

REVIEW OF STATEMENT OF LICENSING POLICY

Cabinet Member & Portfolio	Councillor Eddie Lavery, Cabinet Member for Community and Environment
Responsible Officer	Dan Kennedy, Corporate Director of Residents Services
Report Author & Directorate	Daniel Ferrer, Licensing Team Manager - Communities
Papers with report	Appendix A - Listing of proposed Policy changes Appendix B - Draft Statement of Licensing Policy

1.0 HEADLINES

Summary	<p>The Council's Statement of Licensing Policy is being reviewed in accordance with legislative requirements and the Council's objectives.</p> <p>This report seeks Cabinet approval to undertake a six-week public consultation on the updated draft of this Policy.</p> <p>The Statement of Licensing Policy is deemed as 'Policy Framework' under the Council's Constitution and so requires approval by full Council.</p>
Putting our Residents First Delivering on the Council Strategy 2022-2026	<p>This report supports our ambition for residents / the Council of: An efficient, well-run, digital-enabled council working with partners to deliver services to improve the lives of all our residents</p> <p>This report supports our commitments to residents of: Modern, Well-Run Council</p>
Financial Cost	The resources required for the consultation will be managed within existing revenue budgets.
Select Committee	Residents' Services Select Committee.
Ward(s)	All

2.0 RECOMMENDATIONS

2.1 That:

- a) a public consultation for the draft Statement of Licensing Policy be approved;
- b) a further report be submitted to Cabinet post consultation highlighting any consultation responses for Cabinet to consider for inclusion in the final policies for submission to Full Council for adoption as a policy framework document.

Reasons for recommendation

- 2.2 The review of the Statement of Licensing Policy and the accompanying consultation support effective and efficient delivery of licensing functions, is in accordance with legislation and the Council's objectives and allow for stakeholder views to be taken into account. This is a policy framework document, and as such is considered under the procedure rules set out in Chapter 4 of the Constitution.

Alternative options considered/risk management

- 2.3 To not review the Policy nor undertake a consultation. If the Policy was not reviewed and consulted on as required, then the Council would not meet its statutory obligations in this respect and legal challenges may follow.

Select Committee comments

- 2.4 None at this stage, though comments will be sought during the consultation process.

3.0 SUPPORTING INFORMATION

- 3.1 The Council is required to review its Statement of Licensing Policy at regular intervals to ensure that it is carrying out licensing functions in accordance with current legislation.
- 3.2 During this review, consideration has been given to how changes might improve the way in which services are being delivered, to make them more efficient and customer friendly.
- 3.3 An updated Statement of Licensing Policy has been produced with relatively minor changes. This Policy now needs to be consulted upon, prior to final consideration by the Cabinet for recommendation to the full Council. An overview of this Policy and the reasons behind the review are detailed below.

Statement of Licensing Policy

- 3.4 The Licensing Act 2003 regulates sales of alcohol, regulated entertainment and late-night refreshment. The Council is required by Section 5 of the Licensing Act 2003 to review the Statement of Licensing Policy every five years. Hillingdon's current policy was adopted by Full Council in January 2021 and is therefore due for review, and subsequent approval by January 2026, before it expires.

3.5 In the intervening time, there have been only minor changes to legislation and guidance and, as such, there are very few changes proposed to this policy. The changes proposed in the revised policy are mainly administrative and to aid clarity. No substantive change of Council policy is proposed. Where changes are required to reflect changes to the relevant legislation and guidance, these have been incorporated into the revised policy. The proposed changes are listed in Appendix A and within the updated Policy in Appendix B in track changes, but in summary they relate to:

- Amendments to relevant dates, Team names and original typographical errors and statistics.
- New paragraphs and sections added, such as Environmental Best Practice, Agent of Change Principle, Counter Terrorism, Spiking, 'Ask For Angela' and Pavement Licensing.
- Further details and clarity being provided in existing sections relating to Integration with other Strategies, Representations, Planning, Remote & Internet sales and Protection of Children from Harm.
- Amendments and updates to legislation, technical standards and examples of measures detailed in Appendices.

