

To all Consultees of the new Statement of Licensing Policy 2003.

Licensing Section, Southfield Road,
Loughborough, Leicestershire, LE11 2TX

Ask for: Licensing

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14th February 2022

Dear Sir/Madam

Licensing Act 2003 – Review of the Statement of Licensing Policy 2022 -2027

Charnwood Borough Council is undertaking a review of their Statement of Licensing Policy in accordance with the Licensing Act 2003, where the Authority has the duty to review their Licensing Policy at least every five years.

As an organisation or individual that is likely, at some point, to have come into contact with Charnwood Borough Council, or who has previously been consulted, in relation to the Licensing Act 2003, I am writing to seek your views and comments on the draft document.

The Licensing Policy sets out how Charnwood Borough Council intends to promote the licensing objectives pursuant to Section 5 of the Licensing Act 2003. In the preparation and publication of this licensing statement, the Council has had regard to the guidance issued by the Home Secretary, Home Office, under Section 182 of the 2003 Act.

Changes to the previous policy include:-

- **Right to Work** - Applicants for a licence must demonstrate that they have the right to work in the UK (Section 14) and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

Previously this was carried out by applicants manually providing copies of identification documents. As an alternative to providing a copy of original documents, the Home Office has now introduced an online right to work checking service.

Applicants can now produce their Right to work documents in two ways.

- 1) by providing their 'share code' to enable the Licensing Authority to carry out a check using the Home Office online right to work checking service
- 2) by manually providing a document or document combination that is stipulated as being suitable for this check.



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The Statement of Licensing Policy has been amended to make it easier to read and to include areas that the Licensing Section regularly receive questions on, which will assist both applicants, responsible authorities, and the public.

- **Promotion of the Licensing Objectives (Section 2.4)** - A sentence added to highlight that the 4 licensing objectives are of equal importance and the paramount concern of the Licensing Authority. Information for the applicant, that the operating schedule they include is converted into conditions on the licence. A recommendation, that the applicant discusses their application with the Responsible Authorities. Confirmation that where no representations are received that the Licensing Authority must grant the licence application.
- **Local, National and International Occasions (Section 5.1)** - A new section added in respect of Local, National and International Occasions to explain that applicants may wish to consider bank holiday opening hours when completing their operating schedule. That temporary event notices can be used to cover other occasions and that the Secretary of State can generally extend hours on special occasions such as a Royal Wedding or Royal Jubilee.
- **Drinking up Time (Section 5.2)** - A new section added to advise applicants and public that the 'drinking up time' was not carried over as part of the Licensing Act 2003. It highlights that the licensable activities time and that of the premises opening hours do not have to be the same but that applicants are encouraged to consider a drinking up time to assist with the gradual dispersal of customers.
- **Operating Schedule – Promotion of the Licensing Objectives (Section 6)** - The title of the section has been amended to include words 'Operating Schedule' to encourage applicants to include sufficient information in the 'operating schedule' of their application form. It encourages them to speak to the Responsible Authorities and carry out their own risk assessment.
- **Alcohol Deliveries (Section 7.4)** - Under the section entitled 'Prevention of Crime and Disorder' an additional section has been added headed 'Alcohol Deliveries' which became prevalent during Covid. It highlights the need for applicants wishing to deliver alcohol to consider how to maintain age verification during that process.
- **Change during lifetime of Licence (Section 14.1)** - This additional section is to act as a reminder to all applicants and personal licensees that the Licensing Act 2003 requires them to advise the Licensing Authority of any changes to their name or address and to notify the Licensing Authority of any relevant convictions during the lifetime of their licence.
- **Police and/or Environmental Health Intervention (Section 15.1)** - This section has been added under the section entitled Temporary Event Notices (TEN) (Section 15) to make both applicants and the public aware that the Police and Environmental Health in their roles as Responsible Authorities can raise objections to a 'Standard Ten' at which point a Committee hearing is required. Due to the limited time frame for a 'Late Ten' any such objection would result in the event not being able to go ahead. It reminds applicants of the need to submit a Temporary Event Notice (TEN) in good time.

- **Representations (Section 16)** - This is a new section on representations to advise the public and applicants how representations (objections) can be received against an application. It goes on to advise that any representation from an interested party, other than a Responsible Authority, will be considered as to whether it is relevant and must be based on one of the four licensing objectives.
- **Petitions (Section 16.1)** - A new section to advise how the licensing section will deal with petitions received and advice as to how a petition should be laid out and presented to potential signatures.
- **Annual Fees (Section 17.1)** - A new section under Section 17, Enforcement, which advises applicants that failure to pay the annual maintenance fee, will result in the premises licence being suspended and all licensable activities ceasing.
- **Reviews (Section 17.2)** - A new section to advise both applicants and the public that all premises, once a licence has been issued, can be subject to a review for matters arising at the premises in connection with the four licensing objectives. The Section also advises the options available to the Licensing Authority on receipt of review.
- **Events in Charnwood (Section 18.1)** - A new section to give advice to event organisers that the Licensing Authority requires notification of events to be held within Charnwood, with an aim to ensuring the events are run safely and effectively. It also allows the Licensing Authority to inform partner agencies, including emergency services about up and coming events.

Read the [DRAFT revision of the Statement of Licensing Policy and all Appendices](#).

Hard copies are available on request from the Licensing Section, Charnwood Borough Council, Southfield Road, Loughborough, Leicestershire, LE11 2TX.

If you have any comments please submit them in writing to the Licensing Section, Charnwood Borough Council, Southfield Road, Loughborough, Leicestershire, LE11 2TX by 4.00 pm on 18 March 2022.

Yours faithfully,



Grace Dowson,
Licensing Manager