

Document Pack



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THURSDAY 3RD DECEMBER 2015

TO: ALL MEMBERS OF THE ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE WHICH WILL BE HELD IN THE CHAMBER, 3 SPILMAN STREET, CARMARTHEN AT 10:00AM ON FRIDAY 11TH DECEMBER 2015, FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

Mark James

CHIEF EXECUTIVE



PLEASE RECYCLE

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ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

14 MEMBERS

PLAID CYMRU GROUP – 5 MEMBERS

- | | | |
|----|------------|---------------|
| 1. | Councillor | A. Davies |
| 2. | Councillor | W.J. Lemon |
| 3. | Councillor | A.D.T. Speake |
| 4. | Councillor | S.E. Thomas |
| 5. | Councillor | D.E. Williams |

INDEPENDENT GROUP – 4 MEMBERS

- | | | |
|----|------------|---------------------------|
| 1. | Councillor | D.B. Davies |
| 2. | Councillor | J.A. Davies |
| 3. | Councillor | I.J. Jackson (Vice-Chair) |
| 4. | Councillor | A. James |

LABOUR GROUP – 4 MEMBERS

- | | | |
|----|------------|---------------------|
| 1. | Councillor | A.P. Cooper (Chair) |
| 2. | Councillor | D.C. Evans |
| 3. | Councillor | K.P. Thomas |
| 4. | Councillor | W.G. Thomas |

UNAFFILIATED – 1 MEMBER

- | | | |
|----|------------|--------------|
| 1. | Councillor | J.P. Jenkins |
|----|------------|--------------|

AGENDA

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF PERSONAL INTEREST
3. DECLARATIONS OF PROHIBITED PARTY WHIPS
4. PUBLIC QUESTIONS (NONE RECEIVED)
5. FORTHCOMING ITEMS 5 - 6
6. REVENUE BUDGET STRATEGY CONSULTATION 2016/17 TO 2018/19 7 - 68
7. REVIEW OF LOCALLY SET FEES IN THE ENVIRONMENTAL HEALTH AND LICENSING SECTION 69 - 80
8. REVIEW OF GAMBLING POLICY 81 - 136
9. REVIEW OF STATEMENT OF LICENSING POLICY (LICENSING ACT 2003) 137 - 240
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**ENVIRONMENTAL & PUBLIC PROTECTION
SCRUTINY COMMITTEE
11th DECEMBER 2015**

**Forthcoming items for next meeting –
Monday 11th January 2016**

Discussion Topic	Background
Highways Review	This item will provide an update on the highway service review undertaken to date, outlining preliminary proposals to amend levels of service so as to address the reduced budget available to the service for the next three years.
Biodiversity / Conservation Annual Update	The Committee has requested that it be provided with an annual update on the work of the Biodiversity / Conservation Service.

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ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE 11th DECEMBER 2015

Revenue Budget Strategy Consultation 2016/17 to 2018/19

Appendix A – Corporate Budget Strategy 2016/17 to 2018/19

Appendix A(i) – Efficiency summary for the Environment and Public Protection Services (none for the Community Safety Service)

Appendix A(ii) – Growth Pressures summary for the Environment Service (none for the Public Protection and Community Safety Services)

Appendix B – Budget extracts for the Environment, Public Protection and Community Safety Services

Appendix C – Charging Digest for the Environment, Public Protection Services and Community Safety Services

To consider and comment on the following issues:

- That members consider and comment on the budget strategy proposals
- That members consider and comment on the proposals for delivery of efficiency savings for their service area identified in Appendix A(i)
- That members are also invited to bring forward any other proposals for efficiency savings
- That members examine the Departmental Budgets
- That members endorse the Charging Digests
- That members formulate views for submission to the Executive Board for consideration

Reasons:

- The Executive Board, at its meeting on 16th November 2015, considered the attached Revenue Budget Strategy 2016/17 to 2018/19 (Appendix A) and endorsed the report for consultation purposes. A verbal update will be given at the meeting in relation to any changes or specific proposals made by the Executive Board if appropriate.

To be referred to the Executive Board for decision: YES

Executive Board Member Portfolio Holders:

- Cllr. Hazel Evans (Technical Services)
- Cllr. David Jenkins (Resources)
- Cllr. Jim Jones (Environmental & Public Protection)
- Cllr. Pam Palmer (Community Safety, Social Justice / Crime & Disorder)

Directorate: Corporate Services	Designation: Interim Head of Financial Services	Tel No. / E-Mail Address: 01267 224886 obowen@carmarthenshire.gov.uk
Name of Head of Service: Owen Bowen		
Report Author: Owen Bowen		

EXECUTIVE SUMMARY

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE 11th DECEMBER 2015

Revenue Budget Strategy Consultation 2016/17 to 2018/19

The objective of the report is to allow members to consider the corporate budget strategy for the financial years 2016/17 to 2018/19 to consider the service delivery impact and options for the forthcoming years.

The report is set out as follows:

Appendix A

The attached report is a copy of the Revenue Budget Strategy 2016/17 to 2018/19 that has been presented to the Executive Board. As part of the budget consultation process the report is presented to this Scrutiny Committee for your consideration.

The report provides members with an initial view of the revenue budget issues for the forthcoming year and also reflects departmental submissions.

Appendix B

Budget extracts for the Environment, Public Protection and Community Safety Services which incorporates the initial Efficiencies/Service rationalisation proposals already reflected in the budget for consultation.

Appendix C

Charging Digest for the Environment and Public Protection Services. The charges for 2016-17 have yet to be adopted and any change to the proposed charges will impact on the budget/efficiency proposals.

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report.

Signed: Owen Bowen Interim Head of Financial Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	NONE	YES	NONE	NONE	NONE	NONE

1. Policy and Crime & Disorder

The budget is being prepared having regard to the Improvement Plan.

3. Finance

The report provides an initial view of the Budget Strategy for 2016/17, together with indicative figures for the 2017/18 and 2018/19 financial years.

The impact on departmental spending will be dependent upon the provisional and final settlements from Welsh Government, and the resultant final Budget adopted by County Council.

Current projections indicate an increase in the validated budget of £10.834m, before offsetting the potential efficiency savings.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: Owen Bowen Interim Head of Financial Services

1. Local Member(s) – N/A

2. Community / Town Council – N/A

3. Relevant Partners – Consultation with relevant partners will be undertaken and results will be reported during the budget process.

4. Staff Side Representatives and other Organisations – Consultation with other organisations will be undertaken and results will be reported during the budget process.

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW:

Title of Document	File Ref No. / Locations that the papers are available for public inspection
2016/17 3 year Revenue Budget	Corporate Services Department, County Hall, Carmarthen

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REPORT OF DIRECTOR OF CORPORATE SERVICES
ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY
COMMITTEE

11th December 2015

REVENUE BUDGET STRATEGY 2016/17 to 2018/19
(Copy of Executive Board report 16/11/15)

HEAD OF SERVICE & DESIGNATION.	DIRECTORATE	TELEPHONE NO.
O Bowen, Interim Head of Financial Services	Corporate Services	01267 224886
AUTHOR & DESIGNATION	DIRECTORATE	TELEPHONE NO
O Bowen, Interim Head of Financial Services	Corporate Services	01267 224886

1. INTRODUCTION

- 1.1.** Executive Board in September 2015 received a report on the Revenue Budget Outlook for 2016/17 to 2018/19 which appraised members of the financial outlook and the proposals for taking forward the budget preparation for the three year period.
- 1.2.** Due to the lateness of the outcome of the Comprehensive Spending review, the current timetable for the announcement of the Provisional and Final Settlements are as follows:
- Comprehensive spending review due 25th Nov 2015.
 - Welsh Government (WG) setting provisional budget 8th December 2015
 - Provisional Local Government Settlement 9th December 2015
 - WG publish final budget 1st March 2016
 - WG Publish Final Local Government Settlement 2nd March 2016
 - WG move Final Welsh Budget 2016-17 for debate 8th March 2016
 - WG Move Final Settlement for Debate 9th March 2016
 - Indicative deadline for Authorities to set Council Tax for 2016/17 financial year: 10th March 2016

- 1.3. Accordingly therefore, this report provides Members with the current view of the Revenue Budget for 2016/2017 together with indicative figures for the 2017/2018 and 2018/2019 financial years. The report is based on officers projections of spending need and potential settlement with no forward indicators being provided by WG. It also reflects the current departmental submissions for savings proposals.
- 1.4. Whilst significant work has already been undertaken in preparing the budget, this is only an initial position statement which will be updated over the coming months the budget will be further developed as figures are reviewed, and the settlement becomes known.
- 1.5. The report is broken down into 5 parts:
 - Funding Projections
 - Budget Requirement
 - Impact on the Authority's budget requirement
 - Consultation
 - Conclusion
 - Recommendations

2. PROVISIONAL SETTLEMENT

- 2.1. As outlined in paragraph 1.2 the Welsh Government will not be setting their own provisional budget until 8th December 2015, so it will be the 9th December 2015 before the provisional settlement will be announced. Despite the announcement of the Comprehensive Spending Review, it is understood that is the Welsh Governments intention to provide figures for 1 year only i.e. 2016/17.
- 2.2. In the absence of indicative Aggregate External Funding figures from Welsh Government the base model reflects 3.3% reductions in each of the three years. This is based on the letter received from Welsh Government in June 2014 suggesting that it would be prudent to assume that the current trends in Local Government funding will continue. It remains difficult to predict what the final outcome will be from the current spending review and how WG chose to allocate the funds available to them between Health and Local Government. As a guide each 1% reduction in funding equates to some £2.5m.
- 2.3. For Carmarthenshire a 3.3% reduction in the provisional settlement equates to £8.3m.
- 2.4. During the course of the current National Assembly term, the Council has met the commitment to fund schools at 1% above the level of funding received by WG from the UK government. From 2016-17 onwards, the MTFP assume no service protection, and therefore schools will need to absorb reductions in line with other service areas.

