



**REPORT of
DEPUTY CHIEF EXECUTIVE**

**to
COUNCIL
13 FEBRUARY 2025**

STATEMENT OF LICENSING POLICY 2025-2030

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to seek Member approval for the adoption of the reviewed Statement of Licensing Policy 2025-2030 made as required under the Licensing Act 2005.

2. RECOMMENDATION

That Council approves the adoption of the Statement of Licensing Policy 2025-2030 presented in **APPENDIX A**.

3. SUMMARY OF KEY ISSUES

- 3.1 Maldon District Council (the Council) as a Licensing Authority under the Licensing Act 2003 (as amended) is required to publish a Statement of Licensing Policy (the Policy). This document outlines the Council's general approach to upholding the licensing objectives when making decisions on applications under 'The Act'.
- 3.2 The Council's existing Policy was published in January 2019 with an intended operational lifespan of five years. Consequently, the Policy is now outdated and requires renewal.
- 3.3 On 16 July 2024, the Licensing Committee considered a revised Policy drafted by officers and approved that it be published for a period of public consultation.
- 3.4 Public consultation of the revised Policy commenced on 26 August 2024 for a period of six weeks ending on 14 October 2024. The consultation was hosted on the Council's website and comments were invited either by email or via a MS Form. Additionally, the Council contacted a range of stakeholders (as agreed by the Licensing Committee) highlighting the proposed Policy and inviting comments.
- 3.5 The Council received responses from three consultees:
- Essex Police
 - Woodham Walter Parish Council
 - Maldon District Council Economic Development Team
- 3.6 Woodham Water Parish Council made the following comment: *"Ref Para 49- We request that Parish Councils are added to the list of consultees. We consider that*

Parish Councils should be notified of applications and entitled to make representation on applications within parish boundaries”.

- 3.7 Under the Licensing Act 2003, Ward and Parish Councils are not statutory consultees and so it is not appropriate to amend paragraph 49 as requested. They are however able to submit representations the normal way during the consultation period as "other persons", provided their comments are relevant to the licensing objectives. Currently the Council is unable to generate an automatic notification to Parish Council's where an application is received within their area however all premises licence applications are published on the Council's website. The Head of Environmental Health, Waste and Climate has contacted Woodham Walter Parish Council to advise as above.
- 3.8 Whilst we have made a number of minor technical amendments to the original policy to reflect comments from Essex Police, there were no other material changes required.
- 3.9 The policy was amended to ensure it is compliant with Maldon District Council's Equality, Diversity and Inclusion policy.

4. CONCLUSION

- 4.1 The Statement of Licensing Policy has been reviewed and updated as required by law.
- 4.2 The Council undertook a public consultation exercise of the draft Policy and has incorporated minor amendments suggested by consultees into the final proposed policy presented in **APPENDIX A**.
- 4.3 Once the Policy has been agreed by Members then the highlighted elements of paragraph 10 will be completed before publication.

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2025 - 2028

5.1 Supporting our communities

- 5.1.1 The Statement of Licensing Policy provides transparency of process to both applicants and stakeholders. It sets out our commitments to achieving the four licensing objectives of; prevention of crime and disorder, public safety, prevention of public nuisance, protection of children from harm.
- 5.1.2 Well managed licensed premises can help support this ambition by providing opportunities for people to come together and socialise.

5.2 Growing our economy

- 5.2.1 Licensed Premises are a key feature in a thriving local economy. This policy helps promote diversity in licenced premises and ensures that decisions are made on a clear and consistent basis.

5.3 **Investing in our District**

- 5.3.1 A sound Statement of Licensing Policy helps ensure that decision making is robust and consistent. This in turn helps mitigate the risks associated with legal challenges and associated costs.

5.4 **Protecting our Environment**

- 5.4.1 Whilst environmental concerns are not one of the four licensing objectives it can be linked to public nuisance. Consequently, this policy enables the Council to address concerns with litter, artificial light or noise associated with licensed premises.

5.5 **Delivery good quality services.**

- 5.5.1 The Council is legally required to maintain an up-to-date Statement of Licensing Policy.

6. **IMPLICATIONS**

- (i) **Impact on Customers** – The Policy provides transparency of process to both applicants and stakeholders.
- (ii) **Impact on Equalities** – The revised Policy ensures that all stakeholders are treated consistently and equitably. It ensures that information provided to applicants is clear and accurate.
- (iii) **Impact on Risk (including Fraud implications)** – It is important that the Council periodically review its Statement of Licensing Policy to ensure that it is compliant with relevant legislation. This policy provides clarity to all stakeholders of the requirements placed upon applicants and the decision-making processes that will be followed when determining a licence reducing the risk to the Council of challenge and / or appeal.
- (iv) **Impact on Resources (financial)** – A sound and compliant Policy helps protect the Council from the costs associated with challenge and appeal. There is no budgetary impact to this policy.
- (v) **Impact on Resources (human)** – There is limited / minimal impact.

Background Papers:

- **APPENDIX A** - Maldon District Council's Statement of Licensing Policy 2024-2029 (DRAFT)
- [Licensing Act 2003 \(As amended\)](#)
- [Licensing Act 2003: statutory guidance](#)

Enquiries to: Nick Chapman, Head of Environmental Health, Waste and Climate Action.