

COUNCIL

13 April 2016

ADOPTION OF LICENSING POLICY

REPORT OF THE HEAD OF ENVIRONMENTAL HEALTH & LICENSING

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RECENT REFERENCES:

[LR468](#) - Review of Statement of Licensing Policy 2016 - comments received following consultation – 17 March 2016

[LR463](#) – Review of Statement of Licensing Policy – the Licensing Authority’s Duty to consider the purposes of the South Downs National Park (SDNP) - 14 January 2016

EXECUTIVE SUMMARY:

At the meeting of the Licensing and Regulation Committee on 17 March 2016, Members resolved to approve, subject to amendments, the review of the Licensing Policy to take into consideration the purposes of the South Downs National Park (SDNP).

Prior to publication, the amended Licensing Policy at Appendix 1 of this Report must be adopted by Council.

RECOMMENDATION:

That the amended Statement of Licensing Policy, as set out in Appendix 1 to the Report, be adopted by the Council pursuant to Section 5 of the Licensing Act 2003.

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#### DETAIL:

#### 1. Introduction

- 1.1. The City Council as the Licensing Authority is required to review and publish its Licensing Policy under section 5 of the Licensing Act 2003 every five years.
- 1.2. The current Licensing Policy ("the Policy") was adopted by full Council on 16 November 2013 for the period of 7 January 2014 to 6 January 2019.
- 1.3. During the five year period, the Licensing Authority must keep its policy under review and make such revisions to it, as such times, as it considers appropriate.
- 1.4. A review of the Policy has taken place to include within the Policy consideration of the purposes of the South Downs National Park ("SDNP").
- 1.5. The Licensing and Regulation Committee have approved the reviewed Policy, attached at Appendix 1 of the report.
- 1.6. The changes to the Policy must be adopted by full Council prior to publication.

#### 2. Review of Policy

- 2.1. Officers reviewed the Policy to take into consideration the Council's duty to have regard to the SDNP purposes when considering applications.
- 2.2. At the meeting of the Licensing and Regulation Committee on 14 January 2016, Members approved the draft Licensing Policy for consultation (Report LR463 refers).
- 2.3. Consultation took place between 1 February and 29 February 2016. One response was received from the South Downs National Park Authority ("SDNPA") which suggested further amendments to the Policy.
- 2.4. Members considered the response from the SDNPA at the meeting of the Licensing and Regulation Committee on 17 March 2016 (Report LR468 refers). Members resolved to make amendments to the Policy to include the proposals by the SDNPA.

- 2.5. The revised Licensing Policy, including amendments (shown as tracked changes), as agreed by the Licensing and Regulation Committee, can be found at Appendix 1 of this Report.

OTHER CONSIDERATIONS:

3. COMMUNITY STRATEGY AND PORTFOLIO PLANS (RELEVANCE TO):

- 3.1. This report covers issues which affect the Outcomes of High Quality Environment and Active Communities.
- 3.2. There is no direct link to Portfolio Plans as the requirements under the Licensing Act 2003 are statutory functions.

4. RESOURCE IMPLICATIONS:

- 4.1. The process of reviewing and adopting the Policy has required officer time which is covered by existing budgets.

5. RISK MANAGEMENT ISSUES

- 5.1. None

BACKGROUND DOCUMENTS:

None

APPENDICES:

Appendix 1            Review of Licensing Policy – January 2016