 2021, in order to satisfy the statutory requirements in the Act.
- 1.4. Officers have prepared revised licensing policy documents under the Act to reflect the experiences of the licensing authority and address issues which have emerged in this period. The major changes are summarised below.
- 1.5. The Committee are asked to approve consultation on the revised policy. The Act specifies a number of requirements for consultation on policy change, including lists of the categories of people who should be consulted, and the consultation on the revised policy will be carried out with regard to these requirements, and to the Government's consultation principles.
- 1.6. An 8-week consultation period is proposed, in order to bring the results to the Committee's October meeting and Full Council in November.
- 1.7. The final decision to adopt or revise a licensing policy under the Act must be made by Full Council. Following consultation, the Committee will be asked to resolve to recommend the adoption of the revised policy (with any additional revisions after considering the consultation responses) by the Council later this year.

2. CHANGES TO STATEMENT OF LICENSING POLICY (LICENSING ACT 2003)

- 2.1. The Licensing Authority has been involved in a number of cases which it would be appropriate to reflect within its policy statement.

2.2. Many of the changes that have been made are minor additions for clarification purposes.

2.3. Pre-Application Advice (Section 15)

2.3.1. This section has been added to direct potential applicants to our Pre-Application advice Policy, which was adopted last year.

2.4. Use of multiple Temporary Event Notices for single events

2.4.1. The Council has become aware that there is an increasing trend in the use of multiple TENs to cover larger events, which can be done legally, but prevents the use of conditions to help in the regulation of such events.

2.4.2. The more common use of TENs is for small one off events, for a maximum number of 499 attendees (including staff etc), but organisers are sometimes choosing to use one TEN to cover a bar area at a larger event, and then another TEN to cover an area where regulated entertainment such as music is taking place, allowing for up to 998 people to be present in the 2two areas so long as only 499 are present in either one at any time.

2.4.3. This section has been added to highlight sensible steps that organisers may wish to take if planning to take this approach.

3. RECOMMENDATION

3.1. That officers commence consultation with responsible authorities, representatives of licence-holders and other persons on the proposed revisions to the Council's Statement of Licensing Policy under the Licensing Act 2003, and report the results to a future meeting of the Committee.