- 2.5. Service specific Grants within the current year's budget stands at £107m and it is assumed that this level will be maintained during the three year period of the model

3. BUDGET REQUIREMENT 2016-2017

3.1. Current Years performance (2015/2016)

3.1.1. As the Authority's core spending requirements remains constant year on year, a review of current year's performance is important in identifying whether there are any underlying problems within the base budget

3.1.2. The current projection for the Revenue Outturn for 2015/16 (based on the August 2015 monitoring) is as follows

Service	Approved Budget £'000	Total Expenditure Forecast £'000	Variance Forecast For Year £'000
Chief Executive	10,600	11,178	578
Education and Children's Services	159,427	160,476	1,049
Corporate Services	22,914	22,799	-115
Communities	90,856	91,500	644
Environment	45,598	45,749	151
Departmental Expenditure	329,395	331,702	2,307
Cont from Dept/Earmarked Reserves		-1,121	-1,121
Capital Charges	-3,535	-4,535	-1,000
Pensions Reserve Adjustment	-5,085	-5,085	0
Levies and Contributions	9,214	9,214	0
Outcome Agreement Grant	-570	-570	0
Transfer to/ from Reserves	-1,198	-1,198	0
Net Expenditure	328,221	328,407	186

The departmental overspends are primarily as a result of delays in the delivery of savings proposals put forward for 2015-16, and a review of the savings proposals that were agreed in February 2015 has identified that some £1.5 m of the original proposals for 2015-16 are at risk of not being delivered/not being delivered in full:

The Education and Children's Services department is facing pressure due in the main to school based EVR and redundancy costs, and whilst the department can meet the bulk of these pressures through a transfer from its departmental reserves in the current year, this will not be available in future years.

The Authority is currently forecasting a variance of £186k at the year-end that will have to be met from General Balances.

In considering next year's budget, the current strategy assumes that departments will actually deliver/make good those savings proposals adopted for 2015/16 by the commencement of the next financial year.

3.2. Validation

3.2.1. Validation reflects the changes in expenditure requirements to deliver the **current level** of services in future years. Primarily this is inflation, but also includes some service specific changes. The key validation factors are as follows:

	<u>2016/17</u> <u>Original</u>	<u>2016/17</u> <u>Proposed</u>	<u>2017/18</u>	<u>2018/19</u>
General inflation	1.8%	0.6%	1.4%	1.8%
Electricity	5.0%	3.0%	3.0%	3.0%
Gas	5.0%	3.0%	3.0%	3.0%
Fuel	5.0%	-12.5%	3.0%	3.0%
Pay Inflation - non teaching	1.5%	1.0%	1.0%	1.0%
Pay Inflation - Teaching	1.5%	1.0%	1.0%	1.0%
Levies	0.0%	0.0%	0.0%	0.0%
Pension Contributions	£291k	£297k	£309k	£312k
Teachers Superannuation	£575k	£575k		
Employers NI Changes	£3,700k	£4,100k		
Auto Enrolment			£1,600k	
Capital Charges	£250k	-	£250k	£250k
Main service Specifics:				
County Elections	£70k	£70k	£230k	-£300k
Adj to pay scales starting salary	£118k	£118k	-	-

3.2.2. Under the Local Authorities (Capital Finance and Accounting)(Wales)(Amendment) Regulations 2010 [the Amendment Regulations] the authority is required to make an annual provision from revenue to contribute towards the reduction in its overall borrowing requirement at a rate that it considers to be prudent and having regard to the guidance issued. The Budget Strategy has been prepared based upon the Regulatory Method for supported borrowing in which the calculation is based on 4% of the opening Capital Financing Requirement and the Asset Life Method for the Unsupported Borrowing e.g. Modernising Education Provision and Fleet replacement.

3.2.3. The most significant specific validations over the three year period remain the changes in the Employers NI rates from April

2016, when defined benefit contracting out will be abolished. The consequence of this is that contracted out employers will stop receiving National Insurance rebate and instead pay the same NI rate as all other employers.

- 3.2.4. There is a clear risk to the Budget Strategy that departments may find it difficult to manage their expenditure within these parameters, especially where the inflationary increases have been applied by service providers. This risk is something that will require close monitoring during the year.
- 3.2.5. In line with the Chancellors announcement relating to Public Sector pay, the Budget as constructed makes provision for an annual pay award of 1% in each of the financial years.
- 3.2.6. Whilst recognising that we meet the national Living Wage requirement in year 1, it should be recognised that the MTFP makes no provision for further increases above the assumed inflation rises for future years.
- 3.2.7. In total, validation adds £7.8m to the current year’s budget.

3.3. Cost reduction Programme

3.3.1. In anticipation of the unprecedented reductions in this settlement round, significant work in identifying further service efficiencies/rationalisation proposals has been undertaken. Accordingly departments have developed a range of proposals, and these efficiencies are included in **Appendix A** of this report.

3.3.1.1. The efficiency proposals are categorised as follows:

Managerial – Efficiencies that result in no perceivable change to the overall level of service delivery but may in some instances affect quality of service provided

Policy – Efficiency or service rationalisation proposals that will directly affect service delivery.

	2016/17 £m	2017/18 £m	2018/19 £m
Managerial	6,307	3,347	2,357
Existing Policy	554	806	300
New Policy	6,835	7,418	8,302
Total	13,696	11,571	10,959

(Detail at **Appendix A**)

3.3.2. The summary sheet at Appendix A sets out the savings targets set for individual departments and the value of savings currently

identified. Work is still on-going within services departments to identify further proposals so that their targets are met in each of the financial years.

- 3.3.3. As in the previous budget round, an exercise is being undertaken to obtain 'expressions of interest' from staff who may be interested in voluntary severance/early retirement as well as other flexible working options. Managers are currently considering the applications received to identify those that can contribute to the budget strategy.

3.4. New Expenditure Pressures

- 3.4.1. New expenditure pressures are the combination of additional cost to meet existing service needs e.g. increased client base/greater service take up and the costs of meeting change in service provision e.g. policy changes.
- 3.4.2. In the setting of the current financial year's budget, a total sum of £4.9m was allocated to services, of which £4.1m was allocated to Social Care.
- 3.4.3. The original budget outlook for 2016-17 and 2017-18 contained a sum of £3m per annum to meet growth pressures, and the same provision for growth is currently reflected in the 2018-19 indicative budget.
- 3.4.4. Initial growth bids of £3.7m have been submitted by departments against this sum of £3m in relation to 2016-17. Detail at Appendix B
- 3.4.5. No prioritisation or allocation of the £3m contained within the budget proposals has been made at this stage. This will be considered at the budget finalisation stage.

3.5. Internal Funding

- 3.5.1. Generally speaking whilst the use of reserves to support annual budgets should not be summarily discounted, it must be treated with caution. Funding on-going expenditure from such funds merely defers and compounds difficult financial problems to the following year. One-off items of expenditure within any budget proposal lend themselves better for such funding support.

3.5.2. In deliberating this point however, members must bear in mind any **inherent risks** that may be built into the budget strategy. These include:

- Final WG budget not being published until 2nd March 2016, and Final Settlement not being moved for debate until 9th March 2016
- 2015 Challenging Efficiency targets
- Future inflation/interest rates
- Current economic climate continuing
- Additional pressure on demand lead Services
- No indicative figures for future year's settlements have been provided by Welsh Government therefore there is the potential for the overestimation of the future settlements.

3.5.3. The following table summarises the main categories of reserves held by the Authority.

	1 st Apr 2015 £'000	31 st Mch 2016 £'000	31 st Mch 2017 £'000	31 st Mch 2018 £'000	31 st Mch 2019 £'000
Schools Reserves	3,940	1,801	1,201	351	0
General Reserves	8,500	8,245	8,245	8,245	8,245
Earmarked Reserves	72,002	52,476	45,301	38,261	40,153

3.5.4. School Reserves

3.5.4.1. Schools have delegated responsibility for the management of their own finances. The level of reserves held by an individual school at any point in time will depend on a number of factors including the level of contingency fund that the school governing body considers appropriate, and the particular plans each school has for expenditure. Officers have yet to be informed of any transfers to/from these reserves by individual schools for future years.

3.5.4.2. Legislation allows schools to carry forward reserves from one financial period to another. The School Funding (Wales) Regulations 2010 requires schools to limit their accumulated reserves at year end to £50,000 for Primary Schools and £100,000 for Secondary and Special Schools or 5% of their budget dependant on what is greater. School Improvement officers are currently working with schools to ensure they comply with the guidance. As at 31st March 2015, 22 schools were in deficit and 23 schools held surplus balances in excess of the £50k/£100k threshold.

3.5.5. General Reserves

3.5.5.1. In the changeable and challenging environment currently facing Local Government the Authority is committed to maintaining a reasonable level of General reserves or Balances. Whilst there is no prescribed minimum level for Balances, Council has previously deemed 3% of net expenditure as being a prudent level, which has been accepted by our Auditors as being reasonable

3.5.5.2. The overall level of balances is taken into consideration each year when the annual budget is set and has on occasions been utilised to augment expenditure/reduce council tax. Whilst the 2016-2017 budget was set on the basis of a transfer of £138k from General Reserves, with the October monitoring forecasting and end of year overspend, there could be draw of £324k.