3.6 An overview document listing the proposed changes is attached at Appendix A. The draft policy can be found at Appendix B. An Equalities Impact Assessment will also be undertaken.

Financial Implications

3.7 The consultation on the draft policy has no direct financial implications. There have been no legislative changes to the set licensing fees for licence applications. The fees remain statutory and have not been amended since the Licensing Act was brought into force in 2003. Resourcing for the consultation process can be managed within existing revenue budgets.

The timetable for policy implementation

18 th September 2025	Draft Policy to Cabinet for consultation
22 nd September 2025	Consultation period started – indicative date
October 2025 (TBC)	Residents' Services Select Committee
October 2025 (TBC)	Licensing Committee
3 rd November 2025	Consultation period ended – indicative date
18 th December 2025	Final draft policy to Cabinet post-consultation to recommend
22 nd January 2026	Statement of Licensing Policy considered and, if agreed, adopted at Full Council, subject to Cabinet recommendation

4.0 RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon Hillingdon residents, service users and communities

- 4.1 The recommendations will give residents and businesses the opportunity to provide feedback to the Council on the proposed policy through the consultation process.

Consultation & engagement carried out (or required)

- 4.2 This report requests Cabinet approval for a public consultation on the policy. Following approval by Cabinet, the policy will be considered by the Licensing Committee, sub-committees of which make licensing decisions with reference to the Policy.
- 4.3 As a policy framework document, the Residents' Services Select Committee will have the opportunity to submit comments on the Policy prior to resubmission to Cabinet for consideration of responses received.
- 4.4 The draft Policy will be sent to statutory consultees, relevant stakeholders, residents associations, neighbouring Licensing Authorities and any person on request. The draft policy will also be displayed on the Council's website. It is anticipated that Cabinet will be advised of the outcome of the consultations and presented with proposed final drafts of the policies at the scheduled meeting of 18th December 2025.

5.0 CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance have reviewed this report and concurs with the Financial Implications set out above noting there are not direct financial implications associated within the recommendations within this report, the resources required for the consultation will be met from within existing approved revenue budgets.

Legal

Legal Services confirm that the main points from the relevant legal framework are already included in the body of the report. Section 5 of the Licensing Act 2003 requires the Council to determine its policy with respect to the exercise of its licensing functions and publish a statement of that policy every 5 years.

Section 5 also outlines the requirement to consult before determining its policy for a 5-year period, listing mandatory consultees. In addition to these statutory requirements, the consultation must fulfil established public law principles on consultation, namely fairness and adequacy, which are mainly defined by the 4 *Gunning* principles:

- (a) Consultations must occur while proposals are still at a formative stage
- (b) Sufficient information needs to be supplied to consultees to give the consultation 'intelligent consideration'

- (c) There needs to be an adequate time for the consultees to consider the proposal and respond
- (d) Conscientious consideration must be given to the consultation responses before decisions are made

The Council must also be mindful of its public sector equality duty under section 149 of the Equality Act 2010. To this end, this report states that an equalities impact assessment will be carried out. Furthermore, there is reference within the draft statement of policy itself (at Appendix B) to the public sector equality duty.

Following the consultation, there will be a further Cabinet report submitted. More legal comments will be provided at that stage with reference to the outcome of the consultation and the recommended action arising therefrom.

6.0 BACKGROUND PAPERS

Current Statement of Licensing Policy:

<https://www.hillingdon.gov.uk/alcohol-premises-licence>

Revised Section 182 of the Licensing Act 2003 (February 2025):

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003/revised-guidance-issued-under-section-182-of-the-licensing-act-2003-december-2023-accessible-version>

Fact and Statistics about Hillingdon:

[Facts and statistics about the borough of Hillingdon - Hillingdon Council](#)

Hillingdon Population stats from Total population, January 2025:

[Hillingdon Population \(2025\) - Total Population](#)

Case study from Manchester relating to use of licensing conditions (Counter Terrorism, April 2023):

