

Licensing and Appeals Committee

10 June 2025

Part 1 - Public

Recommendation to Council



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| 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 results of the consultation for the Statement of Licensing Policy 2025 – 2030.

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 member draft Statement of consultation, attached as **Annex 1**, be approved and recommended to Full Council for adoption.

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 from January 2014. 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 399 premises made up of 373 premises licenses and 26 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 On the 25 March 2025, the Licensing and Appeals Committee decided to go out on consultation for the Statement of Licensing Policy. The consultation period ran from the 1 April 2025 until 25 May 2025.
- 4.6 A copy of the Statement of Licensing Policy is shown at **Annex 1**
- 4.7 As a result of the Consultation there was one response received from Licensing Services to include details about "Ask Angela" scheme.
- 4.8 A copy of the consultation response is show at **Annex 2**

5 Proposal

- 5.1 The proposed Statement of Licensing Policy is shown at **Annex 1** of this report is approved and recommended to Full Council for adoption.

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:

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| 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 is 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 A moderate source of emissions is likely to be maintained at current levels or increased.

12.2 The Taxi and Private Hire vehicle fleet is continually being renewed as older vehicles cannot be licenced after the age of ten years.

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

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| Background Papers | Licensing Act 2003 Home Office web site Guidance issued under section 182 of the Licensing Act 2003 (revised) Current Statement of Licensing Policy |
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| Annex 1 | Proposed Statement of Licensing Policy for 2025 - 2030 |
| Annex 2 | Feedback from consultation |