

**MONMOUTHSHIRE COUNTY COUNCIL
REPORT**

SUBJECT: Licensing Act 2025 Policy Statement

DIRECTORATE: Social Care & Health

MEETING: Licensing & Regulatory Committee

Date to be considered: 28th January 2025

DIVISION/WARDS AFFECTED: All Wards

1. PURPOSE:

- 1.1 To consider the proposed 'Draft Licensing Policy 2025' prior to submission to full council to agree adoption.

2. RECOMMENDATION(S):

- 2.1 Members review the proposed updated Licensing Act policy statement for the period 1 July 2025 to 30 June 2030 (changes highlighted in red), which is attached as Appendix A. To seek approval to commence the statutory consultation process prior to determining the new statement

3. KEY ISSUES

- 3.1 Section 5 of the Licensing Act 2003 requires a Licensing Authority to prepare and publish a statement of its licensing policy every five years. It has been nearly five years since the last policy was approved at Full Council on 4th June 2020 and this report sets out the procedure and proposed, updated, policy statement prior to consideration at Full Council.
- 3.2 Before determining its policy for a five year period, a licensing authority must consult with the following:-
- The Chief Officer of Police for the licensing authority's area,
 - The Fire Authority for that area,
 - Such persons as the licensing authority considers to be representative of holders of premises licences issued by that authority,
 - Such persons as the licensing authority considers to be representatives of holders of club premises certificates issued by that authority,
 - Such persons as the licensing authority considers to be representative of holders of personal licences issued by that authority, and
 - Such other persons as the licensing authority considers to be representatives of businesses and residents in its area.
- 3.3 The Authority must have regard to the Home Office Guidance issued under section 182 of the Licensing Act when making and publishing its policy. Departure from this Guidance issued by the Home Office could give rise to an appeal or judicial review.
- 3.4 The revised policy for Monmouthshire County Council must be published and in place for commencement on 1st July 2025. A review of the policy was conducted with Licensing Officers of Monmouthshire, Torfaen, Caerphilly, Blaenau Gwent and Newport.
- 3.5 The revision of the policy highlighted in red, has taken into account any legal changes and integrating strategies through such changes. The Policy provides an update of the implications of Alcohol and Drug Harm within Monmouthshire provided by Public Health.

This in turn will highlight the need for licensee to put measures in place and to work in partnership with Statutory Officers under the Act. Guidance is given within the Policy on best practice for the following

- Prevention of Crime and Disorder, which includes CCTV, security, drug and weapon policies, use of toughened glass, underage schemes and prevention of sexual exploitation, modern slavery and human trafficking.
- Prevention of Public Nuisance, which includes partnership working, highlighting the negative impact that uncontrolled litter, waste and street fouling can have and what is expected of licence holders to prevent this. The policy also refers to the workplace recycling requirements now in place. The policy also refers to the Public Spaces Protection Orders/
- Public Safety, which includes the promotion of the adoption of Martyn's Law in licensed premises to ensure licensed premises are adequately prepared for and equipped to respond in the event of a terrorist incident. The policy signpost licence holders to the free ACT (Action Counters Terrorism) awareness counter terrorism training courses for licensed premises and for venue operators. Along with crowd safety and large scale events.
- Protection of Children from Harm, this includes safeguarding advice and underage sales. Along with proxy sales and the employment of children.

3.6 Timetable for the adoption of the Policy

The timetable of events planned for the transition of the Licensing Policy are as follows:-

3rd February 2025 –

15th March 2025 Consultation on Licensing Act Policy

25th March 2025 Consideration of Policy consultation responses and recommendations of Members at the Licensing Committee

26th June 2025 Policy report to Full Council

1st July 2025 Adoption of Licensing Act Policy 2025

The Draft Licensing Policy is attached to this report in Appendix A.

4. **REASONS:**

4.1 The policy is necessary to guide consistent decisions and takes account of guidance.

4.2 There is a need to take account of collaborative approaches

4.3 To ensure that applications with no relevant information to consider can be dealt with without unnecessary delay.

4.4 To enforce the provisions of the Licensing Act 2003 effectively.

5. **RESOURCE IMPLICATIONS:**

No resource implications identified.

6. **WELLBEING AND FUTURE GENERATIONS IMPLICATIONS**

The 'Integrated Impact Assessment Document' is attached as Appendix B.

7. **CONSULTEES:**

Newport City Council, Blaenau Gwent County Borough Council, Torfaen County Borough Council, Caerphilly County Borough Council.

8. BACKGROUND PAPERS:

[Licensing Act 2003](#)

[Revised Guidance issued under section 182 of the Licensing Act 2003 – Home Office, dated December 2023](#)

9. AUTHOR:

Linda O’Gorman

Principal Licensing Officer

CONTACT DETAILS:

Tel: 01633 644214

Email: lindaogorman@monmouthshire.gov.uk