



**REPORT OF: EXECUTIVE MEMBER FOR ENVIRONMENT**

**TO: COUNCIL FORUM**

**ON: 23 January 2020**

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**LICENSING ACT 2003 - STATEMENT OF LICENSING POLICY – 2020**

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**1. PURPOSE OF THE REPORT**

1.1 To seek adoption of the Statement of Policy for the Licensing Act 2003.

**2. RECOMMENDATIONS**

2.1 That the Council approves the revised Statement of Licensing Policy for the Licensing Act 2003.

**3. BACKGROUND**

3.1 Each Licensing Authority must determine a policy with respect to the exercise of its functions in the Licensing Act 2003. The Licensing Act 2003 concerns the licensing of premises and persons for the sale of alcohol, the provision of regulated entertainment and late night refreshments.

3.2 A statement of that policy must be published and must also be kept under review and changed if deemed necessary. This must be carried out at least every 5 years.

3.3 The primary aim of this Licensing Policy is to promote the four licensing objectives, which are:

- The prevention of crime and disorder
- The prevention of public nuisance
- Public safety
- The protection of children from harm

**4. RATIONALE**

4.1 Blackburn with Darwen Borough Council last adopted a statement of licensing policy in 2015. This policy has been reviewed and amended to reflect legislative changes, notably:

- changes to the application process for a personal licence to include a check on the right to work in the UK

- the licensing authority's powers to revoke personal licences where holders have been convicted of relevant offences
- inclusion of the list of national, mandatory premises licence conditions

Other amendments are:

- updated information about the borough including the numbers of premises issued with licences
- a section on the role of public health, alcohol and licensing

4.2 The draft policy has been through a public consultation exercise that lasted from 9 August to 28 October 2019. Three responses were considered at a meeting of the Council's Licensing Committee on 29 October 2019.

## **5. POLICY IMPLICATIONS**

5.1 The Council's Constitution requires the Licensing Policy Statement to be approved by full Council as part of the policy framework.

## **6. FINANCIAL IMPLICATIONS**

6.1 None.

## **7. LEGAL IMPLICATIONS**

7.1 It is a legal requirement to review the statement of licensing policy at least every 5 years. There are no legal implications of amending the Policy. Provided the correct procedures are followed for the adoption of any amendments, decisions made under the existing Policy will not fetter the discretion of the Authority to make decisions under the new Policy.

## **8. RESOURCE IMPLICATIONS**

8.1 None.

## **9. EQUALITY IMPLICATIONS**

9.1 An Equality Impact Assessment Checklist has been completed. No negative impacts are anticipated.

## **10. CONSULTATIONS**

10.1 Details of consultation are included in paragraph 4.2.

### **Chief Officer/Member**

Contact Officer: Denise Andrews, Business Compliance and Licensing Manager

Donna Riding, Principal Licensing Officer

Date: 5 December 2019

Background Papers: None