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## Statement of Licensing Policy

Executive Member(s): Cllr Federica Smith-Roberts

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

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### Summary / Background

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.

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

Consultation will take place over an 8-week period, the results of which will be presented at a future Committee meeting for consideration.

### Recommendations

3. The Committee is asked to permit the Draft Statement of Licensing Policy be available for consultation as required by the Licensing Act 2003.

### **Reasons for recommendations**

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

### **Other options considered**

5. Not applicable – Legal requirement.

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

6. Not applicable – Legal requirement.

### **Financial and Risk Implications**

7. Not applicable – Legal requirement.

### **Legal Implications**

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

### **HR Implications**

9. None

### **Other Implications:**

### **Equalities Implications**

10. None

### **Community Safety Implications**

11. Improves public safety and protects communities

### **Climate Change and Sustainability Implications**

12. None

### **Health and Safety Implications**

13. None

### **Health and Wellbeing Implications**

14. Addressed as part of the consultation.

**Social Value**

15. Not applicable – Legal Requirement

**Scrutiny comments / recommendations:**

16. Not applicable – Legal Requirement

**Background**

17. Please see paragraphs 1 & 2.

**Background Papers**

18. None.