

REVIEW OF THE COUNCIL'S STATEMENT OF LICENSING POLICY

Report of: Chief Officer Planning & Regulatory Services

Status: For Decision

Key Decision: No

Portfolio Holder: Cllr. Irene Roy

Contact Officer : Susan Lindsey, Ext. 7491

Recommendation to Licensing Committee

To seek approval to undertake a 6 week public consultation leading to the production of a revised Statement of Licensing Policy under the Licensing Act 2003.

Reason for recommendation:

The Licensing Act 2003 requires that Local Licensing Authorities prepare and publish a Statement of Licensing Policy every five years.

Introduction

1. The Licensing Act 2003 (the Act) requires the Council, in its role as a licensing authority, to prepare and publish a statement of licensing policy with respect to the exercise of its functions under the Act.
2. The Council's current Policy is in force until 31st March 2025. Once in place, this Policy must be kept under review at least every 5 years.
3. There are no changes to the intent or direction of the Policy which sets out how the Council seeks to process applications made under the Licensing act 2003 and provides a framework for consistent decision making.
4. The draft Policy contains a minimum of changes to the previous version. The Policy has been updated with :
 - The inclusion of a section at 3.26 on 'Spiking Awareness'.
 - The proposed removal of Appendix D. It is proposed that this Appendix be removed as contact details of these types of business are easily found via a web search. This also avoids the Policy showing out of date contact information.

Consultation

1. It is proposed that a 6 week consultation process take place.
2. This will take place as soon as possible after the Licensing Committee decision to consult is made : preferably in October/November 2024.
3. The consultation will include all responsible authorities and licence holders, plus any other individuals, agencies, and organisations that may reasonably be affected by, or have an interest in, the new Statement Licensing Policy. In addition, notice of the consultation taking place will be advertised on the Council's website and through social media.
4. Following the conclusion of the consultation, relevant information, proposals, and recommendations will be used together with information from other sources to draft a revised Statement of Licensing Policy which will be brought back to this Committee for consideration and approval.

Key Implications

Financial

There are no specific financial implications resulting from the matters considered in this report. The costs of consultation and publication of the revised Statement of Licensing Policy will be met from existing budgets.

Legal Implications and Risk Assessment Statement.

The Council is obliged by the Licensing Act 2003 to review its Statement of Licensing Policy every five years. The Council has no discretion to alter the period for which its Licensing Policy is in force, although it can carry out further review within the set five year period.

Before the Council determines its new Statement of Licensing Policy, it must consult with the statutory consultees.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Climate Change Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to tackle the challenge of climate change. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Appendices

Appendix A – Sevenoaks District Council Statement of Licensing Policy with proposed amendments shown in red.

Background Papers

[Licensing Act 2003](#)

[Revised Guidance issued under section 182 of the Licensing Act 2003](#)

Richard Morris
Chief Officer Planning & Regulatory Services