

Licensing Committee

31 October 2018



Title	Licensing Act Policy 2019 – 2024 Draft for consultation		
Purpose of the report	To make a decision		
Report Author	Rob Thomas		
Cabinet Member	Councillor Daxa Patel	Confidential	No
Corporate Priority	This item is not in the current list of Corporate priorities but still requires a Cabinet decision		
Recommendations	Licensing Committee is asked to approve the revised Statement of Licensing Policy 2019 – 2024 for consultation in accordance with the timetable specified in this report.		
Reason for Recommendation	Statutory requirement under the Licensing Act 2003.		

1. Key issues

- 1.1 Section 5 of the Licensing Act 2003 requires a licensing authority to prepare and publish a Statement of Policy every five years. Amendments have therefore been made to the current policy largely to reflect changes to the legislation that have been made since the policy was last reviewed and to update statistics contained within the policy. This report is therefore to seek approval for the draft Statement of Licensing Policy for 2019 to 2024 to be sent out for a consultation with relevant stakeholders.

2. Options analysis and proposal

- 2.1 The preferred option is for Licensing Committee to approve the draft policy so that it can go out to consultation with relevant stakeholders in accordance with the timetable set out in this report.
- 2.2 There is an option for the Licensing Committee to either amend the proposed draft policy or reject it and propose its own version of a draft policy. However, the existing policy has served us well and reflects best practice and Central Government guidance. The draft policy also takes into account recent changes to legislation.
- 2.3 In any event, suggested amendments can be dealt with by way of a consultation response. All councillors will be sent a link to the consultation and draft policy as part of the consultation.
- 2.4 Licensing Committee is asked to approve the revised Statement of Licensing Act 2019 – 2024 for consultation.

3. Financial implications.

- 3.1 The costs of revising the policy and the consultation exercise will be met within existing budgets.

4. Other considerations

- 4.1 In revising the policy and conducting the required consultation the Council will meet the requirements of the 2005 Act.
- 4.2 There are no current proposals to change the fee structure under the 2003 Act, because only Central Government have this authority.

5. Timetable for implementation

- 5.1 The legislative framework requires that Spelthorne's Licensing Act Policy be reviewed. There will be an opportunity to make further amendments to take into account responses made during the consultation process. Any revisions will be subject to the approval of Council in December 2018.
- 5.2 The proposed timetable is as follows:
- Report to Licensing Committee on 31 October 2018 to obtain approval to consult on the revised draft policy.
 - Consult with stakeholders between 1 November 2018 and 28 November 2018.
 - Report to Licensing Committee on 5 December 2018 to seek a recommendation to adopt a final proposed policy.
 - Recommendation to Council on 13 December 2018 to adopt the final proposed policy.
 - Publish updated policy and add to Spelthorne's website in January 2019.

Background papers: There are none

Appendices:

Appendix 1 – Spelthorne's Gambling Act Policy 2019 – 2022 (draft for consultation)