

## Licensing and Appeals Committee 22 November 2021

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| Report Title  | Statement of Licensing Policy 2022 – 2027            |
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### List of Appendices

**Appendix A - Draft Licensing Act 2003 Statement of Licensing Policy 2022 – 2027**

**Appendix B - Consultation responses**

#### **1. Purpose of Report**

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- 1.1 To seek recommendation for the Licensing Act 2003 Statement of Licensing Policy, to be adopted by North Northamptonshire Council.

#### **2. Executive Summary**

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- 2.1 The Licensing Act 2003 requires that a licensing authority has a Statement of Licensing Policy.
- 2.2 This Policy is presented to meet that legal requirement and support the Authority's Licensing Act 2003 processes going forward. It will be in effect from January 2022 – January 2027.
- 2.3 The document can be subject to further review during this period as necessary.

#### **3. Recommendations**

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- 3.1 The Committee is asked to recommend to Council that the Policy be adopted by North Northamptonshire Council.

#### **4. Report Background**

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- 4.1 Each of the sovereign authorities had their own Statement of Licensing Policy which is due for review at the end of 2023.
- 4.2 Those policies were all very similar as they were prepared as a county wide project.
- 4.3 The policy before the Licensing and Appeals Committee is therefore the amalgamation of those documents to produce a North Northamptonshire Council policy.

- 4.4 No substantive changes have been made to the contents of the sovereign documents, in bringing them together to produce this North Northamptonshire Policy.
- 4.5 Before determining its policy, the licensing authority consulted with the following:
- the chief officer of police for the area;
  - the fire and rescue authority for the area;
  - the Director of Public Health (DPH)
  - persons/bodies representative of local premises licence holders;
  - persons/bodies representative of local club premises certificate holders;
  - persons/bodies representative of local personal licence holders; and
  - persons/bodies representative of businesses and residents in its area.
- 4.6 The Policy is in principle identical to the policies previously in place, therefore consultation was limited to a 4-week period.
- 4.7 The consultation responses are attached together with the details of any actions relating to each one.
- 4.8 The Policy must be reviewed every five years, so this Policy will be in effect from 31 January 2022 – 31 January 2027. The document can be subject to review during this period as necessary.

## **5. Issues and Choices**

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- 5.1 Section 5 of the Licensing Act 2003 requires that each licensing authority must in respect of each five-year period, determine its policy with respect to the exercise of its licensing functions and publish a statement of that policy.
- 5.2 That policy must be adopted by full Council.

## **6. Implications (including financial implications)**

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### **6.1 Resources and Financial**

- 6.1.1 There are no resource or financial implications in relation to this report

### **6.2 Legal**

- 6.2.1 Section 5 of the Licensing Act 2003 requires that each licensing authority must in respect of each five-year period, determine its policy with respect to the exercise of its licensing functions or review as necessary during that period.

### **6.3 Risk**

- 6.3.1 There are no significant risks arising from the proposed recommendations in this report.
- 6.3.2 There is a risk of decisions made under the Licensing Act 2003 by the Authority being subject to challenge through the Courts, if no Statement of Licensing Policy is in place.

## 6.4 Consultation

6.4.1 A consultation process has been carried out in accordance with the requirements of the Licensing Act 2003 and associated guidance.

## 6.5 Consideration by Scrutiny

6.5.1 Not considered

## 6.6 Climate Impact

6.6.1 No climate impact.

## 6.7 Community Impact

6.7.1 The overall conclusion of the Equality Impact Assessment is that there is no negative impact on any characteristic or group as a result of this Policy.

6.7.2 The Licensing Act 2003 provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

6.7.3 The licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is always a paramount consideration.

6.7.3 The legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- protecting the public and residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- giving the police and licensing authorities the powers, they need to effectively manage and police the night-time economy and act against those premises that are causing problems;
- recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and

- encouraging greater community involvement in licensing decisions and giving residents the opportunity to have their say regarding licensing decisions that may affect them.

6.7.4 The Licensing Act 2003 Statement of Licensing Policy is fundamental to supporting the Licensing Authority's engagement in all of the above.

## **7. Background Papers**

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None