

## Statement of Licensing Policy and Guidance 2021-2026

### **Purpose**

To consider the proposed draft Statement of Licensing Policy 2021-2026 in relation to exercising functions under the Licensing Act 2003.

**Wards Affected:** All

### **Recommendation**

**The Licensing Committee is advised to note the contents of this report and to approve the attached draft Statement of Licensing Policy 2021-2026 for consultation.**

**The Committee is also asked to note the requirements with regard to the Cumulative Impact- Special Policy.**

## **1. Background**

- 1.1 As the Licensing Authority under the Licensing Act 2003 we are required to prepare and publish a licensing policy at least every 5 years. We are also required to keep the policy under review and update it as appropriate.
- 1.2 Our current Statement of Licensing Policy took effect from 24<sup>th</sup> February 2016 for the period 2016-2021. Acknowledging that the life of the policy is due to end in February 2021 it has been reviewed and updated.
- 1.3 As part of this review we have had regard to the changes introduced by the Revised Guidance issued under section 182 of the Licensing Act 2003 which was published in April 2018.
- 1.4 Before determining our policy we are required to consult widely on the revised Policy by virtue of section 5 of the Licensing Act 2003. This includes consulting the persons listed in section 5(3) of the Licensing Act 2003 as given below:
  - a) The Chief Officer of Police for our area
  - b) The Fire Authority
  - c) Persons/bodies representative of local holders of premises licences
  - d) Persons/bodies representative of local holders of club premises certificates
  - e) Persons/bodies representative of local holders of personal licences
  - f) Persons/bodies representative of business and residents in the area.

The Council may also use its discretion to consult other people or organisations as it considers appropriate.

- 1.5 We are planning to commence consultation on the attached draft Policy week commencing 26<sup>th</sup> October. The consultation will last for a period of six weeks.

In advance of the Consultation we welcome any comments from the Licensing Committee on the current draft policy.

- 1.6 As part of this we will be contacting all Ward Councillors to give them an opportunity to comment. The start of consultation will be subject to the outcome of this evening's meeting.

## **2. Cumulative Impact – Special Policy**

- 2.1 Our current Statement of Licensing Policy 2016-2021 includes a cumulative impact policy (CIP). When revising our Statement of Licensing Policy we must have regard to our CIP.
- 2.2 We are required to consult the persons listed in section 5(3) of The Act and use their responses to determine whether there is sufficient evidence to support the CIP remaining in place.
- 2.3 If as a result of the consultation the decision is made to remove the CIP we must publish a statement to that effect, including the fact that any reference to a CIP no longer applies.
- 2.4 Alternatively if, following consultation, the decision is made that the CIP continues it will be revised to update the evidence that supports why it continues to be relevant. A statement to this effect will be included with the CIP.
- 2.5 Following Revised Guidance issued under section 182 of the Licensing Act in April 2018 we are required to review the CIP every three years, This is the earliest opportunity we have had to review the CIP since this requirement was introduced. It seems appropriate to carry out both consultations simultaneously.

## **3. Resource Implications**

- 3.1 The only resource implications arising from this consultation will be postage and stationary costs which could be in the region of £300-£400.
- 3.2 Consultees will have access to the draft Statement of Licensing Policy which includes the CIP through the Council's website.
  - 3.2.1 We will then bring the results of the consultation and an updated draft Policy to the Licensing Committee in February 2021.

#### **4. Covid-19**

- 4.1 This has been a challenging time and it is likely that the current restrictions will continue in one form or another for some time. In response to the pandemic the Government has introduced new legislation and guidance to protect people and to support businesses.
- 4.2 The revised draft Statement of Licensing Policy reflects some of these changes which have an impact on licensing. We appreciate that they may be time limited but nevertheless should be included.

#### **5. Recommendation**

- 5.1 The Committee is advised to authorise the Licensing Authority to go out to consultation on the draft Statement of Licensing Policy 2021-2026 as outlined in this report.

<b>Annexes</b>	Draft Statement of Licensing Policy and Guidance 2021-2026
<b>Background Papers</b>	Revised Guidance issued under section 182 of the Licensing Act 2003.
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