3.5.5.3. Given the likely draw on this reserve in the current year therefore it is deemed imprudent at

this stage to assume any further support for future years budgets from the current General Reserves.

3.5.5.4. Taking account of these changes the average level of the general reserves is forecasted to be around 2.5% of net expenditure during 2016/17.

3.5.6. Earmarked Reserves

3.5.6.1. The Authority holds earmarked reserves which have been set up to finance the delivery of specific projects, or in protecting the authority against future liabilities or issues. The reserves can be summarised as follows:

Reserve	31 March 2015	31 March 2016	31 March 2017	31 March 2018	31 March 2019
	£'000	£'000	£'000	£'000	£'000
Insurance	9,625	9,425	9,225	9,225	9,225
Capital Funds	28,063	21,386	21,331	16,834	19,187
Development Fund	899	304	440	637	816
IAG/OAG	3,246	1,328	1,328	1,328	1,328
Corporate Retirement Fund	4,158	2,766	971	0	0
Joint Ventures	1,591	1,760	1,940	2,120	2,300
Other	24,420	14,507	10,066	8,117	7,297
TOTAL	72,002	52,476	45,301	38,261	40,153

3.5.6.2.As can be seen from the table above the level of earmarked reserves fluctuates greatly year on year, and whilst the level in each fund is not an exact science it is based on an informed estimate and past experience of the likely call on the authority in future years in line with the intended purpose of each reserve. Great care must therefore be taken when considering utilising such funds for purposes other than those which they were created as this could lead to the authority being faced with substantial unfunded liabilities in the future

3.5.6.3.The budget proposals assume a sum of £200k per annum being transferred from the Insurance Reserve to support the revenue budget in 2016/17 and 2017/18.

3.5.6.4.A further analysis of the reserves held will be undertaken over the coming months with any further proposed utilisation being considered at the budget finalisation stage.

3.5.6.5.Taking account of the proposals within this report, including the use of reserves, the Director of Corporate Services confirms that overall the estimated level of financial reserves (as indicated above) is adequate for the financial year 2016/17, with the General Reserves being at the minimum that could be supported.

4. IMPACT ON THE AUTHORITY'S BUDGET STRATEGY

- 4.1. The table below provides an updated position on the current financial outlook taking account of our projection for the provisional settlement and also other recent validation changes, including the latest pay offer made by the national employers.
- 4.2. As previously referred to in the report, no indicative or provisional settlement figures have been provided by Welsh Government for 2016-17 as yet, and therefore the estimated figures included in the financial model are only based on officers current projections.
- 4.3. Current Financial Outlook (updated for the Provisional Settlement):

	Current MTFP		Financial Model		
	2016/17 £'000	2017/18 £'000	2016/17 £'000	2017/18 £'000	2018/19 £'000
Previous Year's Budget	329,991	324,969	329,991	324,967	321,271
General Inflation	1,831	2,095	665	1,745	2,027
Pay Inflation	2,961	2,868	2,263	2,270	2,246
Other	4617	1,582	-582	-140	0
Growth	3,000	3,000	3,000	3,000	3,000
Teachers Superannuation			575		
Employers NI/Auto Enrolment			4100	1600	
Original & approved PBB Proposals	-18,201	-13,811			
Net Expenditure	324,199	320,703	340,012	333,442	328,544
Revenue Settlement	-244,149	-236,093	-244,149	-236,093	-228,302
Council Tax Receipts	-80,050	-84,610	-80,051	-84,607	-89,421
Shortfall	0	0	-15,812	-12,742	-10,821
Savings Proposals to date			-13,696	-11,571	-10,959
Balance / To be identified			-2,116	-1,171	138

4.4. The total cost reductions now required for 2016/17 is £15.8m and for the 3 year period are estimated at £39.4m.

4.5. Over the three years there is currently a shortfall of £3.1m if all the savings proposals identified are delivered, of which £2.1m relates to 2016/17.

5. CONSULTATION

Budget consultation has been planned for the coming months and a summary of the individual approaches are as follows:

5.1. Members seminars. (November and December 2015)

5.2. The consultation process will commence online from the 18th November 2015.

5.3. The public and commercial ratepayers consultation will be supported by roadshows across the county as follows:

Wednesday 25 November:

11am – 2pm Carmarthen Market outside Clock Tower
4pm – 6pm – Carmarthen Leisure Centre

Friday 4 December

11am – 1pm - Ammanford Market
4pm – 6pm – Tesco, Ammanford

Thursday 10 December

11am – 2pm - St Elli Shopping Centre, Llanelli

3pm – 6pm Llanelli Library

- 5.4. Consultation with Scrutiny Committees during November and December
- 5.5. 'Insight' youth conference in November 2015.
- 5.6. Consultation with the Schools Budget Forum in November 2015
- 5.7. Trade Union Consultation December 2015/January 2016

6. CONCLUSION

- 6.1. Currently there is a shortfall of £3.1m over the three financial years, assuming delivery of all of the £36.2m savings proposals currently submitted.
- 6.2. Further cost reductions need to be identified to deliver a balanced budget in the first two financial years
- 6.3. The current budget proposals assume a Council Tax increase of 5% in each financial year. A 1% movement in the Council Tax rise equates to +/-£760k

7. RECOMMENDATION

- 7.1. Note the contents of the report and approve as a basis for consultation on the three year budget strategy, and specifically seek comments from consultees on the efficiency proposals in Appendice A.
- 7.2. Give consideration as to what additional savings proposlas can be identified to deliver a balanced budget in each of the three financial years

11th DECEMBER 2015

Revenue Budget Strategy Consultation 2016/17 to 2018/19
(Extract of Revenue Strategy report to Executive Board 16/11/15)

27 November 2015

	Targets issued to Departments				CURRENT PROPOSALS				VARIANCE on Targets			
	2016/17	2017/18	2018/19	Total	2016/17	2017/18	2018/19	Total	2016/17	2017/18	2018/19	Total
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Chief Executive	882	829	266	1,978	863	365	429	1,657	-19	-464	163	-321
Education	1,072	411	1,014	2,497	1,073	420	225	1,718	1	9	-789	-779
Schools Delegated	5,500	6,000	6,780	18,280	5,500	6,000	6,780	18,280	0	0	0	0
Corporate Services	1,161	523	186	1,870	777	401	568	1,746	-384	-122	382	-124
Community Services	5,079	3,213	1,657	9,949	3,444	2,629	2,053	8,126	-1,635	-584	396	-1,823
Environment	2,117	1,766	917	4,801	2,039	1,756	904	4,699	-78	-10	-13	-102
	15,812	12,742	10,821	39,375	13,696	11,571	10,959	36,226	-2,116	-1,171	138	-3,149



MANAGERIAL					EXISTING POLICY PROPOSALS				NEW POLICY PROPOSALS				TOTAL PROPOSALS			
	2016/17	2017/18	2018/19	Total	2016/17	2017/18	2018/19	Total	2016/17	2017/18	2018/19	Total	2016/17	2017/18	2018/19	Total
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Chief Executive	863	365	429	1,657	0	0	0	0	0	0	0	0	863	365	429	1,657
Education	453	130	125	708	250	50	0	300	370	240	100	710	1,073	420	225	1,718
Schools Delegated				0	0	0	0	0	5,500	6,000	6,780	18,280	5,500	6,000	6,780	18,280
Corporate Services	752	401	568	1,721	25	0	0	25	0	0	0	0	777	401	568	1,746
Community Services	2,912	1,859	775	5,546	214	250	300	764	318	520	978	1,816	3,444	2,629	2,053	8,126
Environment	1,327	592	460	2,379	65	506	0	571	647	658	444	1,749	2,039	1,756	904	4,699
	6,307	3,347	2,357	12,011	554	806	300	1,660	6,835	7,418	8,302	22,555	13,696	11,571	10,959	36,226

<u>New strands of savings:</u>	2016/17	2017/18	2018/19	Total
	£000	£000	£000	£000
1. Collaborate to save	45	10	25	80
2. New ways of working to save	7,988	7,613	8,731	24,332
3. Re-structure to save	1,440	832	724	2,996
4. Specification to save	3,860	2,689	968	7,517
5. Invest to save	363	373	357	1,093
6. Transformation, innovation and challenge	0	54	154	208
	13,696	11,571	10,959	36,226

Efficiency Proposals

MANAGERIAL

Department	2016-17 Proposed	2017-18 Proposed	2018-19 Proposed	Total	EFFICIENCY DESCRIPTION	Strand of Saving 1 - 6
Community Services	£000	£000	£000	£000		
Public Protection						
Public Protection	31	30	30	91	No application of increases in supplies, transport & premises	4
Public Protection	0	50	50	100	Development fund application for a Financial investigator - forecast income streams for years 2 & 3 (net of salary costs)	5
Public Protection	0	50	0	50	Service Review / Severances - H&PP Council Fund Services	3
Total Public Protection	31	130	80	241		

