

# FAREHAM

## BOROUGH COUNCIL

### **Report to Licensing and Regulatory Affairs Committee**

**Date**                    14 January 2021

**Report of:**            Head of Environmental Health

**Subject:**              **REVIEW OF STATEMENT OF LICENSING POLICY**

#### **SUMMARY**

The Licensing Act 2003 requires each Licensing Authority to publish a statement of Licensing Policy in respect of its licensing functions at the beginning of each five-year period.

The present five-year period ends in March 2021 and therefore a Statement of Licensing Policy for 2021 - 2026 must be determined and published.

This committee approved a revised policy for consultation at its meeting on 29 September 2020. The draft policy consultation has now taken place and a final draft policy is presented to the committee for consideration and recommendation to the Executive for approval at its meeting on 01 February 2021 and subsequently for adoption by the Council at its meeting on 26 February 2021

#### **RECOMMENDATION**

It is recommended that the Licensing and Regulatory Affairs Committee:

- (a) considers any representations arising from the statutory consultation exercise; and;
- (b) recommends to the Executive that the draft Statement of Licencing Policy 2021-2026 be approved and referred to Council for adoption.

## **INTRODUCTION**

1. The Licensing Act 2003 took effect on 25 November 2005 and provided a unified system of regulation for the sale of alcohol, the provision of regulated entertainment and late-night refreshment. Most significantly it transferred to the local authority, as part of these new provisions, liquor licensing, which was previously carried out by the Magistrates' Court. The Council is the licensing authority in its area for the discharge of licensing functions under the Licensing Act 2003.
2. Section 5 of the Licensing Act 2003 requires each licensing authority to publish a statement of policy in respect of its licensing functions at the beginning of each three-year period. This policy must be kept under review and such revisions must be made at such times as it considers appropriate.
3. The present five-year period ends in March 2021 and therefore a Licensing Policy for 2021-2026 must be determined and published.

## **LICENSING POLICY**

4. The Licensing and Regulatory Affairs Committee approved the draft policy for consultation at the meeting of 29 September 2020.
5. The consultation closed on 23 December 2020.

## **REPRESENTATIONS**

6. One representation was received during the consultation period. The representation is from Hampshire Public Health and can be seen in full at Appendix A.
7. In line with this consultation response, additional paragraphs have been inserted at 1.7, 2.8, 4.22, 4.23 and 4.24.
8. The representation suggested additions to Section 3: The Impact of Alcohol on Fareham. These suggestions have not been incorporated into the policy because it is felt that there is no added value in comparing national and regional statistics to Fareham.
9. The suggestion for Section 5: subsection; Door Supervisors, has also not been incorporated because of the current pandemic and the implications of this.
10. The updated draft Policy can be seen at Appendix B.

## **RISK ASSESSMENT**

11. There are no significant risk considerations in relation to this report; however, the Council is required to have a current Licensing Policy in place in order to assist it to meet its statutory obligations under the Act. The Licensing Policy itself is a key document as it details how the authority intends to operate and reflect the licensing objectives. If it makes any decisions which are not in line with the policy, full reasons must be given for that departure.

## **CONCLUSION**

12. The Council must adopt a five-yearly reviewed Licensing Policy issued under the

Licensing Act 2003 for April 2021.

13. The reviewed Licensing Policy will be presented to Executive on 1 February 2021.

**Background Papers:**

**Reference Papers:**

**Enquiries:**

For further information on this report please contact Ian Rickman. (Ext 4773).