

Report to Council

18 March 2025

Subject:	Statement of Licensing Policy 2025
Director:	Executive Director – Place Alan Lunt
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1. Recommendations

- 1.1. That in accordance with Section 5 of the Licensing Act 2003, Council approve the amended Statement of Licensing Policy 2025 as set out in Appendix 1

2. Reasons for Recommendations

- 2.1 Section 5 of the Licensing Act 2003 requires the Council as the Licensing Authority to prepare and publish its own Statement of Licensing Policy outlining how it intends to carry out its licensing functions under the Act.
- 2.2 The policy covers licensable activities within the borough as defined in the Licensing Act 2003 and these are:
- The sale of Alcohol
 - The supply of alcohol by or on behalf of a club
 - The provision of regulated entertainment
 - The provision of late-night refreshment

- 2.3 The Act requires the Council, in respect of each five-year period, to determine its policy with respect to the exercising of its licensing functions, and to publish an updated statement of that policy.
- 2.4 The Council’s current Statement of Licensing Policy was approved by the Council’s Emergency Committee, under emergency arrangements in place due to Covid, in May 2020. As such, a revised Statement of Licensing Policy is now required for May 2025.
- 2.5 Following approval to consult being given at Licensing Committee in September 2024, consultation on the draft Statement of Licensing Policy was undertaken over an 8-week period between 1st October 2024 to 26th November 2024.
- 2.6 Following formal consultation, a revised version of the Licensing Policy is now proposed.
- 2.7 The formal consultation has been completed in line with the Act which specifically requires the Licensing Authority to consult the following:
- the Chief Officer of Police
 - the Fire and Rescue Authority for the area
 - representatives of persons holding premises licences, personal licenses, or club premises certificates
 - responsible authorities
 - representatives of businesses and residents.

3. How does this deliver objectives of the Council Plan?

Living in Sandwell	Recognising the risks associated with alcohol misuse and the significant detrimental impact this can have on people’s health, a revised policy will encourage both current license holders and future applicants to be more aware of the impact of alcohol on the borough when selling and supplying alcohol. In addition, the responsible sale of alcohol serves to protect our communities and people living within them by reducing the risk of alcohol related crime, disorder, and public nuisance.
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4. Context and Key Issues

- 4.1 In November 2005, the Licensing Act 2003 came into effect. The Act introduced a new regime for the licensing of alcohol, regulated entertainment, and late-night refreshments, administered by the local Licensing Authorities.
- 4.2 Section 5 of the Act requires each authority to prepare and publish a Statement of Licensing Policy, setting out how the authority intends to approach its licensing responsibilities. This statement should be reviewed every five years.
- 4.3 The current Statement of Licensing Policy was approved by Council's Emergency Committee, under emergency arrangements in place due to Covid, in May 2020. A revised Policy is now due.
- 4.4 Permission to consult was given by Licensing Committee in September 2024 and this has now concluded.
- 4.5 The administration of licensing sits with the local authority; however, the Licensing Act 2003 clearly stipulates that applications for licences can only be refused, and existing licenses can only be revoked if there is a failure to comply with one of the four licensing objectives:
 - The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 4.6 The updated Statement of Licensing Policy has been drafted following the completion of the consultation.
- 4.7 Feedback received during the formal consultation period has been considered in line with the Licensing Act 2003 and included into the Statement of Licensing Policy where appropriate and where the Act allows. There were no significant changes required to the Statement of Licensing policy as a result of the consultation.
- 4.8 The Licensing Committee considered the revised Statement of Licensing Policy on 12 February 2025, and recommended the Policy be submitted to Council for approval.

5. Alternative Options

- 5.1 There are no alternative options given for consideration. Under Section 5 of the Licensing Act 2003, the Council as the Licensing Authority must, in respect of each five-year period, determine its policy with respect to exercising its licensing functions and publish a statement of that policy.

6. Implications

Resources:	There are no direct budget implications from this report.
Legal and Governance:	Under Section 5 of the Licensing Act 2003, the Council as the Licensing Authority must in respect of each five-year period determine its policy with respect to exercising its licensing functions and publish a statement of that policy. During each five-year period, the Council must keep its policy under review and make such revisions to it, at such times, as it considers appropriate. Where revisions are made, the Council must publish a statement of the revisions or the revised Licensing Statement.
Risk:	The activity undertaken by Licensing Committee seeks to reduce instances of crime and disorder that may impact on residents and visitors of the Sandwell borough.
Equality:	An initial equality screening has been undertaken and no adverse impact on protected groups has been identified.
Health and Wellbeing:	The proposed implementation of the revised Statement of Licensing Policy will have a positive impact on people's health and well-being. Given licensing is the main mechanism by which we can manage access to and provision of alcohol we will ensure an approach which can effectively balance the needs of local businesses yet ultimately minimises harmful impacts on Sandwell residents.
Social Value:	There are no direct social value implications arising from this report.
Climate Change:	There are no direct climate change implications arising from this report.
Corporate Parenting:	There are no corporate parenting implications arising from this report.

7. Appendices

Appendix 1 Statement of Licensing Policy

8. Background Papers

None.