

Kit Malthouse MP
Minister of State (Minister for Crime and
Policing)

19th August 2020

Via e-mail

Dear Minister,

Request for the extension of the 5-year statutory requirement for Licensing Authorities to revise their Statements of Licensing Policy under the Licensing Act 2003.

As you understand, the Covid-19 pandemic has put immense pressure and challenges on Local Government to deal with not only the public health emergency but also to support businesses in the recovery. The Hospitality Sector has been particularly hit by the pandemic with businesses struggling to operate under the current social distancing restrictions and a drop of more than 60% in footfall compared to the same period last year. These are unprecedented times and we are pleased that the Government has committed to support the Hospitality Sector amongst other struggling sectors.

Our Authorities have over 12,000 licensed businesses under the Licensing Act 2003 (the 2003 Act). We have done a huge amount to support our local hospitality sectors to reopen. As well as providing additional outside seating, we are encouraging residents and workers to make use of the diverse hospitality offer.

Like most Local Authorities across the Country we are required to revise and publish our Statement of Licensing Policy (Policy) under section 5 of the 2003 Act before the end of this year. In revising our Policy, we must have regard to any cumulative impact assessment that the Council has published. The problem that our authorities now face is that our night-time economy statistical data, which we would have relied upon for this process prior to March 2020, does not represent the reality which we are now in. As businesses have been forced to close, residents have remained at home and the emergency services have worked hard to deal with the pandemic it has been difficult to consult with key stakeholders on policy revision.

We find ourselves in an extremely difficult position where we are required by law to produce a revised policy on how we are to administer the Licensing regime and promote the Licensing Objectives without the ability to fully understand what the future looks like.

In Westminster's case they have undertaken research on the cumulative impact within the West End prior to the lock down. However, that research was based on the operation of the Hospitality Sector and the local impact prior to the pandemic. If Westminster were to progress with the production of a

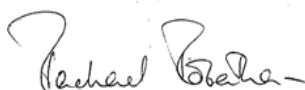
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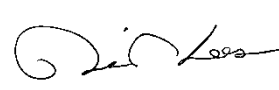
Cumulative Impact Assessment, it would be required under the 2003 Act to consult on implementing a more restrictive licensing policy which would be totally counterproductive to the aims to support business to recover. Manchester and Birmingham City Councils are also in a similar position.

We would, therefore, request that you consider using your powers under section 5(7) of the 2003 Act to provide a temporary extension to the current 5-year policy deadline for a period of 2 years. This would enable Local Authorities to liaise with key stakeholders to develop a policy approach to support the recovery of businesses in the post Covid-19 economy. This change will not adversely affect local authorities, businesses or residents. The government has already taken similar steps to amend legislation to provide relaxations of regulatory deadlines and control to support businesses in the recovery. If you were to agree to use your powers under the 2003 Act to implement this proposal, we would be able to continue with our current Licensing Policies whilst we work with key partners and businesses to understand what the new normal is. These are truly unique circumstances and our proposal would support the wider aims of the government to assist businesses, and particularly the Hospitality Sector to recover.

In addition to Birmingham, Leeds, Manchester and Westminster, who are requesting this amendment to the 2003 Act, this proposal is also supported by the LGA's Safer and Stronger Communities Board, Basingstoke and Deane Borough Council & Hart District Council, Fareham Borough Council, Gosport Borough Council, London Borough of Bromley, London Borough of Haringey, London Borough of Tower Hamlets, Maidstone Borough Council, New Forest District Council, Royal Borough of Windsor & Maidenhead, Runnymede Borough Council, Slough Borough Council, Spelthorne Borough Council and York City Council.

We would be happy to brief you with more detail if this would help you to understand the issues and why we feel strongly that this change in law would be beneficial for business and local authorities.



**Councillor Rachael
Robathan
Leader of the Council
Westminster City
Council**

**Councillor Ian Ward
Leader of the Council
Birmingham City Council**

**Councillor Judith Blake
Leader of the Council
Leeds City Council**

**Sir Richard Leese
Leader of the Council
Manchester City Council**

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| <p>c.c. - Rt Hon Robert Jenrick MP, Secretary of State for Housing, Communities and Local Government</p> <p>- Nickie Aiken MP, Cities of London and Westminster</p> <p>- Karen Buck MP, Westminster North</p> <p>- Mike Kane MP, Wythenshawe and Sale East, Manchester</p> <p>- Afzal Khan MP, Gorton, Manchester</p> <p>- Lucy Powell MP, Manchester Central</p> <p>- Jeff Smith MP, Withington, Manchester</p> <p>- Graham Stringer MP, Blackley and Broughton, Manchester</p> | <p>- Shabana Mahmood MP, Ladywood, Birmingham</p> <p>- Gary Sambrook MP, Northfield, Birmingham</p> <p>- Khalid Mahmood MP, Perry Barr, Birmingham</p> <p>- Steve McCabe, Selly Oak, Birmingham</p> <p>- Andrew Mitchell MP, Sutton Coldfield, Birmingham</p> <p>- Jess Phillips MP, Yardley, Birmingham</p> <p>- Stuart Andrew MP, Pudsey, Leeds</p> <p>- Hilary Benn MP, Leeds Central</p> <p>- Richard Burgon MP, Leeds East</p> <p>- Fabian Hamilton MP, Leeds North East</p> |
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- *Preet Gill MP, Edgbaston, Birmingham*
- *Jack Dromey MP, Erdington, Birmingham*
- *Tahir Ali MP, Hall Green, Birmingham*
- *Liam Byrne MP, Lodge Hill, Birmingham*
- *Andrea Jenkyns MP, Morley and Outwood, Leeds*
- *Rachel Reeves MP, Leeds West*
- *Alec Shelbrooke MP, Elmet and Rothwell, Leeds*
- *Alex Sobel MP, Leeds North West*