

To: **EXECUTIVE**
15 DECEMBER 2020

Review of Statement of Licensing Policy
Executive Director of Delivery

1 Purpose of Report

- 1.1 Bracknell Forest Council is required to prepare and publish a Statement of Licensing Policy every five years in accordance with section 5 of the Licensing Act 2003 ('the Act'). The Statement of Licensing Policy outlines the general approach of the Licensing Authority when making licensing decisions under the Act and can be reviewed and revised by the Authority at any time.
- 1.2 The Bracknell Forest Statement of Licensing Policy must undergo a review and be re-published by the end of January 2021.
- 1.3 The purpose of this report is to provide the Executive with the final consultation comments on the draft policy. The revised Policy will be put before the members of the Licensing and Safety Committee.

2 Recommendation

- 2.1 That the Executive endorse the policy for submission to the Licensing & Safety Committee.**

3 Reasons for Recommendation

- 3.1 The Policy has to be approved by full Council once it has been endorsed by the Executive and the Licensing & Safety Committee.

4 Alternative Options Considered

- 4.1 To comply with the Licensing Act 2003 a statement of Licensing Policy must be published so there is no alternative.

5 Supporting Information

- 5.1 Before determining the policy for any five-year period, the licensing authority must consult the persons listed in section 5(3) of the Act. These are:
- The chief officer of police for the area
 - The fire and rescue authority for the area
 - Persons or bodies representative of holders of local personal licences, premises licences and club premises certificates
 - Persons or bodies representative of businesses and residents in its area

- 5.2 Consultation has taken place with statutory bodies the Executive, Licensing & Safety Committee as well as other agencies and associations (Annex A) via email, web site and letter from 26 October to 4 December 2020.
- 5.3 The Draft policy will be considered by the Licensing and Safety Committee at a meeting on the 16th December 2020 with any recommendations being put before the Full Council in January 2021 for approval.
- 5.4 Main amendments made so far incorporated in the attached policy:
- Further comprehensive scheme of delegations added
 - Removal of wording referring to the Council as it restricts our position. Insertion of reference to the Licensing Authority instead
 - Rewording of some paragraphs for clarity & certainty
 - Addition of wording to prevention of crime and disorder to include applicant guidance on terrorism threat risk assessment, refusals log for those intoxicated and proxy sales/staff training
 - Addition of wording to cover the situation after Brexit

6 Consultation and Other Considerations

Legal Advice

- 6.1 The relevant legal provisions and Licensing Authority considerations are contained within the body of the report

Financial Advice

- 6.2 There are no financial implications arising from this report.

Other Consultation Responses

- 6.3 Included within the main policy report

Equalities Impact Assessment

- 6.4 An equalities screening has been undertaken and confirmed a full assessment was not required.

Strategic Risk Management Issues

- 6.5 The policy is required in order to comply with the Licensing Act 2003.

Contact for further information

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