

Report to Planning and Licensing Committee



Date of Meeting	5 th November 2020
Portfolio	Cabinet Member for Health & Wellbeing
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Public Document	

Statement of Licensing Policy 2021-2026

Executive Summary

1. 1.1 The Council has to determine and publish a Statement of Licensing Policy every 5 years in order to meet its statutory obligations. The determination and publishing of such is required to be undertaken by January 2021.

1.2 The purpose of the policy statement is to define how the responsibilities under the Licensing Act 2003 are going to be exercised and administered.

1.3 To report on the consultation responses received on the Council's draft Statement of Licensing Policy and seek agreement from members on amendments where necessary and to recommend adoption of the policy to full Council.

Recommendation

2. 2.1 Members are recommended to consider the responses of the consultation process and;

2.2 Agree the proposed changes and;

2.3 Approve that the amended Statement of Licensing Policy 2021-2026 be adopted by cabinet and Council.

Reason for Recommendation

3. Councils have a statutory duty to prepare and publish a statement of principles that they propose to apply in exercising their functions under the Licensing Act 2003. This is valid for a five year period and therefore the Council is required to review its policy statement every five years to meet its statutory requirements and adopt and publish a statement of Licensing Policy. The existing statement was effective from 31 January 2016.

Key Points for Consideration

4. 4.1 The existing statement of Licensing Policy has been reviewed and updated. The changes, by way of additional / revised content to the draft policy, are highlighted in red.

4.2 In order to comply with statutory requirements, the Council has consulted with the Responsible Authorities under the Act, national bodies, representatives of licensees, residents and with representatives of businesses. A list of consultees forms part of the draft statement of licensing policy.

4.3 The consultation period was from 20 July 2020 and ended on 11 September 2020.

4.4 A total of 1 response was received, the contents of which have been duly considered.

4.5 The amended draft statement of licensing policy is detailed in Appendix 1.

4.6 The detail of the consultation response and the response to such is detailed in Appendix 2.

Alternatives Considered

4.7 None; it is a statutory duty for all Council's to determine and publish its statement of Licensing Policy and there is no alternative option to this.

Costs and Budget Summary

5. There are no financial implications.

Risk and Policy Implications

6. 6.1 The Licensing Act 2003 established a single integrated system for licensing premises that are used for alcohol, entertainment and late night refreshment. Under this legislation, each local authority is known as the 'licensing authority' and is responsible for licensing alcohol, entertainment and late night refreshment in its geographical area.

6.2 When preparing its licensing policy, the Council is required to have regard to the following:

- Promoting the 4 licensing objectives, namely: (a) the prevention of crime and disorder; (b) public safety; (c) the prevention of public nuisance; and (d) the protection of children from harm;

- Statutory guidance issued by the Secretary of State; and
- The 2003 Act.

The draft updated policy has been drafted taking these into account.

6.3 There are no legal implications other than the statutory duty already identified in the report.

6.4 There are no personnel implications.

Consultation

7. As stated in paragraphs 4.2 to 4.6 above.

Background Papers	Place of Inspection
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