

REPORT TO: Regulatory Committee

DATE: 2 July 2025

REPORTING OFFICER: Director – Legal and Democratic Services

PORTFOLIO: Resources

SUBJECT: Licensing Act 2003 Statement of Licensing Policy

WARD(S) Borough-wide

1.0 PURPOSE OF REPORT

- 1.1 To authorise a consultation on a review of the Council’s statement of Licensing Policy which is due to expire in January 2026.

2.0 RECOMMENDATION: That the Committee approves that:

- 1) The Director of Legal and Democratic Services (D-LD) be authorised to undertake a consultation exercise in respect of the Council’s Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003;**
- 2) The D-LD determine all matters relating to the consultations process; and**
- 3) The matter be reported back to the Regulatory Committee following the completion of the consultation process.**

3.0 BACKGROUND

- 3.1 In 2021 the Council adopted the current Statement of Licensing Policy in compliance with its obligations under section 5 of the Licensing Act 2003. Statements of Licensing Policy are also referred to as the “five-year licensing policy” and the “statement of principles”. The function of a Statement of Licensing Policy is to set out the local licensing strategy and provides clarity for everyone including local residents, businesses and licensees.
- 3.2 Statements of Licensing Policy last for periods of five years and must be reviewed by the Council for successive five year periods. These periods are maximum periods and Statements of Licensing Policy may be reviewed at shorter intervals should the need to arise. A Statement of Licensing Policy cannot be re-adopted/revised before the completion of a consultation exercise. The current Statement of Licensing Policy is due to expire at midnight on 6th January 2026 and the new Statement of Licensing Policy must be in place on 7th January 2026. Attached to this report at Appendix A is the current Statement of Licensing Policy which is due to expire on 6 January 2026.

- 3.3 The Licensing Policy plays an essential role in establishing the relevant considerations and standards by which licensable activity will be permitted and operated in the Borough. The Policy aims to support effective decision making to ensure that only premises that are well run and appropriate to the nature of the Borough are licensed, thereby positively contributing to the economy in the Borough.
- 3.4 Attached at Appendix B of this report is the new draft Statement of Licensing Policy. The amendments are not substantive but simply update the Policy by removing reference to corporate policies that are no longer in force. There is also an additional paragraph referring to Counter Terrorism and The Terrorism (Protection of Premises) Act 2025, also known as Martyn's Law, which received Royal Assent in April 2025. As this law is not yet in force, substantial amendments will be made at the next review of the Policy. In the meantime, the Committee will continue to be guided by the relevant sections on counter terrorism in the Section 182 Statutory Guidance. For ease, Appendix C of this report sets out a table of amendments.
- 3.5 The Council must consult on the draft Statement of Licensing Policy before it is adopted. The report recommends the delegation of matters relating to the consultation process to the D-LD. Section 5 of the Licensing Act 2003 specifies the persons/ bodies that must be consulted and the Statutory Guidance provides additional advice.
- 3.6 Following completion of the consultation exercise any comments and recommendations received will be reported back to the Regulatory Committee at its next meeting for consideration and recommendation to full Council. The re-adoption/revision of the Statement of Licensing Policy with or without amendments is reserved to full Council to determine.
- 3.7 The Statement of Licensing Policy under section 5 Licensing Act 2003 is analogous to the Statement of Gambling Policy under section 349 of the Gambling Act 2005.

4.0 POLICY IMPLICATIONS

- 4.1 Once adopted, the Statement of Licensing Policy will be used by applicants and the Regulatory Committee in accordance with the Licensing Act 2003.

5.0 OTHER IMPLICATIONS

- 5.1 There are no other implications arising out of this report.

6.0 IMPLICATIONS FOR THE COUNCILS PRIORITIES

6.1 Improving Health, Promoting Wellbeing and Supporting Greater Independence

None

6.2 Building a Strong, Sustainable Local Economy

None

6.3 Supporting Children, Young People and Families

The Council's Statement of Licensing Policy operates under a separate statutory code but the protection of children and other vulnerable persons from harm is one of the licensing objectives of the Licensing Act 2003.

6.4 Tackling Inequality and Helping Those who are Most In Need

None

6.5 Working Towards a Greener Future

None

6.6 Valuing and Appreciating Halton and Our Community

None

7.0 RISK ANALYSIS

7.1 None identified.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 There are no equality and diversity issues to highlight.

9.0 CLIMATE CHANGE IMPLICATIONS

9.1 There are no climate change implications since the decision will have no effect on the environment.

10.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Section 182 Guidance	Licensing Section/ Website Government	Kim Hesketh

	Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK	
Halton Council's current Statement of Licensing Policy	Licensing Section/ Council website https://www3.halton.gov.uk/Pages/business/Licences/alcohollicence.aspx	Kim Hesketh