

Licensing and Appeals Committee

25 March 2025

Part 1 - Public

Matters Taken Under Delegated Powers



Cabinet Member	Cllr Des Keers, Community Services
Responsible Officer	Adrian Stanfield, Director of Central Services and Deputy Chief Executive
Report Author	Anthony Garnett, Head of Service for Licensing, Community Services and Customer Services

Statement of Licensing Policy 2025 – 2030 Consultation

1 Summary and Purpose of Report

- 1.1 Tonbridge and Malling Borough Council is the Licensing Authority under the Licensing Act 2003. The Licensing Authority is responsible for granting premises licences, club premises certificates, temporary events notices and personal licences within the Authority's area in respect of the sale and/or supply of alcohol, the provision of regulated entertainment and late-night refreshment. This report gives details of the proposed Statement of Licensing Policy 2025 – 2030 to go out for consultation.

2 Corporate Strategy Priority Area

- 2.1 Efficient services for all our residents, maintaining an effective council.
- 2.2 Licensing Services ensure that all licensable activities taking place within the borough are granted the appropriate permissions under the relevant legislation.

3 Recommendations

- 3.1 It is RECOMMENDED that the draft Statement of consultation, attached as **Annex 1**, be approved and sent out for consultation

4 Introduction and Background

- 4.1 Tonbridge and Malling Borough Council is the Licensing Authority under the Licensing Act 2003. The Licensing Authority is responsible for granting premises licences, club premises certificates, temporary events notices and personal

licences within the Authority's area in respect of the sale and/or supply of alcohol, the provision of regulated entertainment and late night refreshment.

- 4.2 Section 5 of the Licensing Act 2003 requires the Licensing Authority to prepare and publish a Statement of Licensing Policy every five years. This is the Licensing Authority's forth statement of licensing policy. It will remain in force for a period of five years from 2025 - 2030. During the five-year period, the policy must be kept under review and the Licensing Authority may make such revisions to it as it considers appropriate.
- 4.3 Tonbridge and Malling Borough Council currently has 386 premises made up of 356 premises licenses and 30 club premises certificates.
- 4.4 This Policy Statement seeks to formulate reasonable controls and appropriate guidance to encourage efforts that are being made by the Council and its partners working together with the licensed trade to help deal with issues that arise from licensable activities.
- 4.5 A copy of the Statement of Licensing Policy is shown at **Annex 1**.
- 4.6 A copy of the feedback form for the Statement of Licensing Policy is shown at **Annex 2**.

5 Proposal

- 5.1 The proposed Statement of Licensing Policy is shown at Annex 1 of this report.

6 Financial and Value for Money Considerations

- 6.1 The Licensing Income budget for 2024 – 2025 is £368,150.

7 Risk Assessment

- 7.1 Should parts of the industry believe the authority's 'statement of licensing policy' is not sound it would be open to them to undertake judicial review proceedings.

8 Legal Implications

- 8.1 The Statement of Licensing Policy has been prepared in accordance with Section 5 of the Licensing Act 2003 and having regard to the Guidance issued under Section 182 of the Act (as revised).

9 Consultation and Communications

9.1 The following process steps enable development of this policy:

Draft consultation agreed at the Licensing Committee	25 March 2025
Public Consultation	01 April 2025 until 25 May 2025
Licensing Committee agrees the policy and recommends to Full Council for adoption	10 June 2025
Full Council adopt policy	8 July 2025
New Policy comes into force	14 July 2025

10 Implementation

10.1 Dates for consultation are set out at 9.1.

11 Cross Cutting Issues

11.1 Following corporate guidelines for all of the charges included in this report has ensured a standard approach across different services.

12 Climate Change and Biodiversity

12.1 None.

13 Equalities and Diversity

13.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

14 Other If Relevant

14.1 None

Background Papers	None.
Annexes	Annex 1 – Proposed Statement of Licensing Policy for 2025 - 2030 Annex 2 – Feedback form for consultation