

# **Cherwell District Council**

## **Licensing Committee**

**2 November 2015**

<p><b>Statement of Licensing Policy (LA2003) and Update on General Licensing Matters</b></p>
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### **Report of Interim Public Protection and Environmental Health Manager**

This report is public

#### **Purpose of report**

To advise Licensing Committee on various licensing matters.

#### **1.0 Recommendations**

The meeting is recommended:

- 1.1 To note the Licensing Act 2003 Statement of Licensing Policy 2016 - 2021
- 1.2 To note the update on general licensing matters.

#### **2.0 Introduction**

- 2.1 The Committee is asked to consider the statement of licensing policy following the review required by the Licensing Act 2003 and propose any changes before formal adoption.
- 2.2 The committee is also being given a verbal update of general licensing matters.

#### **3.0 Report Details**

- 3.1 Section 5 of the Licensing Act 2003 requires all licensing authorities to prepare and publish a policy they propose to apply in exercising their functions under the Act. The policy was last reviewed on the 9 of December 2010 and lasts 5 years.
- 3.2 During the 5 year period the Policy will be kept under review and the authority will make such revisions to it at such times as it considers appropriate. Further

statements of licensing policy will be published every five years or earlier as necessary.

- 3.3 In adopting this policy the licensing authority recognises both the needs of residents for a safe, healthy and sustainable environment in which to live and work and the importance of well-run entertainment and leisure premises to the economy of the Cherwell District.
- 3.4 There are no key significant policy changes in the document.
- 3.5 The Act requires the following persons be consulted regarding the review of the policy statement:
- The Chief Officer of Police
  - The areas fire authority
  - Persons/bodies representative of local holders of premises licences
  - Persons/bodies representative of local holders of club premises certs
  - Persons/bodies representative of local holders of personal licences
  - Persons/bodies representative of businesses and residents in its area
- 3.6 A wide-scale consultation process took place between the 21 September and 2 November 2015.
- 3.7 The new statement can be found at Appendix A to this report.
- 3.8 The licensing department at Cherwell currently has a shared manager, three full time members of staff and two temporary members of staff. We have one member of staff on long term maternity leave.
- 3.9 Update on general licensing matters

## **4.0 Conclusion and Reasons for Recommendations**

- 4.1 The committee is recommended to consider and comment on the matters outlined in the report before the policy goes to Full Council.

## **5.0 Consultation**

- 5.1 There has been no consultation in relation to this report.

## **6.0 Alternative Options and Reasons for Rejection**

- 6.1 The following alternative options have been identified and rejected for the reasons set out below.

None identified.

## 7.0 Implications

### Financial and Resource Implications

7.1 There are no financial implications arising directly from this report.

Comments checked by Brian Wallace, Service Accountant, 01295 221737,  
[brian.wallace@cherwellandsouthnorthants.gov.uk](mailto:brian.wallace@cherwellandsouthnorthants.gov.uk)

### 7.2 Legal Implications

The council is required to prepare and publish a Statement of Licensing Policy for the purpose of exercising its functions under the Licensing Act 2003. The Statement must be prepared, published and reviewed in accordance with the relevant legislation. Failure to comply with the relevant legislation in the preparation, publishing or review of the Statement of Licensing Policy may result in any challenge to the Statement or the means by which it was published and/ or reviewed being successful.

Comments checked by Matt Marsh, Solicitor, 01295 221691,  
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## 8.0 Decision Information

### Wards Affected

All CDC wards

### Links to Corporate Plan and Policy Framework

LA2003 Statement of Licensing Policy

### Lead Councillor

Councillor Tony Ilott, Lead Member for Public Protection

### Document Information

Appendix No	Title
A	LA2003 Statement of Licensing Policy
Background Papers	
None	
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