

Licensing Act 2003 Statement of Licensing Policy Review 2020

Purpose of Policy

The policy explains the council's approach to licensing within the city. It also gives guidance to licence holders, applicants and any person who may have an interest in licence applications or information regarding the review of licences.

The licensing policy statement is used to guide the licensing authority when considering licence applications and the control of licensed premises as required by the Licensing Act 2003.

Covid Pandemic Impact

In April 2020, following the start of the lockdown restrictions, the Local Government Association indicated there would be allowances made for policies due in 2020 and we had expected them to be extended to 2021. Unfortunately, the necessary legislative changes have not happened to allow this postponement to take effect. As a result we find ourselves in the position of having to publish a policy at rather short notice.

Substantive Change in Policy

There is only **ONE** substantive change in the attached proposed policy - Cumulative Impact Policy areas.

In order for cumulative impact to be included within the policy, a Cumulative Impact Assessment (CIA) must be carried out. This has not happened this year. To carry out a thorough and informative CIA would take some time and involve significant input from partners, not least the Police and Public Health as well as many others. As I'm sure you will appreciate, these partners have already been under significant pressure with the pandemic response. Also, any surveys or studies of the night time economy and impacts of licensed premises will be significantly affected by the COVID restrictions and the impact they have had on businesses.

Having regard to the above, it is proposed to publish the 2020 Policy without CIP areas (as to include them would risk legal challenge). This does NOT mean there will be a free-for all in granting licences. Applications must, as ever, still demonstrate how the licensing objectives will be promoted and may of course still be objected to where necessary.

As is clearly stated in the s182 Guidance: "The absence of a CIA does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives, However, in each case it would be incumbent on the person making the representation to provide relevant evidence of cumulative impact".

Future Review of Policy

In 2021 we will carry out a comprehensive Cumulative Impact Assessment and a total review of the Statement of Licensing Policy.