

# FAREHAM

## BOROUGH COUNCIL

### Report to the Executive for Decision 01 February 2021

<b>Portfolio:</b>	Policy and Resources
<b>Subject:</b>	<b>Review of Statement of Licensing Policy</b>
<b>Report of:</b>	Head of Environmental Health
<b>Corporate Priorities:</b>	Strong, Safe, inclusive and healthy communities

#### **Purpose:**

This report sets out the Statement of Licensing Policy (Licensing Policy) that details the Council's approach to promoting the four licensing objectives when making decisions under the Licensing Act 2003. The Policy is reviewed every five years and has taken account of changes in legislation, regulations and guidance. The renewed Policy is attached as Appendix A to this report and is being presented to the Executive for approval, before adoption at full Council.

#### **Executive summary:**

The Council has an existing Licensing Policy which has been reviewed without there being any substantive policy changes. It sets out the standards and criteria for applications received according to the Licensing Act 2003 and how those applications will be determined and the licensing objectives promoted.

#### **Recommendation/Recommended Option:**

It is recommended that the Executive:

- (a) agrees the updated Licensing Policy, as detailed in Appendix A to the report;  
and
- (b) recommends the policy to Council for adoption.

#### **Reason:**

Section 5 of the Licensing Act 2003 ("the Act") requires the licensing authority to prepare and publish a Statement of Licensing Policy every five years. This outlines the general approach of the licensing authority when making licensing decisions under the Act and can be reviewed and revised by the authority at any time.

**Cost of proposals:**

There are no financial implications for the Council arising from consideration of this proposal.

**Appendices:**                    **A:** Statement of Licensing Policy

**Background papers:** None

**Reference papers:**        None

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### Executive Briefing Paper

<b>Date:</b>	01 February 2021
<b>Subject:</b>	Review of Statement Licensing Policy
<b>Briefing by:</b>	Head of Environmental Health
<b>Portfolio:</b>	Policy and Resources

#### 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. The Licensing Policy reflects the requirements of the Licensing Act 2003 and the associated guidance and regulations. It also demonstrates how the Council will promote the four licensing Objectives in making decisions under the Act. Section 5 requires each licensing authority to publish a statement of policy in respect of its licensing functions at the beginning of each five-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.
4. Consultation took place during December 2020 and a report was taken to the Licensing and Regulatory Affairs Committee where the Head of Environmental Health reported in more detail on the consultation response received.
5. There are no significant risk considerations in relation to this report.

#### Enquiries:

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