Department	2016-17 Proposed	2017-18 Proposed	2018-19 Proposed	Total	EFFICIENCY DESCRIPTION	Strand of Saving 1 - 6
	£000	£000	£000	£000		
Environment						
<u>Policy and Performance</u>						
Policy divisional cost centre	92	81	0	173	No posts identified as yet. Efficiencies will be dependant on the outcome of the departmental Admin review and subsequent departmental restructuring.	3
Total Policy and Performance division	92	81	0	173		
<u>Streetscene</u>						
Streetscene division	50	70	0	120	Individual service reviews currently underway on Streetscene functions in order to rationalise service provision in conjunction with a divisional re-structure.	3
Highway Lighting	196	173	107	476	Saving in energy consumption arising from investment in LED lighting and installation of timers for part night illumination. Funding options have been explored and a submission for WG Invest 2 Save funding has been made. Proposal is to reduce operating costs without turning lights off.	5
Ammanford Cemetery	3	4	0	7	Majority of testing and remedial works will be completed during 2014/15. Remaining budget to be utilised to undertake cyclical grounds maintenance and cyclical testing. Impact : Ensure continued safety to the general public. Reduced ability to undertake substantial remedial works.	2
Total Streetscene	249	247	107	603		
<u>Transport</u>						
Public Transport Support	144	0	0	144	16/17 deliverable from network and procurement efficiencies achieved from the public transport and school transport networks.	4
General - Public & School Transport	0	0	100	100	Procurement efficiencies	6
Fleet procurement efficiencies	180	0	0	180	Efficiencies gained from changing the method of procurement	4
School Crossing Patrols	55	0	0	55	Efficiencies can be gained through natural wastage as SCP's retire at sites with low traffic flows and risks.	3
Managed car pool system	200	0	0	200	Yet to be delivered - covered by Public Transport and School Transport network and procurement efficiencies in 2015/16. Future years savings to be reviewed. This is a corporate saving that will need to be allocated across all Departments of the Council.	2
Total Transport	579	0	100	679		
<u>Property Services</u>						
Building Maintenance, Operational & Services	0	26	0	26	Further savings on non operational costs centralised from the other budget headings.	2
Energy budgets	300	0	0	300	Efficiencies generated via review of energy budgets	2
Property Services	70	0	59	129	Divisional re-alignment and severances	3
Total Property Services	370	26	59	455		
Service rationalisation	0	65	135	200	Review of service basis currently being undertaken with a view to producing efficiencies in the forthcoming years.	2
Review of structure	0	70	0	70	Review of Senior Management in the department	3

Department	2016-17 Proposed	2017-18 Proposed	2018-19 Proposed	Total		Strand of Saving
Environment	£000	£000	£000	£000	EFFICIENCY DESCRIPTION	1 - 6
Home to College Transport	65	451	0	516	Post 16 transport is a discretionary service and statutory consultation is underway to sustain the service through the introduction of a charge.	4
School Crossing Patrols	0	55	0	55	Efficiencies can be gained by deselection of School Crossing Patrol sites using the criteria for the assessment of school crossing patrol sites, published in RoSPA's School Crossing Patrol national guidance document. Where the School Crossing Patrol is affected, we will work with the school to look at alternative provision if required.	2
Total	65	506	0	571		

Department	2016-17 Proposed	2017-18 Proposed	2018-19 Proposed	Total		Strand of Saving 1 - 6
Environment	£000	£000	£000	£000	EFFICIENCY DESCRIPTION	
Flood Defence, Land Drainage & Coastal Protection	50	42	26	118	Reduction in preventative maintenance of flood defence and coastal protection assets potentially reducing our ability to react to future storm and severe weather events. Emergency works will have to be addressed through the re-prioritisation of departmental budgets.	4
Highways Infrastructure maintenance	512	478	281	1271	Reduction in routine maintenance of highways infrastructure assets (bridges, retaining walls / support embankments, drainage and highways/footway works). Emergency works will have to be addressed through the re-prioritisation of departmental budgets.	4
Cleansing Services & Environmental Enforcement	85	84	83	252	Re-configuration of service delivery and methods of operation, and the re-assessment of service standards. The proposal also includes reducing the Environmental Enforcement supplies and equipment budgets by £13k over the period 2016-19.	2
Car Parks	0	54	54	108	A 20 pence increase in car park charges at major town centres will contribute £54,000 to sustain transport and highway related services	6
Total	647	658	444	1,749		

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Demographic, Legislative or Continuing Pressures				
	2016-2017 £'000	2017-2018 £'000	2018-2019 £'000	Description
<u>Chief Executive's</u>	235	35	0	
<u>Communities</u>	2,160	0	0	
<u>Environment</u>				
<u>Streetscene</u>				
Waste strategy	79	166	544	As per Waste strategy costings. Legislative pressure due to Part 4 of the Environment Bill (increase trade waste recycling rates)
Potential reduction in SWM Grant (25%)	1,000	0	0	
<u>Transport</u>				
Safe walking routes to schools	32	0	0	Implementation of revised statutory guidance on the criteria for Safe Walking routes to School
MEP	125	125	125	Demographic & MEP pressures.
<u>Property Services</u>				
Pumping Stations	88	0	0	Current budget is inadequate to cover all maintenance and utility costs - Overspend has been covered by Hydrology surpluses in previous years however with the transfer of the WW contract back to WW this will become a direct pressure on the department. Potential Environmental consequences if additional budget is not allocated.
	1,324	291	669	
Total	3,719	326	669	

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ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY - COMMUNITY SAFETY (CHIEF EXECUTIVE DEPARTMENT EXTRACT)

2015-16			Statutory S/NS/Bot n	2016-17			2017-18			2018-19		
Expenditure	Income	Net		Expenditure	Income	Net	Expenditure	Income	Net	Expenditure	Income	Net
£'000	£'000	£'000		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Community Safety												
122	-48	74	NS	122	-48	74	122	-48	74	122	-48	74
55	0	55	NS	56	0	56	57	0	57	57	0	57
29	0	29	NS	29	0	29	29	0	29	30	0	30
206	-48	158		207	-48	159	209	-48	160	209	-48	161
Total Community Safety												

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY - ENVIRONMENT SERVICE (ENVIRONMENT DEPARTMENT EXTRACT)

2015/16			Statutory S/NS/Bot	2016/17			2017/18			2018/19		
Expenditure	Income	Net		Expenditure	Income	Net	Expenditure	Income	Net	Expenditure	Income	Net
£'000	£'000	£'000		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Policy and Performance												
110	0	110	S	110	0	110	111	0	111	112	0	112
228				230			232			234		
-135				-135			-135			-135		
93	-93	0	NS	94	-93	1	96	-93	3	99	-93	6
878				791			717			724		
-754				-754			-754			-754		
124	-124	0	NS	37	-124	-87	-38	-124	-161	-31	-124	-154
326	-217	110		241	-217	25	170	-217	-46	181	-217	-36
Streetscene												
1,418				1,383			1,253			1,263		
-1,346				-1,346			-1,346			-1,346		
72	-72	0	Both	38	-72	-35	-93	-72	-165	-83	-72	-155
928	-112	816	NS	954	-112	842	981	-114	867	1,009	-116	893
244	-11	233	S	246	-11	235	249	-11	237	252	-11	240
1,401	-836	565	Both	1,406	-1,039	367	1,424	-1,228	195	1,446	-1,360	87
212	0	212	S	214	0	214	216	0	216	218	0	218
574	0	574	Both	526	0	526	487	0	487	465	0	465
517	0	517	S	520	0	520	527	0	527	536	0	536
255	0	255	S	257	0	257	259	0	259	262	0	262
295	0	295	S	297	0	297	301	0	301	306	0	306
42	-198	-156	S	42	-200	-157	43	-202	-160	43	-206	-163
83	-135	-52	S	84	-136	-52	85	-138	-53	86	-140	-55
393	0	393	S	396	0	396	400	0	400	404	0	404
185	0	185	Both	186	0	186	188	0	188	190	0	190
198	0	198	S	199	0	199	201	0	201	203	0	203
15,673	-7,154	8,519	S	15,731	-7,712	8,019	15,930	-8,305	7,625	16,168	-8,740	7,427
4,686	0	4,686	S	4,686	0	4,686	4,686	0	4,686	4,686	0	4,686
4,229	-4,218	11	NS	4,229	-4,218	11	4,229	-4,218	11	4,229	-4,218	11
30	-30	0	NS	30	-30	0	30	-30	0	30	-30	0
665	-24	640	S	663	-24	639	666	-25	642	669	-25	644
30,682	-12,791	17,891		30,702	-13,554	17,148	30,808	-14,343	16,464	31,119	-14,919	16,201
				Streetscene Sub Total								
31,008	-13,008	18,001		30,943	-13,771	17,173	30,978	-14,560	16,418	31,300	-15,135	16,165
Environment Carried Forward												

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY - ENVIRONMENT SERVICE (ENVIRONMENT DEPARTMENT EXTRACT)
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2015/16			Statutory S/N/S/BoT	2016/17			2017/18			2018/19		
Expenditure	Income	Net		Expenditure	Income	Net	Expenditure	Income	Net	Expenditure	Income	Net
£'000	£'000	£'000		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
31,008	-13,008	18,001		30,943	-13,771	17,173	30,978	-14,560	16,418	31,300	-15,135	16,165
Environment Brought Forward												
30,682	-12,791	17,891		30,702	-13,554	17,148	30,808	-14,343	16,464	31,119	-14,919	16,201
Streetscene Brought Forward												
637	-23	614	NS	641	-23	618	648	-24	625	657	-24	633
57	-7	49	S	54	-7	47	50	-8	43	51	-8	43
2,105	-56	2,049	S	2,021	-56	1,964	1,966	-57	1,909	1,915	-58	1,857
627	-465	162	S	624	-468	156	632	-474	157	641	-483	158
423	-52	370	S	420	-53	367	423	-53	370	427	-54	372
221	0	221	S	222	0	222	225	0	225	229	0	229
0	0	0	S	6	0	6	12	0	12	17	0	17
2,626	-72	2,554	S	2,638	-73	2,565	2,661	-74	2,587	2,687	-75	2,612
5,798	-4,052	1,746	S	5,830	-4,053	1,778	5,902	-4,054	1,848	5,991	-4,056	1,935
5,358	0	5,358	S	5,390	0	5,390	5,464	0	5,464	5,560	0	5,560
154	-57	97	NS	154	-58	97	155	-58	97	157	-60	97
138	0	138	S	140	0	140	142	0	142	145	0	145
84	0	84	S	85	0	85	86	0	86	88	0	88
99	0	99	S	100	0	100	101	0	101	102	0	102
49,010	-17,577	31,433		49,026	-18,345	30,682	49,274	-19,146	30,128	49,785	-19,736	30,049
Total Streetscene												
49,336	-17,793	31,543		49,268	-18,561	30,707	49,444	-19,362	30,082	49,966	-19,953	30,013
Environment Carried Forward												

