

 <p>COTSWOLD DISTRICT COUNCIL</p>	<p>COTSWOLD DISTRICT COUNCIL</p>
<p>Name and date of Committee</p>	<p>PLANNING AND LICENSING COMMITTEE – 9 JUNE 2021</p>
<p>Report Number</p>	<p>AGENDA ITEM 7</p>
<p>Subject</p>	<p>LICENSING ACT 2003 REVIEW OF THE STATEMENT OF LICENSING POLICY</p>
<p>Wards affected</p>	<p>ALL</p>
<p>Accountable member</p>	<p>Cllr Andrew Doherty Cabinet Member for Waste, Flooding and Environmental Health Tel: 07879 692429 Email: andrew.doherty@cotswold.gov.uk</p>
<p>Accountable officer</p>	<p>Michelle Bignell, Service Leader (Licensing and Business Support) Tel: 01285 623000 Email: michelle.bignell@publicagroup.uk</p>
<p>Summary/Purpose</p>	<p>The report details the proposed revisions to the Council’s Statement of Licensing Policy (Licensing Act 2003), based on legislative requirements and statutory guidance.</p>
<p>Annexes</p>	<p>Annex A – Copy of draft Statement of Licensing Policy Annex B – Table of responses</p>
<p>Recommendation/s</p>	<p>That the Committee considers and comments upon the revised statement of Licensing Policy in ‘Annex A’ and recommends that the document is presented to Full Council for approval.</p>
<p>Corporate priorities</p>	<p>Ensure that services delivered by the Council are delivered to the highest standard</p>
<p>Key Decision</p>	<p>No</p>
<p>Exempt</p>	<p>No</p>
<p>Consultees/ Consultation</p>	<p>12-week consultation has been carried out. Please see paragraphs 2.2 and 2.3 for further information</p>

I. BACKGROUND

- 1.1. The Council is the Licensing Authority for the purposes of the Licensing Act 2003 (“the Act”).
- 1.2. The Act sets out the regulatory system that governs the provision of all alcohol, late night refreshment and entertainment premises in England and Wales. It requires the Council to prepare a Statement that it proposes to apply in exercising its functions under the Act.
- 1.3. The Statement is a Licensing Policy, which sets out the general approach the Council will take when carrying out its regulatory role under the Act. This should be kept under review and must be re-published every five years.
- 1.4. The Act contains four licensing objectives, which underpin the functions that the Council and other Responsible Authorities will perform. These Objectives are central to the regulatory regime created by the Act. They are:-
 - The prevention of crime and disorder
 - The protection of children from harm
 - Public Safety
 - The prevention of Public Nuisance
- 1.5. Cotswold District Council’s current Statement of Licensing Policy was published in January 2016 and expired on 7th January 2021.
- 1.6. It was determined by the Planning and Licensing Committee and the decision adopted by Full Council in 2020 that the current policy would be extended due to the Covid-19 pandemic. It was asked that a revised draft document be brought to the Planning and Licensing Committee as soon as possible in 2021.

2. MAIN POINTS

Consultation

- 2.1. It was agreed by the Planning and Licensing Committee on 10th February 2021 to carry out a consultation on the draft Policy. A copy of the draft Policy document showing tracked changes is attached at **Annex A**.
- 2.2. The document has been subject to a 12-week public consultation period, which ended on 9th May 2021.
- 2.3. The Act provides that the Licensing Authority must consult with:-
 - The Chief Officer of Police for the area;
 - The Fire and Rescue Authority for the area;
 - Persons/bodies representative of local holders of premises licences;
 - Persons/bodies representative of local holders of club premises certificates;
 - Persons/bodies representative of local holders of personal licences; and
 - Persons/bodies representative of businesses and residents in its area.

- 2.4. A copy of responses received during the consultation are attached at **Annex B**. This includes comments on how the document has been amended or a reason why they have not been taken into account.

Next Step

- 2.5. Full Council will be asked to approve the revised Statement at its meeting on the 14th July 2021 so that the revised document can come into effect.

3. FINANCIAL IMPLICATIONS

- 3.1. None

4. LEGAL IMPLICATIONS

- 4.1. If the Licensing Authority does not carry out a review, it will fail to meet its statutory obligations.

5. CLIMATE CHANGE IMPLICATIONS

- 5.1. There are no implications arising from this report.

6. ALTERNATIVE OPTIONS

- 6.1. No alternative options are proposed.

7. BACKGROUND PAPERS

- 7.1. Home Office S.182 Statutory Guidance to Licensing Authorities (April 2018)