<https://www.local.gov.uk/case-studies/manchester-city-council-security-and-licensing>

Home Office Guidance, Spiking Fact Sheet (December 2023):

<https://www.gov.uk/government/publications/spiking-factsheet/spiking-factsheet>

Metropolitan Police Website information – ‘Ask For Angela’:

<https://www.met.police.uk/police-forces/metropolitan-police/areas/about-us/about-the-met/campaigns/ask-for-angela/>

Safer Sounds Partnership – Welfare & Vulnerability Engagement information:

<https://www.saferounds.org.uk/a4a-resources>

APPENDIX A - OVERVIEW OF PROPOSED POLICY CHANGES

Draft Statement of Licensing Policy

The Council is required by the Licensing Act 2003 to review the Statement of Licensing Policy every five years. The current policy was last formally reviewed in January 2021 and therefore requires updating and adopting in January 2026.

In the intervening time, there have been only minor changes to legislation and as such there are very few changes proposed to this policy.

The current policy works well and acts as a valuable framework for ensuring the principles of the legislation are upheld.

Policy amendments are shown at Appendix B (the draft revised policy) in **bold**, underlined and ~~striketrough~~ text.

- Front page – Effective dates amended.
- Front page, point 5, “and avoidance of duplication” deleted to shorten.
- Front page, point 6, capital “I” for “initiatives”.
- Pages 1 & 2 – Content pages updated and renumbered.
- New para 1.1 added providing some facts and statistics about Hillingdon.
- Para 1.4, updated to read “900” premises authorisations and “5200” personal licences.
- Para 2.2, updated so that the Licensing Act 2003 will be referred to as “the 2003 Act” and the Authority to be referred to as “The Licensing Authority”. This has been amended throughout the whole draft Policy to provide consistency.
- Para 2.4, amended date of updated guidance to read, “27th February 2025”.
- List at para 3.1 – Environmental Protection Team added and Home Office put on last bullet point to correct original list
- Title of section 5.0, shortened to now read “Integration of Strategies”.
- New para 5.2 to provide more details regarding integration with other strategies
- New para 5.7, further details and clarity on Planning matters.
- New para 5.8 added regarding the ‘Agent of Change’ principle.
- New section 7 and para 7.1 detailing Environmental Best Practice.
- New para 9.5 added regarding Immigration and entitlement to work.
- New Counter Terrorism section added at new section 11 following Martyn’s Law.
- New para 12.14 added regarding Spiking.
- New para 12.15 added regarding “Ask For Angela” initiative
- Para 13.3 included to make reference to Appendix C – measures for Public Safety
- Para’s 14.2 & 14.4 amended for grammar.
- New para 15.1 added detailing types of harm to children.
- New para 15.2 added detailing measures for addressing protection of children from harm.
- New para 15.3 added to include recommended initiatives regarding children.
- Amended para 15.7 updated in relation to adult entertainment in licenced premises.

- Para 15.14 amended for grammar
- New para 15.17 added regarding collaboration with partners.
- New para 18.8 added in relation to “off” sales and pavement licences.
- Para 19.10 amended to provide clarity on representations.
- New para 19.13 added to clarify position for borderline representations.
- Para 26.1 – further detail regarding Internet & Remote sales to specify location and dispatch.
- Para 26.2 – amended to provide example of measures regarding Internet & Remote sales.
- Para 26.3 – amended to highlight robust age verification checks and staff training for Internet & Remote sales.
- New para 26.4 added to take into consideration applicants who use third party vendors such as Uber Eats, Deliveroo.
- Appendix A – Amended heading to read Table of ‘Delegations’.
- Appendix C – Out of date technical standards deleted and alternatives added.
- Appendix D – Publications list updated.
- Appendix E – “Limitations” replaced with “Restrictions” in line with Government guidance.
- Appendix F – Contact details for Responsible Authorities updated.
- Appendix H added showing a plan of the Borough and the make-up of Wards.

Page, paragraph numbers and formatting will be updated on the final policy document.