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY - ENVIRONMENT SERVICE (ENVIRONMENT DEPARTMENT EXTRACT)

2015/16			Statutory S/NS/Bo th	2016/17			2017/18			2018/19		
Expenditure	Income	Net		Expenditure	Income	Net	Expenditure	Income	Net	Expenditure	Income	Net
£'000	£'000	£'000		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
49,336	-17,793	31,543		49,268	-18,561	30,707	49,444	-19,362	30,082	49,966	-19,953	30,013
Environment Brought Forward												
Transport												
711				713			716			719		
-596				-596			-596			-596		
115	-114	2	NS	117	-114	3	120	-114	6	123	-114	9
1,050	-1,308	-259	NS	1,057	-1,316	-259	1,068	-1,334	-266	1,080	-1,358	-278
566	0	566	Both	568	0	568	571	0	571	574	0	574
6,077	-6,587	-510	S	5,930	-6,627	-696	6,002	-6,720	-718	6,092	-6,841	-749
53	0	53	NS	53	0	53	54	0	54	54	0	54
467				473			478			483		
-423				-423			-423			-423		
44	-44	0	NS	50	-44	6	55	-45	10	60	-45	14
1,022	-179	843	NS	681	-180	501	689	-183	506	597	-186	411
260	-85	174	NS	261	-86	175	264	-86	178	267	-86	181
2,178	-1,603	574	S	2,191	-1,603	587	2,221	-1,603	617	2,260	-1,603	656
630	-601	28	NS	633	-601	32	642	-601	41	653	-601	52
592	0	592	S	595	0	595	603	0	603	614	0	614
1,385	-708	676	Both	1,327	-713	615	888	-723	165	903	-736	167
129	0	129	S	130	0	130	132	0	132	134	0	134
4,719	-105	4,614	S	4,746	-106	4,640	4,809	-107	4,702	4,892	-109	4,783
2,283	-226	2,056	S	2,295	-228	2,068	2,326	-231	2,095	2,366	-235	2,131
1,017	-51	966	S	1,026	-52	974	1,038	-52	986	1,053	-53	999
509	-37	472	Both	513	-38	475	519	-38	481	525	-39	486
1,938	-3,137	-1,199	NS	1,950	-3,156	-1,205	1,974	-3,255	-1,281	2,002	-3,368	-1,366
31	-21	10	NS	31	-21	10	31	-21	10	31	-21	10
196	0	196	S	197	0	197	199	0	199	201	0	201
259	0	259	NS	207	0	207	153	0	153	155	0	155
642	-642	0	NS	80	-79	1	80	-79	1	80	-79	1
25,694	-15,451	10,243		24,639	-14,962	9,677	24,436	-15,191	9,245	24,715	-15,474	9,240
Total Transport												
75,030	-33,244	41,786		73,907	-33,523	40,384	73,880	-34,553	39,327	74,681	-35,427	39,254
Environment Carried Forward												

APPENDIX C

CHARGING DIGEST - Environment department

2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied	2016/17 Proposed Charge	2016/17 Comments
2,395,700	2,597,490	2,613,075	Parking Services	Car Parks Charges	Please refer to 'Car Park Chrgs' Sheet	Please refer to 'Car Park Chrgs' Sheet	Review of parking charges currently being undertaken.
45,949	139,962	140,802		Season Tickets	Please refer to 'Car Park Chrgs' Sheet	Please refer to 'Car Park Chrgs' Sheet	Review of parking charges currently being undertaken.
306,777	350,745	352,849		TMA Penalty Charge Notice (exc. VAT)			Introduced on the 1st of April 2008
				If paid within 14 days	Higher band £35; Lower band £25	Higher band £35; Lower band £25	Follows statutory recovery process as stipulated by TMA
				If paid after 14 and within 30 days	Higher band £70; Lower band £50	Higher band £70; Lower band £50	"
				If unpaid thereafter	Higher band £105; Lower band £75	Higher band £105; Lower band £75	"
				Debt registered in Court	Higher band £112; Lower band £82	Higher band £112; Lower band £82	"
56,025	34,970	35,180		Residents Parking Permit Admin Charge	£30	£30	Approved by the Exec. Board
44,298	79,491	79,968	Fleet Management	MOT Testing			
				1st test	£37 - VAT exempt	£37 - VAT exempt	Charge to the general public. Max. possible charge for Class 4 is £54.85 as set by VOSA however the price set is deemed to be competitive for the local market. (Competitors are actually decreasing their prices)
				Re-test	£37 - VAT exempt	£37 - VAT exempt	FOC if returned within 10 working days with same fault.
				1st test (class 7)	£50 - VAT exempt	£50 - VAT exempt	Charge to the general public. Max. possible charge for Class 4 is £54.85 as set by VOSA however the price set is deemed to be competitive for the local market. (Competitors are actually decreasing their prices)
				Re-test (class 7)	£50 - VAT exempt	£50 - VAT exempt	FOC if returned within 10 working days with same fault.

APPENDIX C

CHARGING DIGEST - Environment department

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2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied	2016/17 Proposed Charge	2016/17 Comments
				Maintenance repairs to hired vehicles	£44.40 per hour	£44.65 per hour	For External Clients. This represents a 0.6% increase (validation) and will be introduced from the 1st of April 2016.
7,284	3,622	3,644	Passenger Transport	Replacement Bus Passes	£5.00 for Concessionary Travel Passes but £6.00 for home to school/college passes	£5.00 for Concessionary Travel Passes; £6.00 for home to school/college passes	No increase proposed for replacement Concessionary Travel passes for elderly and disabled residents, replacement home to school/college passes were increased in 2015/16.
0	4,000	4,024		Administrative charge for "spare seat" travel passes	£50.00 for issue of Spare Seat Travel Pass	£50.00 for issue of Spare Seat Travel Pass	Charge introduced in September 2015
18,659	37,384	37,608	Traffic Management	Access Protection Markings	£50 + vat	£50 + vat	Mainly benefits motorists with a mobility impairment therefore decision taken not to effect increase this year.
				Road Closure Admin			
				Less than 5 days	£450 + vat	£600+VAT	Charges in line with other Welsh LAs
				5 days or more (up to 6 weeks)	£450 + vat	£600+VAT	"
				Road Closure (alternative route signage design)	£175 + vat	£175 + vat	"
				Tourist Signage Schemes	Depends on size of signage and scheme	Depends on size of signage and scheme	
				Report on Accident & Traffic Data - Data retrieval			
				Copies of existing classified manual traffic surveys (11 or 12 hours)			
				3 years old and less	£78.50 + vat per survey	£78.50 + vat per survey	Charges are levied where requests are made, but there is falling demand for the service which will reduce the level of income achievable.
				Over 3 years old	£53.00 + vat per survey	£53.00 + vat per survey	"
				Copies of existing manual radar speed			
3 years old and less	£78.50 + vat per survey	£78.50 + vat per survey	Charges are levied where requests are made, but there is falling demand for the service which will reduce the level of income achievable.				
Over 3 years old	£53.00 + vat per survey	£53.00 + vat per survey	"				

APPENDIX C

CHARGING DIGEST - Environment department

2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied	2016/17 Proposed Charge	2016/17 Comments
				Automatic 24 hour directional volumetric traffic counts			
				Less than 3 years old, automatic 24 hour, one week's data	£78.50 + vat per survey	£78.50 + vat per survey	Charges are levied where requests are made, but there is falling demand for the service which will reduce the level of income achievable.
				Over 3 years old, one week's data	£53.00 + vat per survey	£53.00 + vat per survey	"
				More than one week's volumetric data	Price on application	Price on application	"
				Bespoke Manual Traffic Survey			
				Traffic Surveys			
				12hrs Single c'way (low/med flow), directional, classified (usually 12 classes)	£262 + vat per site	£262 + vat per site	Charges are levied where requests are made, but there is falling demand for the service which will reduce the level of income achievable.
				12hrs Single c'way (high flow), directional, classified (usually 12 classes)	£365 + vat per site	£365 + vat per site	"
				12hrs Dual C'way, directional, classified (usually 12 classes)	£470 + vat per site	£470 + vat per site	"
				12hrs T-junction, 6 movement, classified (usually 6 classes)	£417 + vat per site	£417 + vat per site	"
				Any other permutation	Price on application	Price on application	"
				Radar speed surveys:			
				Typically 100 vehicles in each direction	£131 + vat per site	£131 + vat per site	Charges are levied where requests are made, but there is falling demand for the service which will reduce the level of income achievable.
				(Note: Low flow roads may incur extra time			
				Automatic tube counts			
				(Minimum for up to one week survey)			
				Directional unclassified	£183 + vat, £78 + vat per week thereafter	£183 + vat, £78 + vat per week thereafter	Charges are levied where requests are made, but there is falling demand for the service which will reduce the level of income achievable.
				Directional classified (usually 11 classes)	£209 + vat, £78 + vat after first week	£209 + vat, £78 + vat after first week	Charges are levied where requests are made, but there is falling demand for the service which will reduce the level of income achievable.

