

LICENSING

DATE OF MEETING: 23rd November 2021

TITLE OF REPORT: Draft Shared Statement of Licensing Policy

Report of: Head of Place

Cabinet member: Cllr Sara Kinnell, Regulatory

1 PURPOSE OF REPORT

1.1 The purpose of this report is to consider a new Shared Statement of Licensing Policy and to approve it for consultation.

2 OFFICER RECOMMENDATION

2.1 Licensing Committee is recommended to:

2.2 Approve the draft Shared Statement of Licensing Policy, set out in Annex A to this report, for consultation; and

2.3 Authorise the Head of Place in consultation with the Portfolio Holder for Regulatory to make minor alterations and typographical corrections to the document before it is published.

3 BACKGROUND

3.1 The Council is required to prepare and publish a Statement of Licensing Policy every five years in accordance with Section 5 of the Licensing Act 2003 ('the Act'). The Statement of Licensing Policy 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.

3.2 At part of the Shared Licensing Service with Basingstoke & Deane it is proposed to take this opportunity to create a Shared Statement of Licensing Policy.

4 CONSIDERATION

4.1 There are only a few amendments in the draft document when compared to the previous version of the Hart District Council policy. This is due to the fact that there have been no significant changes to the legislation or regulations. The key amendment is the incorporation of the two Council's Policies into one shared policy.

4.2 Before determining the policy for any 5-year period, the licensing authority must consult the persons listed in section 5(3) of the Act. These are:

- i. The Chief Officer of police for the area;
- ii. The fire and rescue authority for the area;
- iii. Persons or bodies representative of holders of local personal licences, premises licences and club premises certificates; and

- iv. Persons or bodies representative of businesses and residents in its area.
- 4.3 The views of all consultees should be given appropriate weight when the policy is determined. Beyond the statutory requirements, it is for the licensing authority to decide the full extent of its consultation. Whilst it is clearly good practice to consult widely, this may not always be necessary or appropriate.
- 4.4 Consultation will take place for a 12-week period from November 2021 to February 2022. The consultation letter is attached at Appendix B.
- 4.5 On conclusion of the consultation exercise, a further report will be presented to the licensing committees of both Councils in Spring 2022 with a view to adopting new Shared Statement of Licensing Policy having taken into consideration any consultation responses.
- 4.6 Once approved, the policy would be in place for a 5-year period unless the Council determines it appropriate to revise before that date.

5 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 5.1 The alternative would be to keep two separate policies, one for Hart District Council, and one for Basingstoke & Deane Borough Council.

6 CORPORATE GOVERNANCE CONSIDERATIONS

Service Plan

Is the proposal identified in the Service Plan?	No
Is the proposal being funded from current budgets?	Yes
Have staffing resources already been identified and set aside for this proposal?	Yes

Legal and Constitutional Issues

The Council is required to prepare and publish a Statement of Licensing Policy every five years in accordance with Section 5 of the Licensing Act 2003 ('the Act')

Financial and Resource Implications

There are no significant financial implications arising from this report.

7 EQUALITIES

- 7.1 There are no direct equalities impacts arising from the recommendations.

8 CLIMATE CHANGE IMPLICATIONS

- 8.1 There are no direct carbon/environmental impacts arising from the recommendations.

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APPENDICIES

Appendix A: Draft Shared Service Statement of Licensing Policy
Appendix B: Consultation Letter