

REPORT OF THE CABINET MEMBER FOR BUSINESS, PLANNING AND LICENSING

1. Review of the Council's Revised Statement of Licensing Policy under the Licensing Act 2003.

- (a) Full Council is asked to review, consider and adopt the revisions to the Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003 (the Act).
- (b) The Council has published its five-year Statement of Licensing Policy (SLP) with respect to the exercise of its licensing functions. The current SLP has been effective from the 7th January 2021 and the end of the current policy period will be on the 6th January 2026 and is used to determine licensing applications under the framework of the Act. However, the Council as the Licensing Authority is required to keep that policy under review and make such revisions to it as it considers appropriate.
- (c) The increase in the number of premises in Westminster offering delivery services is a development that the Licensing Authority considers justifies a revision to the SLP. This increase has been particularly noticeable since the onset of COVID-19, especially as restrictions ease. Westminster's Licensing Policy does not currently have specific policies for deliveries. These proposals address this specific issue in order to support licensed businesses within Westminster to grow and diversify in a safe, responsible and positive way whilst also addressing residents' concerns and ultimately promote the four licensing objectives.
- (d) Before revising its SLP the Licensing Authority must consult on those proposed revisions. The duty to consult is mandatory and the proposals are to be advertised externally. The responses received are to be properly considered by the Licensing Authority with an explanation given to each of the responses that is fair and balanced. The Licensing Authority has concluded its consultation on its proposed revisions to the SLP and is now required to present it to Full Council for review and consideration so that the revised SLP can be adopted. In accordance with the Licensing Act this has now been approved by the Cabinet Member for adoption by Full Council.
- (e) The Licensing Authority began its statutory consultation on its proposed revisions to the Statement of Licensing Policy on the 14th June 2021. The consultation ran for a period of 6 weeks ending on the 25th July. The Licensing Authority has received 22 responses from a range of different stakeholders.
- (f) The consultation was on the Licensing Authority's proposals to introduce policies relating to ancillary deliveries (policy DEL1), shops (policy SHP1) delivery and distribution centres (DC1) as well as minor amendments necessary for the introduction of these policies.

- (g) The full list of revisions to the SLP consultation document is attached at Appendix 2 of the Cabinet Member Report. In summary the proposed revisions are:
- (a) New Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy (DEL1)
 - (b) New Shops Policy (SHP1)
 - (c) New Delivery Centre Policy (DC1)
 - (d) Amendments to the Core Hours Policy (HRS1) to reflect the new premises uses
 - (e) Deletion of the Off Sales of Alcohol Policy (replaced by the new Shops Policy)
 - (f) Amendment of the other premises uses policies to refer to ancillary delivery
- (h) The majority of the Licensing Authority's proposals are supported by the consultation respondents. Following an assessment of these responses officers have set out the Licensing Authority's approach to each of the points raised by the respondents. The responses received during the consultation period along with the Licensing Authority's position are set out in Appendix 1 of the Cabinet Member Report.
- (i) The SLP was revised and the Cabinet Member for Business, Planning and Licensing considered and approved this on 13 September 2021. The Cabinet Member Report that was considered is attached as Appendix 1.

RECOMMENDATION

- (j) That Full Council reviews, considers and approves the revised Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003.

Councillor Matthew Green
Cabinet Member for Business, Planning and Licensing

Local Government Act 1972 (Background Papers)

Appendix 1 – **Cabinet Member Report to the Cabinet Member for Business, Planning and Licensing**, 'Revision of the Licensing Policy under the Licensing Act 2003.

<https://committees.westminster.gov.uk/mglIssueHistoryHome.aspx?IId=20606&Opt=0>