APPENDIX C

CHARGING DIGEST - Environment department

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2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied	2016/17 Proposed Charge	2016/17 Comments
				Directional speed	£209 + vat, £78 + vat after first week	£209 + vat, £78 + vat after first week	Charges are levied where requests are made, but there is falling demand for the service which will reduce the level of income achievable.
				Directional classified (usually 11 classes) +speed	£235 + vat, £78+ vat after first week	£235 + vat, £78+ vat after first week	"
450,587	428,057	430,625	Refuse	Trade Waste - Commercial (exc VAT) Cost per bin lift 240 litre -£16 360 litre - £24 660 litre - £30 1100 litre - £40 1280 litre - £46	240 litre -£18 360 litre - £27 660 litre - £33 1100 litre - £44 1280 litre - £51	Increase of 10% applied to cater for RPI/ disposal cost increase and loss in income (projected decrease in customer base of 4% per annum). Rounded up to the nearest £1.	
				Trade Waste - Charity (exc VAT) Cost per lift 240 litre - £4 360 litre - £5 660 litre - £6 1100 litre - £7 1280 litre - £8	240 litre - £4.50 360 litre - £5.50 660 litre - £7 1100 litre - £8 1280 litre - £9	Increase of 10% applied to cater for RPI/ disposal cost increase and loss in income (projected decrease in customer base of 4% per annum). Rounded up to the nearest £0.50.	
40,488	36,480	36,699		Trade Sacks (Cost per bag)	£3.50	£4.00	Increase of 10% applied to cater for RPI/ disposal cost increase and loss in income (projected decrease in customer base of 4% per annum). Rounded up to the nearest £0.50.
				Trade Sacks Charity (Per bag)	£0.60	£0.70	Increase of 10% applied to cater for RPI/ disposal cost increase and loss in income (projected decrease in customer base of 4% per annum). Rounded up to the nearest £0.10.
				Trade waste (bulks)	Vehicle and manpower time charged. £200 per 10 items collected.	£220 per 10 items collected.	Increase of 10% / annum for Vehicle, manpower and disposal costs.
32,028	30,000	30,180		Starch Bags (Per roll)	£3.50 (inc VAT)	£3.50 (inc VAT)	No increase.
49,544	42,279	42,533		Bulk Collections (per collection of 3 items)	£25 inclusive of VAT	£25 inclusive of VAT	No price increase as this is in line with other Welsh Authority prices.

APPENDIX C

CHARGING DIGEST - Environment department

2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied	2016/17 Proposed Charge	2016/17 Comments
				Festivals - CCC Events			
				Large Events Package	£385	£425	Very rarely used, increase by 10% per annum to cover administration costs and increased disposal costs. Rounded up to the nearest £5
				Small Events Package	£230	£255	"
5,557	4,764	4,793		Compost Bins (Inclusive of delivery)	£12	£12	The delivery of the bins was integrated into the bulk collections schedule in 2014/15 therefore the price charged per bin is based on cost price only. There is also evidence from WRAP stating that sales decrease when the price rises above £15. Cost price £11:25
218,189	198,474	199,665	Street Works	(exc VAT)			General increase by approx 2% in line with RPI, rounded to nearest £.
				Skips	£41 - per month or part thereof	£42 - per month or part thereof	"
					£41 - per month or part thereof	£42 - per month or part thereof	"
					£122 - Out of date renewals - per month or part thereof	£124 - Out of date renewals - per month or part thereof	"
				Scaffolding or other structure	£69 - per month or part thereof	£70 - per month or part thereof	General increase by approx 2% in line with RPI, rounded to nearest £.
					£69 - per month or part thereof	£70 - per month or part thereof	"
					£122 - Out of date renewals - per month or part thereof	£124 - Out of date renewals - per month or part thereof	"

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CHARGING DIGEST - Environment department

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2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied	2016/17 Proposed Charge	2016/17 Comments
				Temporary Excavation	£410 per application	£418 per application	General increase by approx 2% in line with RPI, rounded to nearest £.
				Deposit of materials	£41 per week or part thereof per application for depositing materials. Additional site insp. @ £39.	£42 - per month or part thereof	"
				Hoarding or fence	£69 - per month or part thereof	£70 - per month or part thereof	"
					£69 - per month or part thereof	£70 - per month or part thereof	"
					£122 - Out of date renewals - per month or part thereof	£124 - Out of date renewals - per month or part thereof	"
				Hoarding or fence supervision	£39 per inspection	£40 per inspection	"
				Construction of cellars	£321 - per application	£327 - per application	"
				Entrance to Cellar or vault	£321 - per application	£327 - per application	"
				Admission of Light to Premises	£321 - per application	£327 - per application	"
				Vehicular Crossing	£129 - per application, inclusive of 2x site inspections.	£132 - per application, inclusive of 2x site inspections.	General increase by approx 2% in line with RPI, rounded to nearest £.
				Accident Debris	At cost plus overheads	At cost plus overheads	
				Street Works Licence Fees			
				To serve one dwelling house	£410	£418 per application	General increase by approx 2% in line with RPI, rounded to nearest £.
				To serve two or more & residential developments	£614 +£61 per unit	£626 +£62 per unit	"
				To serve non-residential developments	£595	£607	"
				To serve land for the purpose of agricultural/horticultural use	£288	£294	"
				General development	£595	£607	"

APPENDIX C

CHARGING DIGEST - Environment department

2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied	2016/17 Proposed Charge	2016/17 Comments
				To repair/renew/maintain existing apparatus	£410	£418 per application	General increase by approx 2% in line with RPI, rounded to nearest £.
				To repair renew, maintain existing apparatus with existing or valid street works licence	£179	£183	"
				Excavation longer than 200metres	£179	£183	"
				Projections over the Highway - external	£34 per property	£35 per property	"
				Provision of amenities on certain highways	£21 per chair	£22 per chair	"
93,083	68,949	69,363	Highways Adoption	Supervision fees. Section 38	8% of estimated value of adoption works.	8% of estimated value of adoption works.	Charge is currently in-line with other Welsh Las however charges are to be reviewed in the near future.
				Design Guides (Per guide)	no longer available	no longer available	Document under review by consultants waiting for new document
				Technical Approval - checks on proposed Sec.38 Drawings	£850	£850	This figure is offset against the 8% S38 supervision fee and is not additional income unless the developer fails to proceed with a S38.
25,531	24,137	24,282	Environmental Enforcement	Fixed Penalty Notice :			
				Dog Fouling	Please refer to attached schedule	Please refer to attached schedule	No change proposed as FPN set at current default charges as fixed by legislation.
				Littering	Please refer to attached schedule	Please refer to attached schedule	No change proposed as FPN set at current default charges as fixed by legislation.
				Recovery charge :			
				Abandoned Vehicles	Please refer to attached schedule	Please refer to attached schedule	No change proposed as FPN set at current default charges as fixed by legislation.
				Nuisance Vehices (Dyfed Act) Removal Cost	£120	£120	
				Nuisance Vehices (Dyfed Act) Storage Cost	£12 a day	£12 a day	
				Abandoned Trolley's - Collection	£15	£15	
				Abandoned Trolley's - Storage	£15 a week	£15 a week	
				Abandoned Trolley's - Delivery Charge	£15	£15	
				Abandoned Trolley's - Release Fee	£25 per batch	£25 per batch	

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CHARGING DIGEST - Environment department

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2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied	2016/17 Proposed Charge	2016/17 Comments
9,878	7,367	7,411	Cemetery Charges	Lease of Plots			
				Exclusive rights to burial earthen grave	£350.00	£355.00	RPI increase & rounded up to nearest £5
				Garden of remembrance	£125.00	£130.00	RPI increase & rounded up to nearest £5
				Admin fees for Internment - for burial, incl. ashes	£72.00	£75.00	RPI increase & rounded up to nearest £5
				Approvals for Erection of Memorials -			
				Lawn Plots - Headstones	£102.00	£105.00	RPI increase & rounded up to nearest £5
				Garden of Remembrance tablets	£87.00	£88.00	RPI increase & rounded up to nearest £1
				Removal of headstones/tablets for engraving of additional names etc	£41.00	£42.00	RPI increase & rounded up to nearest £1
Note: There is a surcharge of 100% for non-residents of Carmarthenshire County Council							
1,013	1,055	1,061	Public Conveniences	Radar keys	£4.60 plus VAT	£4.70 plus VAT	RPI increase & rounded off to nearest 10p. Only sold to blue badge holders/disabled. Charge adequate to cover costs and RPI increase
1,200	0	0	Flood Defence & Land Drainage	Flood Defence Consent - work that would impede flow in the watercourse	£50	£50	Statutory Fee under Section 23 of the Land Drainage Act.
70,384	197,455	198,640	Leisure Outdoor Venues				
				TENNIS (Where there is a club affiliated to a league)			
				Season ticket - Adult Per year	£62	£62	Increased by 0.6% inflation, rounded to the nearest £.
				Season ticket - Junior per year	£35	£35	Increased by 0.6% inflation, rounded to the nearest £.

