

## **HIGH PEAK BOROUGH COUNCIL**

### **Licensing Committee**

**28 January 2021**

<b>TITLE:</b>	<b>Statement of Licensing Policy</b>
<b>EXECUTIVE COUNCILLOR:</b>	<b>Councillor Sloman - Executive Councillor for Housing and Licensing</b>
<b>CONTACT OFFICER:</b>	<b>Alicia E Patterson – Head of Environmental Health &amp; Licensing</b>
<b>WARDS INVOLVED:</b>	<b>All</b>

### **Appendices Attached – Appendix 1 – Statement of Licensing Policy 2021-26**

#### **1. Reason for the Report**

- 1.1 To appraise members of the requirement to review the Council's Alcohol Licensing Policy every 5 years, and to present the revised Licensing Policy 2021-26 for approval.

#### **2. Recommendation**

- 2.1 That the Committee RECOMMENDS that the COUNCIL approves the Council's Licensing Policy 2021-26.

#### **3. Executive Summary**

- 3.1 All Licensing Authorities are required to publish a Licensing Policy in respect of their activities relating to the licensing of premises for the sale of alcohol, setting out the measures by which applications for alcohol licences will be considered.
- 3.2 The last Licensing Policy was published in 2016. It is a requirement that all Licensing Authorities review their Licensing Policy every 5 years. The Policy is now due for review and an updated draft Policy has been produced following internal and external consultation which ran from 1<sup>st</sup> December 2020 to 1<sup>st</sup> January 2021.
- 3.3 The revised and updated draft Licensing Policy 2021-26 is attached at Appendix 1 for consideration.

#### 4. **How this report links to Corporate Priorities**

- 4.1 Ensure our services are readily available to all our residents in the appropriate channels and provided “right first time”.
- 4.2 Work to create flourishing town centres and thriving high streets that support the local economy.

#### 5. **Alternative Options**

- 5.1 There are no alternative options proposed. The publication of the Council's Licensing Policy is a legal requirement.

#### 6. **Implications**

- 6.1 Community Safety - (Crime and Disorder Act 1998)  
The effective licensing of premises contributes to a safer night-time economy and responsible drinking.
- 6.2 Workforce  
No implications.
- 6.3 Equality and Diversity/Equality Impact Assessment  
The report and Policy has been prepared in accordance with the relevant equality and diversity provisions.
- 6.4 Financial Considerations  
none
- 6.5 Legal  
Under Section 5 of the Licensing Act 2003 the Council must determine its policy with respect to the exercise of its licensing functions and publish a statement of that policy after it is adopted. The Policy must be reviewed every 5 years to ensure that it is fit for purpose and reflects the current licensing legislation and guidance.
- 6.6 Climate Change  
No implications
- 6.7 Consultation  
The revised Policy has been subject to internal and external consultation.
- 6.8 Risk Assessment  
The Council risks judicial review if it fails to produce, approve and publish a Statement of Licensing Policy.

Mark Trillo

**Executive Director (People) and Monitoring Officer**

## **Web Links and Background Papers**

Statement of Licensing Policy 2021-26

## **Contact details**

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### **7. Detail**

- 7.1 Every Local Authority acting in the capacity of the Licensing Authority for their area, must publish a Statement of Licensing Policy. This Policy must be reviewed every 5 years to ensure that it is fit for purpose and reflects the current licensing legislative regime in force at the time.
- 7.2 The Council's current Licensing Policy was published in 2016 and is now due for review. An updated and revised Licensing Policy must now be published to run for the next 5 years.
- 7.3 An updated and revised draft Licensing Policy for 2021-26 has been produced and is attached as Appendix 1. The draft Policy has been the subject of internal and external consultation over the period 1<sup>st</sup> December 2020 to 1<sup>st</sup> January 2021. Information on the extent of the consultation is given in Appendix D of the draft Licensing Policy 2021-26.
- 7.4 The review of the 2016-21 Licensing Policy determined that no significant change to the substantive content of the Policy document was required. The core statements remain fit for purpose and the statutory licensing framework under the Licensing Act 2003 is largely unchanged. The Statutory Guidance issued under the 2003 Act was revised during the period of the current Policy, and where appropriate the statements have been updated to reflect any material changes.
- 7.5 The draft Policy 2021-26 has been updated where there was a need to clarify the wording or meaning of the current statements, to add elements introduced to make it clearer to applicants as to the extent and degree of their application and supporting documentation, and also to reflect any representations received during the consultation process.
- 7.6 Only 2 representations were received during the consultation period, both of which made valid comments and offered constructive updates to be included in the final version of the Licensing Policy. The draft Policy has therefore been updated to reflect these comments.
- 7.7 For ease of reference, the draft Statement of Licensing Policy 2021-26 attached at Appendix 1 is highlighted to show those changes arising from the review of the 2016 Policy and those changes arising from the consultation responses. The changes made on review are shown in red text, and those added following consultation are shown in blue text. The remainder of the document is unchanged from the 2016 Policy.
- 7.8 the attached draft Statement of Licensing Policy is commended to members

with a recommendation to approve the Policy to run for the next 5 years.