



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	PLANNING AND LICENSING COMMITTEE - 10 FEBRUARY 2021
Report Number	AGENDA ITEM 6
Subject	COTSWOLD DISTRICT COUNCIL'S STATEMENT OF LICENSING POLICY UNDER THE LICENSING ACT 2003
Wards affected	ALL
Accountable member	Cllr Andrew Doherty Cabinet Member for Waste, Flooding and Environmental Health Email: andrew.doherty@cotswold.gov.uk
Accountable officer	Michelle Bignell, Service Leader (Licensing and Business Support) Tel: 01285 623000 Email: michelle.bignell@publicagroup.uk
Summary	To provide information that will allow Committee to consider a Draft Statement of Licensing Policy prior to formal consultation. The Statement will outline the principles Cotswold District Council will apply when exercising its functions under the Licensing Act 2003 from July 2021 when the document is adopted by Full Council.
Annexes	Annex A – Draft Statement of Licensing Policy
Recommendation	The Committee RESOLVES to approve the Draft Statement of Licensing Policy (Annex A) for consultation.
Corporate priorities	Ensure that services delivered by the Council are delivered to the highest standard
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Consultation has not yet been undertaken. This will run for 12 weeks and all statutory consultees will be notified including: <ul style="list-style-type: none">- Responsible Authorities- Ward Members- Town/Parish Councils- Trade bodies- Licence holders

1. BACKGROUND

- 1.1. Section 5 of the Licensing Act 2003 requires a Licensing Authority to determine and publish a Statement of its Licensing Policy at least once every five years. Failure to do so would mean the authority could not continue its licensing functions under the Act.
- 1.2. The purpose of the Licensing Policy is to give guidance to applicants, licence holders, local residents and local businesses on how the Licensing Authority will make its decisions under the Licensing Act 2003. In particular, it lays out the Licensing Authority's policy for decisions by a hearing panel when there has been representation or objection against an application or a request has been made to review an existing licence.
- 1.3. Before determining its licensing policy, the licensing authority must consult the persons listed in section 5(3) of the Act. These include the Police and representatives of local licence holders, businesses and residents.

2. MAIN POINTS

- 2.1. Cotswold District Council's current Statement of Licensing Policy was published in January 2016 and was due to be reviewed by Council in January 2021. As a result of the need to respond to Covid-19, in November 2020, Council agreed to delay the review and extended the current policy. The revised draft document has now been produced and is presented to the Planning and Licensing Committee for consideration.
- 2.2. The Home Office issues guidance on the Licensing Act 2003. This includes guidance on the development and preparation of Statements of Licensing Policy and recommends general principles and content. Cotswold District Council's current Statement takes account of the Home Office guidance.
- 2.3. Cotswold District Council's current Statement of Licensing Policy has been reviewed and updated and is attached at **Annex A**. There have not been any significant changes to the legislation or the Home Office guidance during the past 5 years so only minor changes have been made to reflect current best practice. The updates are shown in the draft Statement highlighted with explanations in comment boxes.
- 2.4. It is the intention that, once the draft Statement of Licensing Policy has been approved by the Planning and Licensing Committee, it will be put out for formal consultation between February and May 2021. Consultation will include the Police and responsible authorities, Town and Parish Councils, Ward Councillors, current licence holders and representatives of the licensed trade.
- 2.5. Any comments received from the consultation will be considered by a working party made up of the Service Leader for Licensing, a Council Solicitor and the Chair of the Planning and Licensing Committee. The working party will agree a final draft Statement of Licensing Policy.
- 2.6. In accordance with the Licensing Act 2003 the Statement of Licensing Policy must be adopted by Full Council. Therefore, it is the intention that the final draft agreed by the working party will be put before Planning and Licensing Committee at their meeting in June 2021 with a view that the Committee will recommend adoption at the meeting of Council in July.

3. FINANCIAL IMPLICATIONS

- 3.1. There are no financial implications associated with this report as it is proposing a draft Statement of Licensing Policy (**Annex A**) prior to formal consultation.

4. LEGAL IMPLICATIONS

- 4.1. All legal implications are set out in the body of the report.

5. ALTERNATIVE OPTIONS

- 5.1. No alternative options are proposed.

(END)