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CHARGING DIGEST - Environment department

2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied	2016/17 Proposed Charge	2016/17 Comments
				BOWLS - A fundamental change in pricing strategy that moves away from a 'per member' charge to an annual rental fee by bowling organisations. In 2015 this was the Carmarthenshire County Bowling Green Association - discussion are progressing for the 2016 agreements.			
				Season Ticket - Adult	£102	-	Now included within separate agreement
				Season Ticket - Concession	£63	-	"
				Season Ticket - Junior	£30	-	"
				Green fee per match / game - Adult	£7	-	"
				Green fee per match / game - Concession	£4	-	"
				Green fee per match / game - Junior	£4	-	"
				Hire of pavilion per half day (1st of October to 31st March) morning/afternoon or evening usage	£22	-	"
				FOOTBALL - A fundamental change in pricing strategy that moves away from a 'per game' charge to an annual rental fee by football organisations. In 2015 this was the Carmarthenshire Football League Association- a fixed sum of £2,500 per pitch (£2,000 for self-marking), discussion are progressing for the 2016 agreements.			
				For games outside the CFLA agreement - per pitch per week	-	CFLA rate + £10	(CFLA 2015 rate was £60 for adults & £30 for juniors) - additional charge for administration
				Pitch & Pavilion - Adult	£39		Now included within separate agreement
				Pitch, Pavilion & Attendant - Adult	£49		"
				Training session - Pitch only - Adult	£29		"
				Training session - Pitch & Pavilion - Adult	£39		"
				Pitch & Pavilion - Junior	£17.50		"
				Pitch, Pavilion & Attendant - Junior	£23		"
				Training session - Pitch only - Junior	£5		"
				Mini football pitch per match	£5		"
				Charitable Use per Day	£72		"
				Non Charitable Use per Day	£239		"
				Cleaning fee per match	£75		"
				Unauthorised use fee	£55		"
					BLOCK BOOKINGS OF 10 OR MORE GAMES ARE VAT FREE	BLOCK BOOKINGS OF 10 OR MORE GAMES ARE VAT FREE	

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CHARGING DIGEST - Environment department

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2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied	2016/17 Proposed Charge	2016/17 Comments
				RUGBY - A fundamental change in pricing strategy that moves away from a 'per game' charge to an annual rental fee by rugby organisations. A fixed annual sum of £2,500 per pitch (£2,000 for self-marking), discussion are progressing for the 2016 agreements.			
				Pitch only - Adult	£29		Now included within separate agreement
				Pitch & Pavilion - Adult	£39		"
				Pitch, Pavilion & Attendant - Adult	£49		"
				Training session - Pitch only - Adult	£29		"
				Training session - Pitch & Pavilion - Adult	£39		"
				Pitch only - Junior	£9		"
				Pitch & Pavilion - Junior	£17.50		"
				Pitch, Pavilion & Attendant - Junior	£23		"
				Training session - Pitch only - Junior	£5		"
				Mini rugby pitch per match	£5		"
				Charitable Use per Day	£72		"
				Non Charitable Use per Day	£239		"
				Cleaning fee per match	£75		"
				Unauthorised use fee	£55		"
					BLOCK BOOKINGS OF 10 OR MORE GAMES ARE VAT FREE	BLOCK BOOKINGS OF 10 OR MORE GAMES ARE VAT FREE	
				CRICKET - a fundamental change in pricing strategy that moves away from a 'per game' charge to an annual rental fee by organisations. Individual season agreements are made per pitch with organisation - each is different depending on the 'self help' level of each organisation.			
				Grass Wicket only - Adult	£28		Now included within separate agreement
				Grass Wicket only - Junior	£7		"
				Grass Wicket & changing rooms - Adult	£43		"
				Grass Wicket & changing rooms - Junior	£18.50		"
				Cricket fee per training session - Adult	£28		"
				Cricket fee per training session - Junior	£5		"
				Artificial Wicket only - Adult	£45		"
				Artificial Wicket only - Junior	£6		"
				Artificial Wicket & changing rooms - Adult	£68		"
				Artificial Wicket & changing rooms - Junior	£44		"
				Charitable Use per Day	£65		"
				Non Charitable Use per Day	£239		"
				Unauthorised use fee	£55		"
					BLOCK BOOKINGS OF 10 OR MORE GAMES ARE VAT FREE	BLOCK BOOKINGS OF 10 OR MORE GAMES ARE VAT FREE	

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CHARGING DIGEST - Environment department

2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied	2016/17 Proposed Charge	2016/17 Comments
				COARSE FISHING			
				Season Permit (Adult)	£45.50	£46	Increased by 0.6% inflation & rounded to nearest £.
				Season Permit (Junior)	£24.50	£25	"
				Day Permit (Adult)	£8	£8	"
				Day Permit (Junior)	£3.50	£3.50	"
				GAME FISHING			
				Season Permit	£43	£43	Increased by 0.6% inflation & rounded to nearest £.
				HIRE OF PARKS			
				Charitable Use (per Day)	£79.50	£80	Increased by 0.6% inflation & rounded to nearest £.
				Non Charitable Use (per Day)	£263	£265	"
				Funfairs Initial 4 Opening Days	£640	£644	"
				Funfairs Deposit (Refundable in whole or part dependant upon condition of park after the event).	£509.50	£513	"
				Funfairs Additional Daily Rate	£197	£198	"
				Pre School Play Groups (per half day)	£16.50	£17	"
				Youth clubs	£16.50	£17	"
				Boxing clubs	£16.50	£17	"
				Floodlit Multi Use Games Areas (per Floodlit session)	£16.50	£17	"
				Wedding Photographs within parks	£35.50	£36	"

APPENDIX C

CHARGING DIGEST - Environment department

Car Parking Charges

Charging days as from 28/08/2014

Ammanford
 Carregamman Mon-Sat from 12pm Sun
 Margaret Street All Days
 Lloyd Street All Days
 Wind Street Mon- Sat
 Baltic Mon- Sat
 Hall Street - short stay only (from June 2011) All days

Llandeilo
 Crescent Road All Days

Llandovery
 Castle All Days

Newcastle Emlyn
 Mart All days
 Castle Street Mon- Sat
 Cawdor All Days

St Clears
 St Clears (from August 2011) - Mon- Sat

Llanelli
 Thomas/Edgar Street - long stay Mon - Sat
 Murray Street, Multi-Storey All Days
 Church Street Mon- Sat from 12pm Sun
 Vauxhall Road - long stay Mon- Sat from 12pm Sun
 You may also use Thomas/Edgar Street
East Gate - All days

Charges Levied 2015/16 (from 1st of January 2014 or as otherwise stated)							
SEASON TICKETS (£)			Pay & Display Charges (£)				
3 months	6 months	12 months	up to 1 hr	up to 2 hr	up to 3 hr	up to 4 hr	up to 10 hr
92.50	185.00	370.00	0.70	-	-	1.00	1.50
			0.70	-	-	1.00	1.50
			0.70	-	-	1.00	1.50
			0.70	-	-	1.00	1.50
			0.70	-	-	1.00	1.50
NO SEASON TICKETS FOR SHORT STAY			0.70	-	-	1.00	-
92.50	185.00	370.00	0.70	-	-	1.00	1.50
92.50	185.00	370.00	0.70	-	-	1.00	1.50
92.50	185.00	370.00	0.70	-	-	1.00	1.50
			0.70	-	-	1.00	1.50
			0.70	-	-	1.00	1.50
92.50	185.00	370.00	0.70	-	-	1.00	1.50
Free parking in Llanelli for up to 4 hrs on Saturdays - removed 28/08/2014							
105.00	210.00	420.00	-	-	-	-	1.70
137.50	275.00	550.00	1.20	1.60	1.80	2.00	2.20
			1.20	1.60	1.80	2.00	2.20
			-	-	-	-	2.20
Not available - Short Stay only			1.20	1.60	1.80	2.00	

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CHARGING DIGEST - Environment department

Car Parking Charges

Charging days as from 28/08/2014

Carmarthen - long stay

Priory Street Mon- Sat

St Peters (long stay only) - white Bays Mon- Sat from 12pm Sun

Station Approach Car Park All days

John Street (long stay only) - blue bays All days

You may also use Priory Street

Carmarthen - short stay

St Peters (short stay only) - red bays Mon- Sat from 12pm Sun

John Street (short stay only) - white bays All Days

Quayside All Days

Lammas Street All Days

Friars Park All Days

Blue Street All Days

Saturdays only

County Hall Sat & Sun

3 Spilman Street Sat & Sun

Parc Myrddin (from April 2011) Sat & Sun

Coach/Bus Park

Station Approach All Days

Charges Levied 2015/16 (from 1st of January 2014 or as otherwise stated)							
			Pay & Display Charges (£)				
97.50	195.00	390.00	-	-	-	1.60	
142.50	285.00	570.00	-	-	-	2.30	
			-	-	-	2.30	
			-	-	-	2.30	
3 months	6 months	12 months					
NO SEASON TICKETS FOR SHORT STAY			0.50	1.60	2.20	3.40	-
			-	1.60	2.20	3.40	-
			-	1.60	2.20	3.40	-
			-	1.60	2.20	3.40	-
			-	1.60	2.20	3.40	-
NO SEASON TICKETS FOR SHORT STAY			-	1.60	2.20	3.40	-
			-	1.60	2.20	3.40	-
23.00	46.00	92.00	-	-	-	2.30	
NO SEASON TICKETS			-	-	-	-	5.00

Disabled Badge charges from 28/08/2014 - extra hour free once paid

Review of parking charges currently being undertaken.

