



Leicester
City Council

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All

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
Licensing and Public Safety Committee

15 November 2021

Review of Statement of Licensing Policy

Report of the Director Neighbourhood and Environmental Services

1. Purpose of Report

- 1.1. To obtain the Licensing and Public Safety Committee's views on the proposed Licensing Policy for February 2022 to February 2027, including any observations on the consultation responses.

2. Recommendations

- 2.1. Members are asked to provide comments on the proposed policy and the proposals for the special policy on cumulative impact, to assist Full Council when setting the policy for 2022 to 2027.

3. Background

- 3.1 The Licensing Policy sets out the authority's position on matters relating to the Licensing Act 2003. This Act deals with

- The sale or supply of alcohol
- Regulated entertainment
- Late night refreshment

- 3.2 Authorities are required to review and consult on their Licensing Policy every five years. Leicester City Council's current policy expired in February 2021. Due to the impact of coronavirus the Government permitted an extension to the requirement to revise and consult on Statement of Licensing Policies.

4 Proposals

- 4.1 The main changes to the licensing policy are as follows:

- a contribution from Public Health in terms of the impact of alcohol on the health and wellbeing of the residents of Leicester – **Section 6.27 to 6.37.**

- The inclusion of Section 7a - Areas of Special Interest and Consultation where applicants will be expected to make contact with the Responsible Authorities and tailor their operating schedules accordingly if they wish to apply for a licence in those areas specified – **Section 8.**
- A reassessment of the current Cumulative Impact Areas (CIA's) for Churchgate, Belvoir Street, Braunstone Gate and London Road / Granby Street (Off licences) – **Section 7.**
- Reference to other Council Policies and Strategies so that applicants are aware of the dynamics of Leicester in terms of the demographics and social make- up of the City, economic ambitions, tourism ambitions and the health and well-being of our residents – **Section 3.**

4.3 The review also takes into account any legislative changes since the last policy was approved such as the increase in the limits on Temporary Event Notices and changes to the guidance in terms of Cumulative Impact Policies and how they are to be applied.

4.4 The policy has been tidied up in general and made into a much more user friendly document for those who need to read it and understand what will be expected by the Licensing Authority from applicants and licence holders. It also has been expanded to include more background information and updated to include links to various websites where additional useful documentation can be accessed.

5 Consultation

5.1 The proposed Licensing Policy for 2022-2027 is attached at Appendix A.

5.2 The consultation took place between 6 September 2021 and 20 October 2021 via the council's online consultation hub. The consultation was brought to the attention of all Councillors, responsible authorities, bodies representing the licensed trade, Solicitors within the licensing field, other Local Authorities in Leicestershire and via the Councils Social Media to the wider public. An email was also sent to all licence holders who have an up to date email address on our systems. A full list of consultees is attached at Appendix B.

5.3 The responses received and officers' comments on those responses are at Appendix C.

5.4 It is proposed that the draft licensing policy in light of those responses is amended as follows:-

- Inclusion at **1.2** of the Musicians Union as an organisation consulted during the process of revising the policy;

- At **2.5 Cultural Activities in Leicester** reference to deregulated entertainment.
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- Inclusion at **6.38 - Excessive Consumption of Alcohol** of information from the Portman Group regarding their work and Codes of Practice;

6 Next steps

- 6.1 The draft policy will be updated as appropriate in accordance with the Committee's comments. The report and any further observations will be reported to the Neighbourhoods Scrutiny Commission and subsequently to full Council on 23 February 2022.

7 Financial, Legal, Equalities, Climate Emergency and other Implications

Financial Implications

- 7.1 There are no financial implications arising from the proposed changes to the Licensing Policy.

Stuart McAvoy – Principal Accountant

Legal Implications

- 7.2 Section 5 of the Licensing Act 2003 requires the Council as a Licensing Authority to determine its statement of licensing policy for each five-year period. Before determining the statement of licensing policy, the Authority must consult on it, and the Authority must then publish the statement of licensing policy. Throughout the five-year period the Authority is required to keep the statement of licensing policy under review and make any revisions as may be appropriate. In determining or revising its policy, the Authority must have regard to any cumulative impact assessments published by it under section 5A of the Act.

John Moss - Legal Services

Equalities Implications

- 7.3 A Statement of Licensing Policy sets out how the Licensing Authority will carry out its functions under the Licensing Act 2003.

The statement of licensing policy should recognise that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics. The protected characteristics are age,

disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

The statement of licensing policy should refer to this legislation, and explain how the Equality Duty has been complied with. In order to demonstrate that the consideration of equalities impacts has been taken into account in the development of the proposals and as an integral part of the decision making process, an Equalities Impact Assessment is being undertaken. Consultation that has taken place should be used to help to inform the impact assessment. The Equality Impact Assessment process should continue to be used as a tool to aid consideration around whether we are meeting the aims of the Public Sector Equality.

Equalities Officer, Surinder Singh, Ext 37 4148

Climate Emergency Implications

- 7.4 There are no significant climate emergency implications associated with this report.

Aidan Davis, Sustainability Officer, Ext 37 2284

8 Other Implications

None.

9 Background Papers – Local Government Act 1972

None

10 Consultations

Legal Services
Finance
Equalities
Environment Team

11 Report Author

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