

Somerset Council
Licensing and Regulatory Committee – 14 September
2023



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

Author: Jack Godley – Senior Licensing and Business Support Officer

Contact Details: jack.godley@somerset.gov.uk – 01749 341453

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