

MAIDSTONE BOROUGH COUNCIL

COUNCIL

9 DECEMBER 2015

REPORT OF THE LICENSING COMMITTEE HELD ON

26 NOVEMBER 2015

Draft Statement of Licensing Policy 2016 – 2021

Issue for Decision

The Licensing Act 2003 requires that, at least every 5 years, the Council publish a 'Statement of Licensing Policy' that sets out the policies the Council will generally apply when exercising its licensing functions under the Act.

The Council's current Policy Statement took effect from 2010 but there have been a number of changes made necessary as a result of wide ranging reforms to the Licensing Act 2003. In light of those amendments, this new draft policy forms a secure foundation on which to determine applications in a way that clearly promotes the licensing objectives.

This Policy Statement if agreed will take effect from 6 January 2016 remaining in force for a period of five years. It can be subject to regular review by the Council.

Recommendation Made

That Council approve the Statement of Licensing Policy 2016-2021.

Reason for Recommendation

The authority needs to revise the current policy to meet statutory requirements, ensure coverage of the changes in the legislation and to set out how the Authority intends to approach its licensing responsibilities ;in particular what it expects from management of different types of licensed premises in their business activities and how they intend to promote the four licensing objectives.

By being open and transparent in the approach taken in administering the licensing regime the public can see the efficiency of the service and have confidence in the decision making process.

Alternatives Considered

The Council could choose not to review and agree a revised policy but a failure to adopt a revised policy in early 2016 would be in breach of statutory requirement and put the authority at risk of legal challenge to decisions made under an out of date policy.

In any event the current policy does not reflect the impacts of the amendments to legislation and requires updating to support the licensing decision making process.

Background Papers

None.