



Home Office

**BY EMAIL ONLY**

**Kit Malthouse MP**  
**Minister of State for Crime,**  
**Policing and the Fire Service**

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[www.gov.uk/home-office](http://www.gov.uk/home-office)

05 November 2019

Dear Councillor,

I am writing to you as Minister for Crime, Policing and the Fire Service regarding your important work as Chair of your local Licensing Committee.

I have responsibility for alcohol policy and maintaining a robust and effective licensing regime. You will be acutely aware of how the decisions of your Committee can have significant consequences for the livelihood of applicants, and the wellbeing of local residents and the wider community. As such, the functioning of licensing committees is extremely important, and we know there is some excellent practice in the field.

As you may be aware, in 2017 the House of Lords Select Committee for the Licensing Act 2003 published their post-legislative scrutiny of the Act. That report was a welcome contribution towards our understanding of the functioning of the Act on the ground. The Government formally responded to the report later that year and has taken forward a number of recommendations, including revising the statutory Section 182 Guidance.

The Select Committee raised an important issue about collaboration between licensing and planning committees. The Government did not agree with the Committee's main recommendation that there should be a trial merger of licensing committees with planning committees. This is because a local planning authority is already listed in the Act as a responsible authority and therefore already has a statutory role in considering applications for the grant, variation or review of a premises licence. The Act also allows that where a matter relates to a licensing function and to another function of the local authority (for example, planning), the matter may be referred to either committee. This allows for the licensing committee to discharge functions other than licensing matters, and vice-versa, for a planning committee to discharge a licensing function.

However, there are instances where the synergy between licensing and planning regimes could be improved. For this reason, we amended the Section 182 Guidance to clarify the issue of coordination between the decisions of licensing and planning committees and have worked with the Local Government Association to address the synergy between licensing and planning in their handbook for councillors on the Act, which was published in July.

We are supporting the Institute of Licensing (IoL) in identifying opportunities for improving collaboration between the two regimes and gathering examples of best practice where the regimes interact effectively at a local level. The IoL surveyed stakeholders on this issue and the responses informed two workshops held this year to explore potential solutions in both the short and longer term. We are also supporting the IoL as they scope and develop training for councillors. The IoL have taken an active role in driving this work and we are grateful for their commitment to this important issue.

In addition to ensuring that your local licensing and planning committee (should there be one) work together where necessary and communicate effectively, I would like you to continue to give particular consideration to the importance of engaging local residents and identifying ways to provide additional support to them in framing and presenting their concerns about applications to licensing committees.

Thank you for your important work as Chair of your local Licensing Committee and for taking forward these expectations to ensure the most effective application of the Licensing Act 2003 in your local area.

A handwritten signature in blue ink, appearing to read 'Kit Malthouse', with a long horizontal flourish extending to the right.

**KIT MALTHOUSE MP**  
**Minister of State for Crime, Policing and the Fire Service**