

Cheltenham Borough Council

Licensing Committee – 6th December 2023

Licensing Policy Reviews

Report of the Head of Public Protection

1. Executive Summary

- 1.1 There are a number of licensing policies due for review in 2024.
- 1.2 This report provides the committee with information on these policies and sets out a proposed approach to undertaking the reviews for endorsement by the committee.
- 1.3 The Committee is recommended to:**
- 1.3.1 Endorse the approach as set out in this report noting the delayed implication due to the impact of the pre-election period due to commence on the 22nd of March.

2. Policy Reviews

- 2.1 The following policies are due for review in 2024:

Policy	Due by	Notes
Licensing Act 2003 Statement of Licensing Policy	2025	Statutory requirement to review, at least, every 5 years.
Sex Establishment Licensing Policy	Overdue - 2023	The policy statement due to be reviewed at least once every three years.
Street Scene Policy	Overdue - 2023	The policy statement due to be reviewed at least once every three years.
Street Trading Policy	Overdue - 2023	The policy statement due to be reviewed at least once every three years.

- 2.2 Members will note a number of policy reviews are overdue. Due to organisational changes and restructuring within the Public Protection division, this work was delayed. None of the overdue policies carry a statutory review period and therefore affords the authority some discretion.
- 2.3 A brief overview of the various policy aims and regulation:
- 2.3.1 Licensing Act 2003 Statement of Licensing Policy – Sets the authority's licensing and regulatory approach to the sale/supply of alcohol, regulated entertainment and the provision of late-night refreshment (i.e. hot food and drink).

- 2.3.2 Sex Establishment Licensing Policy - Sets the authority’s licensing and regulatory approach to the range of regulated sex establishments, particularly Sexual Entertainment Venues.
- 2.3.3 Street Scene Policy - Sets the authority’s licensing and regulatory approach a number of miscellaneous activities including objects obstructing the highway (i.e. Aboards and tables and chairs), charity collections etc.
- 2.3.4 Street Trading Policy - Sets the authority’s licensing and regulatory approach relating to street trading in the borough.

3. Proposed Approach to Undertaking Reviews

- 3.1 It is proposed that the Sex Establishment Licensing Policy and Licensing Act 2003 Statement of Licensing Policy be prioritised in that order. This is because both are complex policies that will require substantial time, resources and engagement. Additionally, the Licensing Act 2003 Statement of Licensing Policy has a statutory deadline to adhere to.

Sex Establishment Licensing Policy

- 3.2 With regards to the Sex Establishment Licensing Policy review, it is proposed that the Committee establish a sub-committee to facilitate the review. The purpose of the proposed sub-committee is to invite input from a wide range of stakeholders to help shape the policy review. The issue of Sexual Entertainment Venues licensing has proven controversial and complex, and it is important for the authority to consider the different views and opinions when shaping its policy for up to the next three years.
- 3.3 Similar to previous years, it is envisaged that Members from the full committee will nominate a politically balanced sub-committee who will invite representation from stakeholders including opposition groups, regulators and operators.
- 3.4 Nominations for the sub-committee will be sought at the first available committee meeting following selection Council.

Licensing Act 2003 Statement of Licensing Policy

- 3.5 The Licensing Act policy is an important document that shapes, mainly the town’s hospitality sector and the evening and night-time economy.
- 3.6 Historically, this policy review has, initially, been an officer led process with input from key responsible authorities such as the police, planning and environmental health.
- 3.7 This is followed up with a whole committee discussion to consider the evidence and data to support the revised policy proposals and officer recommendations.

Street Scene & Street Trading Policy

- 3.8 These policies deal with very local matters and issues that have an impact on the town’s public realm and public spaces including accessibility, aesthetics and use.
- 3.9 Given the above, input from Members is key at an early stage to review the existing policies. It is proposed that, following the conclusion of the Sex Establishment Licensing Policy review, another licensing Member sub-group be established to facilitate this policy review.

4. Consultee to Cabinet Member

- 4.1 When considering this report, Members of the committee is reminded that the Licensing Committee acts as lead consultee to Cabinet Member on recommendations/responses relating to adoption and review of licensing policy by virtue of Part 3C of the constitution.

Background Papers**Service Records****Report Author**

Contact officer: Mr Louis Krog
E-mail: licensing@cheltenham.gov.uk