

STATEMENT OF LICENSING POLICY 2018 - 2023

Sponsor: Neil Allen (Head of Regulatory Services)

Author and Contact: Ed Fisher (Senior Practitioner) - Tel: 01908 252409

Executive Summary:

Milton Keynes Council (MKC) adopted its current Statement of Licensing Policy in September 2013. The legal requirement is to review the policy at least every five years. This report provides an updated policy for endorsement by the Committee

1. Recommendation

- 1.1 That the revised Statement of Licensing Policy 2018 – 2023 be endorsed and recommend to Council for adoption.

2. Issues

- 2.1 The Council adopted the current version of its Licensing Policy on 11 September 2013. This is a legal requirement under Section 4 of the Licensing Act 2003 (the Act)
- 2.2 The existing version has been reviewed and updated to account for the statutory requirements detailed in the Act and its accompanying statutory guidance. Some elements of both have changed since 2013. The Policy has also been reviewed for accuracy to reflect the Council's current circumstances as the Licensing Authority under the Act. For example in the last five years there have been a number of organisational changes and some statistics in the existing policy which have become outdated.
- 2.3 All suggested changes have been highlighted and are in bold type in the draft policy at **Annex A**. Text boxes throughout highlight the proposed change and the reasoning behind it.
- 2.4 The draft Policy was then circulated for consultation to statutory bodies and a wide number of other potential parties with an interest including councillors, Town and Parish Councils, Responsible Authorities under the Act; those representing persons carrying on licensed activities in Milton Keynes and others as detailed in **Annex B**. This took place between November 2017 and February 2018.
- 2.5 The consultation resulted in a number of responses as summarised in **Annex C**. All responses have been considered and justified changes to the revised Policy are shown in bold italic text in the document at **Annex A**. An overall chronological list of all changes is provided at **Annex D**.

3. Options

3.1 The Committee has the following options available to it:

- (a) The Committee may decide to endorse the proposed changes shown in the attached draft policy and recommend it be adopted by Council.
- (b) The Committee can defer approval and specify what additional work is required with a further report to committee in due course.

4. Implications

4.1 Policy

The Statement of Licensing Policy may be reviewed at any time within a five year period. The changes proposed by this revision will not take effect until adoption by Council.

4.2 Resource and Risk

N	Capital	N	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

None.

4.4 Legal

The provisions of the Council's Policy show how the Council will use its powers under the relevant legislation and apply the various tests within those enactments. A robust Policy is good evidence of a fair and transparent process should decisions made by the Council be appealed.

4.5 Other Implications

Y	Equalities/Diversity	N	Sustainability	Y	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder

Background Papers: Statement of Licensing Policy 2013 – 2018
Licensing Act 2003