

## 1. TITLE Outcome of Consultation on Licensing Act 2003 Policy

Officer contact: Caroline Steven, Licensing Team Leader, ext.3222  
[caroline.steven@wycombe.gov.uk](mailto:caroline.steven@wycombe.gov.uk)

Wards affected: All

### ***PROPOSED RECOMMENDATION TO COUNCIL***

That Committee approve the changes to the policy as set out at Appendix A and recommend the draft Statement of Licensing Policy for approval.

### ***Reason for Decision***

The Council is required by the Licensing Act 2003 to periodically review, consult upon and publish a Statement of Licensing Policy. Failure to do so may lead to legal challenge.

### **Corporate Implications**

The review and publication of the Policy must be carried out in order to comply with the Licensing Act 2003. Non-compliance may lead to possible legal and financial implications in that future applications determined under the Act may be challenged.

### **Executive Summary**

Members will recall that the Council originally approved the Statement of Licensing Policy in December 2004 and again following its previous reviews in 2007 and 2010. In accordance with s.5 of the Licensing Act 2003, the Council is required to periodically review, prepare and publish this policy, following full consultation. The previous required time period of every three years has now been extended to every five years although due to some recent changes in legislation it was deemed appropriate to carry out a review at this time. The consultation process has now taken place and Members are requested to consider the amended draft Policy for approval.

### **Sustainable Community Strategy/Council Priorities - Implications**

The Policy contributes to the Excellent Customer Services Priority and the safer Communities theme in the Community Plan.

### **Background and Issues**

1. The Statement of Licensing Policy must be periodically reviewed, undergo a consultation process and be approved by Council, as required by s.5 of the Licensing Act 2003.
2. The consultation process took place between the 29<sup>th</sup> July and the 21<sup>st</sup> October 2013. Approximately 500 letters were sent to organisations and individuals including responsible authorities, trade organisations, representatives of the

licensed trade, representatives of residents, Parish Councils and Members. The consultation process was also advertised on the Council's website.

3. One response was received, which updated references to the Health Authority and related policy documents.
4. In addition to these amendments, additional consideration has been given to other minor changes within the policy reflecting current legislation and business practices. These changes are marked with tracked changes on the draft Policy on pages 8 (at 3.4) and 22 (at 9.6).
5. Spare copies of the draft Statement will be available for Members at the Committee meeting.
6. The Committee is requested to consider the draft and make any comments for further amendment prior to its submission to Council for adoption in December.

### **Next Steps**

If the Committee is minded to approve the changes to the draft policy, it should be recommended for approval by Council at their meeting on 16 December 2013

### **Background Papers**

Within Environment Service