

Somerset Council  
Licensing and Regulatory Committee – 14 September  
2023



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## **Statement of Licensing Policy**

Executive Member: Councillor Federica Smith-Roberts, Lead Member for  
Communities, Housing and Culture

Local Member(s) and Division: Licensing and Regulatory Committee Chair –  
Councillor Simon Carswell

Lead Officer: Jack Godley – Senior Licensing and Business Support Officer

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### **1. Summary / Background**

- 1.1 Under the Licensing Act 2003 (the 2003 Act), Somerset Council as Licensing Authority must determine a Statement of Licensing Policy that supports and guides our administration and enforcement of the provisions of that Act, for each five-yearly period.
- 1.2 Somerset Council is a Licensing Authority for the purposes of section 3 of the 2003 Act. It must publish a valid policy to carry out any function under the 2003 Act, during each relevant period. During the five-year period, the policy must be kept under review and the Licensing Authority may make such revisions to it as it considers appropriate.

In producing this Policy the Council has had to have had regard to the Statutory Guidance, issued under Section 182 of the 2003 Act. The Statement of Licensing Policy sets out the policies the Council will apply to promote the licensing objectives when making decisions on applications made under the 2003 Act. It clarifies to applicants, Other Persons, and Responsible Authorities how this Council will determine applications and process notifications under the 2003 Act.

The Authority will consult all persons required to be consulted, as listed in section 5(3) of the 2003 Act, the details are provided below: -

- a) the Chief Officer of Police for the area
- b) the Fire Authority for the area
- c) persons/bodies representative of local holders of premises licences
- d) persons/bodies representative of local holders of club premises certificates
- e) persons/bodies representative of local holders of personal licences and
- f) persons/bodies representative of businesses and residents in its area

The draft Statement of Licensing Policy can be found at Appendix 1.

Consultation has taken place over an 8-week period, and 52 responses were received of which 11 were supportive of the policy, 9 made no comment, 5 raised issues viewing the document on the consultation platform and 18 were not relevant.

Those that had issues viewing the document or were not relevant have been contacted on an individual basis to either rectify the issue or to provide an explanation as to why their responses were not considered relevant. In the main they were questions rather than responses so they could be quickly answered.

The remaining 9 responses are presented in Appendix 2 along with Officer recommendations for consideration by the Committee.

## **2. Recommendations**

- 2.1 The Committee is asked to consider the consultation comments made regarding the policy, recommend any amendments, and recommend the final draft for approval by Full Council.

## **3. Reasons for recommendations**

- 3.1 It is a legal requirement that each Licensing Authority has in place a Statement of Licensing Policy.

## **4. Other options considered**

- 4.1 Not applicable – Legal requirement.

**5 Links to Council Vision, Business Plan and Medium-Term Financial Strategy**

5.1 Not applicable – Legal requirement.

**6 Financial and Risk Implications**

6.1 Not applicable – Legal requirement.

**7 Legal Implications**

7.1 The Council must publish a Statement of Licensing Policy under the Licensing Act 2003

**8 HR Implications**

8.1 None

**Other Implications:**

**9 Equalities Implications**

9.1 None

**10 Community Safety Implications**

10.1 Improves public safety and protects communities

**11 Climate Change and Sustainability Implications**

11.1 None

**12 Health and Safety Implications**

12.1 None

**13 Health and Wellbeing Implications**

13.1 Addressed as part of the consultation.

**14 Social Value**

14.1 Not applicable – Legal Requirement

**15 Scrutiny comments / recommendations:**

15.1 Not applicable – Legal Requirement

**16 Background Papers**

16.1 Please see paragraphs 1 and 2.

16.2 Appendices: Appendix 1 - Draft Statement of Licensing Policy 2023,  
Appendix 2 - Responses to the Consultation and Licensing & Regulatory  
Committee Decisions LA03 - 2023 - Final