

Date of meeting:	08 January 2024
Title of Report:	<b>Licensing Act 2003 – Statement of Licensing Policy 2024 - 2029</b>
Lead Member:	Councillor Sally Haydon (Cabinet Member for Community Safety, Libraries, Cemeteries & Crematoria)
Lead Strategic Director:	Ruth Harrell (Director of Public Health)
Author:	Katharine O'Connor, Service Manager, Public Protection Service
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Your Reference:	LSOP/CAB/JAN08
Key Decision:	No
Confidentiality:	Part I - Official

### **Purpose of Report**

The Licensing Act 2003 places a duty on the Licensing Authority to determine and publish a Statement of Licensing Policy every five years.

The current Statement of Licensing Policy was published and became operative from 31 March 2019 and is valid until 30 March 2024.

Before determining its Policy, the Licensing Authority must consult in accordance with s.182 guidance issued under the Licensing Act 2003.

The draft policy was consulted on for four weeks between Thursday 16 November 2023 and Friday 15 December 2023. This report contains details of the consultation responses and a draft of the policy proposed to be adopted.

### **Recommendations and Reasons**

- I. Recommend to the City Council that the draft Licensing Statement of Policy contained in Appendix A is adopted with effect from 31 March 2024.

*Reason: The Policy has been updated to reflect changes in statutory guidance and the current needs of the City.*

### **Alternative options considered and rejected**

- I. There are no alternative options – the Policy must be considered and adopted by Plymouth City Council in order to comply with statutory requirements. Failure to approve the Policy before 31 March 2024 would result in the Council not being able to process any licensing applications after the 31 March 2024 until a new policy statement has been formally approved.

**Relevance to the Corporate Plan and/or the Plymouth Plan**

This Policy links to the delivery of the City and Council priorities. In particular:

**Working with the Police to tackle crime and anti-social behaviour:**

The Policy provides the framework by which the Licensing Authority and the Police can promote and ensure that the Licensing Objectives are met and alcohol related crime is reduced. The licensing objectives are:

- Prevention of Crime and disorder
- Promotion of public safety
- Prevention of nuisance
- Protection of children from harm

**Keeping children, adults, and communities safe:**

The Policy provides the framework that regulates the sale of alcohol, provision of certain entertainment and late-night refreshment thereby ensuring Plymouth is a friendly, welcoming city, making sure people feel safe in the city, protecting children, young people and adults.

**Implications for the Medium Term Financial Plan and Resource Implications:**

None. Government has set fees at a level that they believe will achieve full recovery of the administrative, inspection and enforcement costs falling on the Licensing Authority associated with their licensing functions under the Licensing Act 2003. The review of the Licensing Policy is a core part of the licensing function and there are no future financial implications.

**Financial Risks**

There are no financial implications arising from this report or the proposed consultation.

The work on the revision of the Statement of Licensing Policy has been undertaken within the current resources of the Licensing Service.

**Carbon Footprint (Environmental) Implications:**

None

**Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:**

*\* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

Members should be aware that Section 17 of the Crime and Disorder Act 1998 puts a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

The Licensing Policy has a key role in reducing alcohol related crime and disorder, the fear of crime and the prevention of nuisance or anti-social behaviour. Risk taking behaviour, such as irresponsible alcohol usage can affect individual, their families, local communities and society as a whole. This policy aims to play its part in minimising the negative aspects of alcohol supply and use.

**Appendices**

*\*Add rows as required to box below*

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Briefing report: Statement of Licensing Policy							
B	Equalities Impact Assessment							
C	Draft Statement of Licensing Policy 2024 - 2029							

**Background papers:**

\*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

**Sign off:**

Fin	HLSI 9122 3	Leg	IW 18.12. 23 TCS 2516	Mon Off		HR		Asset s		Strat Proc	
Originating Senior Leadership Team member: Ruth Harrell (Director of Public Health)											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 18/12/2023											
Cabinet Member approval: Councillor Sally Haydon (Cabinet Member for Community Safety, Libraries, Cemeteries & Crematoria) approved by email.											
Date approved: 18/12/2023											