

# Cheltenham Borough Council

## Licensing Committee – 6 September 2025

### Consultation on Revised Licensing Act 2003 Statement of Licensing Policy

#### Report of the Head of Public Protection

#### 1. Introduction

- 1.1 Section 5 of the Licensing Act 2003 requires the authority to review, determine and publish its Licensing Act 2003 Policy Statement every five years.
- 1.2 The current policy statement was adopted by Council in December 2020. A review of the current policy statement has been undertaken as outlined in this report.
- 1.3 A statutory consultation has now commenced, and this report provides the Committee an opportunity to consider the proposed policy amendments and to provide formal feedback to the Cabinet Member of Safety & Communities.

#### Recommendations:

- 1.4 The Licensing Committee is recommended to:
- 1.4.1 Note the proposed changes to the revised Statement of Licensing Policy (paragraph 4); and
- 1.4.2 In its capacity as lead consultee to the Cabinet Member of Safety & Communities, provide any feedback it may wish to submit as part of the policy consultation.

#### Implications

Legal	Section 5 of the Licensing Act 2003 requires a licensing authority to prepare and publish a statement of its licensing policy at least every five years. During the five-year period, the policy must be kept under review and the licensing authority may make any revisions to it as it considers appropriate.  <b>One Legal</b> E-mail: <a href="mailto:legalservices@onelegal.org.uk">legalservices@onelegal.org.uk</a>
-------	--

#### 2. The Licensing Act 2003

- 2.1 The 2003 Act is the primary legislation that deals with the licensing requirements relating to:
- a) the sale by retail of alcohol,
  - b) the supply of alcohol by or on behalf of a club to, or to the order of a member of the club,
  - c) the provision of regulated entertainment, and
  - d) the provision of late night refreshment.
- 2.2 The licensable activities listed above are authorised through the issue of:
- a) a premises licence; or

Consultation on Revised Licensing Act 2003 Statement of Licensing Policy		
	Page 1 of 3	Last updated 26 August 2025

b) a club premises certificate; or

c) a temporary event notice.

2.3 The council is obligated to promote the four licensing objectives when discharging its functions under the 2003 Act including setting policy. The licensing objectives are:

a) the prevention of crime and disorder;

b) public safety;

c) the prevention of public nuisance; and

d) the protection of children from harm.

### **3. The Policy Statement**

3.1 The draft revised policy statement is attached at **Appendix 1** of this report including tracked changes to assist the committee with its response.

3.2 The policy statement sets out the principles the council will apply when determining applications under the 2003 Act for up to the next five years. It also provides guidance to licence holders and applicants on how to make an application and advises them how the council will determine applications.

3.3 The draft amended policy reflects any changes in primary legislation, case law and national guidance as outlined in section 4 of this report. Changes to the policy also draw from the council's experience since the 2003 Act came into force.

3.4 This policy statement is a key document for the council in terms of how it seeks to address the challenges brought by the licensable activities whilst at the same time promoting the town as a safe place to visit and invest in.

3.5 This policy statement also forms part of a wider night-time economy strategy to promote a greater diversity in the night time economy that is less focused on alcohol, supporting better management of licensed premises and public spaces, working to reduce alcohol related health harms by preventing vulnerability, promoting safe drinking limits and reducing pre-loading and working to promote a clean environment.

3.6 Taking into account all of the measures above, the policy statement sets a proactive approach to the regulation of the licensable activities whereby the council is more proactive and prescriptive in shaping the licensing landscape in the town.

### **4. Consultation**

4.1 The 6-week consultation can be found on the authority's website and closes on 7 September 2025.

4.2 Cabinet will initially consider the policy proposals and consultation feedback in due course following the conclusion of the consultations.

**Appendices****Appendix 1** – Draft Pavement Licence Policy**Appendix 2** – Draft Street Scene Policy**Report Author****Contact officer:** Michelle Bignell**E-mail:** [licensing@cheltenham.gov.uk](mailto:licensing@cheltenham.gov.uk)**Tel no:** 01242 264135