



**COTSWOLD
DISTRICT COUNCIL**

Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	COUNCIL - 18 NOVEMBER 2020
Report Number	AGENDA ITEM 7
Subject	REVIEW OF COTSWOLD DISTRICT COUNCIL'S STATEMENT OF LICENSING POLICY (LICENSING ACT 2003)
Wards affected	ALL
Accountable member	Cllr Andrew Doherty - Cabinet Member for the Environment, Waste and Recycling Email: andrew.doherty@cotswold.gov.uk
Accountable officer	Michelle Bignell, Service Leader (Licensing and Business Support) Tel: 01285 623000 Email: michelle.bignell@cotswold.gov.uk
Summary	The report details the proposed review to the Council's Statement of Licensing Policy (Licensing Act 2003), based on legislative requirements and statutory guidance.
Annexes	Annex A – Existing Policy
Recommendation	That Council approves the current Statement of Licensing Policy attached at Annex 'A' to be in place for a further year and that a review is carried out in 2021/22.
Corporate priorities	Ensure that all services delivered by the council are delivered to the highest standard
Key Decision	NO
Exempt	NO
Consultees/ Consultation	None

1. BACKGROUND

- 1.1. Section 5 of the Licensing Act 2003 requires a licensing authority to prepare and publish a statement of its licensing policy at least every five years. Such a policy must be published before the authority carries out any function in respect of individual applications and notices made under the terms of the 2003 Act. During the five-year period, the policy must be kept under review and the licensing authority may make any revisions to it as it considers appropriate, for instance in the light of feedback from the local community on whether the licensing objectives are being met. If the licensing authority determines and publishes its policy in this way, a new five-year period commences on the date it is published.

2. MAIN POINTS

- 2.1. Due to the COVID-19 pandemic, it has not been possible to carry out a full review of the policy document. The team has experienced an increase in workload and has dealt with getting to grips and implementing new legislation (Business and Planning Act 2020) and supporting local businesses, whilst also coping with a reduced team due to staff being redeployed to community efforts.
- 2.2. The Planning and Licensing Committee met on 12th August 2020 and determined to carry out a full review in 2021 and recommend to Council to 're-adopt' the current policy shown in Annex 'A' (this Policy was originally adopted by Council in December 2016).
- 2.3. When the full review is carried out in 2021, the draft document will be considered by the Planning and Licensing Committee prior to a 12 week consultation with various stakeholders. Consultation comments will then be considered by the Committee and a revised document presented to Council for adoption in November ready for January 2022.
- 2.4. Any legislation or Statutory Guidance updates that have taken place since the last review (2015) will override any irregularities in the current document and will continue to do so.

3. FINANCIAL IMPLICATIONS

- 3.1. None

4. LEGAL IMPLICATIONS

- 4.1. The legal team have been consulted with regards to this proposal. The legal basis for and the requirement to prepare and publish a statement of licensing policy is clearly set out in paragraph 1 of this report.

5. RISK ASSESSMENT

- 5.1. If a policy is not adopted by 7 January 2021 Cotswold District Council will not meet the requirements of the 'Act'.

6. ALTERNATIVE OPTIONS

6.1. No alternative options are proposed.

(END)