

REVIEW OF LICENSING ACT 2003 POLICY – OUTCOME OF CONSULTATION

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Wards Affected: All

PROPOSED RECOMMENDATION TO COUNCIL

That the Committee comment on the draft Statement of Licensing Policy as set out at Appendix A and recommend it to Council for approval.

Reason for Decision

To comply with the requirements of the Licensing Act 2003.

Executive Summary

Members may recall that the Council originally approved the Statement of Licensing Policy under the Licensing Act 2003 in December 2005. In accordance with section 5 of the Licensing Act 2003, the Council is required to review, prepare and publish this policy at least every five years, following full consultation. The consultation process has now taken place and Members are requested to consider the draft revised Policy.

Policy/Community Plan Implications

The revision of the Licensing Act 2003 policy contributes to the Community Plan Aims in respect of regeneration and cohesive communities.

Corporate / Legal 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.

Detailed Report

1. The Statement of Licensing Policy must be reviewed, undergo a consultation process and be approved by Council in December this year, as required by the Licensing Act 2003.
2. The consultation process took place between the 11th May and the 3rd August 2018.
3. Approximately 300 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.
4. Two responses were received, although one of these responses stated that they had no comments to make in relation to the policy. The other response was received from High Wycombe Bid Co and a copy is at Appendix B. The first comment made is a request to make busking licensable although this falls outside of the purview of the Licensing Act 2003.
5. It was noted that the title given to HWBID CO was incorrect at paragraph 1.16 and this has been corrected within the policy.

6. Finally, it was suggested that a recommendation be made within the policy for all town centre licensed premises to be members of the Pubwatch scheme. This is considered to be appropriate and has also been included at paragraph 1.16.
7. It is not considered that any further amendments to the policy are required.
8. Spare copies of the Statement will be available for Members at the Committee meeting.
9. The Committee is requested to consider the Statement and make any comments for further amendment prior to its submission to full Council for adoption in December.

Options

The Statement of Licensing Policy can be amended by the Committee should it be considered necessary to do so.

Next Steps

If approved, the Statement of Licensing Policy will be considered by Full Council at its meeting on the 10th December 2018.

Background Papers

Licensing Act 2003