APPENDIX C

CHARGING DIGEST - Environment department

Environmental Enforcement

	Offence	2015/16 Charge Levied		2016/17 Proposed Charges		Comments
		<u>Amount Paid within 10 days</u>	<u>Full Amount of Penalty</u>	<u>Amount Paid within 10 days</u>	<u>Full Amount of Penalty</u>	
	Fixed Penalty Notices:					
	Dog fouling (Dogs Fouling of Land Act 1996)	£ n/a	£ 75	£ n/a	£ 75	
	Litter	50	75	50	75	
	Failure to Comply with Street Control Notice	60	100	60	100	
	Failure to Comply with Litter Clearing Notice	60	100	60	100	
	Failure to Provide Waste Documents	180	300	180	300	
	Failure to Produce Authority to transfer waste	180	300	180	300	
	Unauthorised distribution of free printed matter	50	75	50	75	
	Failure to Comply with a waste receptacles notice	60	100	60	100	
	Failure to Comply with Dog control order	50	75	50	75	
	Leaving two or more vehicles for sale on the road	60	100	60	100	
	For Abandonment of a vehicle	120	200	120	200	
	Graffiti, Fly Posting and other defacement	50	75	50	75	

APPENDIX C

CHARGING DIGEST - Environment department
Environmental Enforcement

		Offence	2015/16 Charge Levied		2016/17 Proposed Charges		Comments
Charges in relation to the removal of vehicles : MAM: Maximum authorised mass		Vehicle position and condition	Vehicle equal to or less than 3.5 tonnes MAM	Vehicle exceeding 3.5 tonnes MAM but equal to or less than 7.5 tonnes	Vehicle exceeding 7.5 tonnes MAM but equal to or less than 18 tonnes MAM	Vehicle exceeding 18 tonnes MAM	
			£	£	£	£	
		Vehicle on road, upright and not substantially damaged or any two wheeled vehicle whatever its condition or position on or off the road.	150	200	350	350	
		Vehicle, excluding a two wheeled vehicle, on road but either not upright or substantially damaged or both.	250	650	Unladen £2,000; Laden £3,000	Unladen £3,000; Laden £4,500	
		Vehicle, excluding a two wheeled vehicle, off road, upright and not substantially damaged.	200	400	Unladen £1,000; Laden £1,500	Unladen £1,500; Laden £2,000	
		Vehicle, excluding a two wheeled vehicle, off road but either not upright or substantially damaged or both.	300	850	Unladen £3,000; Laden £4,500	Unladen £4,500; Laden £6,000	
Charges in relation to the storage of vehicles :		Two wheeled vehicle		Vehicle, not including a two wheeled vehicle, equal to or less than 3.5 tonnes MAM	Vehicle exceeding 3.5 tonnes MAM but equal to or less than 7.5 tonnes	Vehicle exceeding 7.5 tonnes MAM but equal to or less than 18 tonnes MAM	Vehicle exceeding 18 tonnes MAM
			£	£	£	£	£
		Each period of 24 hours or a part thereof during which the vehicle is in the custody of the local authority.	10	20	25	30	35
Charges in relation to the disposal of vehicles :		Two wheeled vehicle		Vehicle, not including a two wheeled vehicle, equal to or less than 3.5 tonnes MAM	Vehicle exceeding 3.5 tonnes MAM but equal to or less than 7.5 tonnes	Vehicle exceeding 7.5 tonnes MAM but equal to or less than 18 tonnes MAM	Vehicle exceeding 18 tonnes MAM
			£	£	£	£	£
			50	75	100	125	150

APPENDIX C

CHARGING DIGEST - Public Protection

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2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied £	2016/17 Proposed Charge £	Comments
9,760	11,158	11,225	<u>Stray Dogs</u>	For the 1st day or part day Day2 Day3 Day4 Day5 Day6 Day7 Day8 Day9	60.00 75.00 90.00 105.00 120.00 135.00 150.00 165.00 180.00	80.00 95.00 110.00 125.00 140.00 155.00 170.00 185.00 200.00	2016/17 charges due to go through the political cycle for approval
5,080	3,816	3,839	<u>Private Water Supplies</u>	Risk assessment (each assessment) Sampling (each visit) Investigation (each supply) Granting an authorisation for temporary exemption from certain limits on impurities <u>Analysing a sample:</u> Taken under r.10 for single domestic supplies Taken during check monitoring of large and small supplies Taken during audit monitoring of large and small supplies	500.00 100.00 100.00 100.00 25.00 100.00 500.00	120.00 100.00 100.00 100.00 25.00 100.00 500.00	2016/17 charges due to go through the political cycle for approval Plus analysis costs 16/17 Proposed - up to £100 16/17 Proposed - up to £500
21,195	23,389	53,709	<u>Dog Breeding Establishments</u>	New: Up to 10 bitches 11-25 bitches 26-50 bitches 51-80 bitches over 80 bitches Renewal: Up to 10 bitches 11-25 bitches 26-50 bitches 51-80 bitches over 80 bitches	230.00 255.00 355.00 380.00 405.00 80.00 105.00 205.00 230.00 255.00	440.00 531.00 595.00 709.00 748.00 262.00 287.00 341.00 389.00 418.00	2016/17 charges due to go through the political cycle for approval Inclusive of vets fees Inclusive of vets fees

APPENDIX C

CHARGING DIGEST - Public Protection

2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied £	2016/17 Proposed Charge £	Comments
			<u>Riding Establishments</u>	New and Renewal: Up to 10 horses 11 to 20 horses 21-50 horses Over 50 horses	205.00 225.00 280.00 355.00	356.00 367.00 379.00 402.00	2016/17 charges due to go through the political cycle for approval Inclusive of vets fees
			<u>Pet Shops</u>	Pet Shops - New Pet Shops - Renewal	125.00 125.00	412.00 412.00	2016/17 charges due to go through the political cycle for approval
			<u>Dangerous Wild Animals</u>	New and Renewal: Dangerous Wild Animals	275.00	1003.00	2016/17 charges due to go through the political cycle for approval Excluding vet fees
			<u>Boarding Establishments</u>	Home Boarder - New Single Species - New Double Species - New Home Boarder - Renewal Single Species - Renewal Double Species - Renewal	45.00 100.00 145.00 45.00 100.00 145.00	242.00 231.00 246.00 242.00 231.00 246.00	2016/17 charges due to go through the political cycle for approval
			<u>Zoo Licence</u>	Zoo Licence excluding vets fees	300.00	300.00	
95,111	103,543	104,164	<u>Hackney Carriage & Private Hire Licensing</u>	Hackney Carriage Vehicles Renewal Private Hire Vehicles Renewal Hackney Carriage Vehicles Renewal Private Hire Vehicles Renewal	121.45 121.45 133.75 133.75	129.50 134.50 141.50 146.50	2016/17 charges due to go through the political cycle for approval Inclusive of initial test, one retest and licence plate without MOT Inclusive of initial test, one retest and license plate and MOT

APPENDIX C

CHARGING DIGEST - Public Protection

2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied £	2016/17 Proposed Charge £	Comments	
Page 50				Hackney Carriage New Application	141.45	146.00	Inclusive of initial test, one retest and licence plate, door stickers and roof sign without MOT	
				Hackney Carriage New Application	153.75	158.00		
				Private Hire Vehicles New Application	138.35	147.50		Inclusive of initial test, one retest and licence plate, door stickers without MOT
				Private Hire Vehicles New Application	150.65	159.50		
				Vehicle Retest	25.65	26.00		If vehicle retest fails, each subsequent retest
				Replacement Plate	8.85	10.00		
				Replacement Door Sticker	8.85	9.00		
				Meter Test	13.20	14.00		
				Roof roof sign sticker	1.55	2.00		
				Replacement drivers badge	5.50	7.00		
				Replacement licence	10.50	10.50		
				Transfer of Vehicle Private Hire/Hackney Carriage	23.05	24.00		
				Private hire operators licence New Application	133.25	145.00	1 year	
				Private hire operators licence New	N/A	639.00	5 year	
				Private hire operators licence Renewal	133.25	137.50	1 year	
				Private hire operators licence Renewal	N/A	631.00	5 year	
				Dual drivers licence Renewal	33.00	38.00	1 year	
				Dual drivers licence Renewal	N/A	100.50	3 year	
				Dual drivers licence New Application	33.00	74.50	1 year	
				Dual drivers licence New Application	N/A	137.00	3 year	
			Knowledge test	N/A	18.50			
			<u>Disclosure & Barring Service (previously CRB)</u>		44.00	44.00	2016/17 charges due to go through the political cycle for approval	
			<u>Lotteries Fees (Prescribed)</u>					
7,170	7,806	7,853		Grant	40.00	40.00	Prescribed	
				Renewal	20.00	20.00		

APPENDIX C

CHARGING DIGEST - Public Protection

2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied £	2016/17 Proposed Charge £	Comments
16,190	17,625	17,731	<u>Gaming and Gambling Fees (Prescribed)</u>	<u>Premises</u>			
				<u>Bingo Club</u>			
				Transitional Fast Track Application	202.00	202.00	
				Transitional Non Fast Track Application	842.00	842.00	
				New application	1648.00	1648.00	
				Annual fee	480.00	480.00	
				<u>Betting Premises (excluding tracks)</u>			
				Transitional Fast Track Application	198.00	198.00	
				Transitional Non Fast Track Application	721.00	721.00	
				New application	1415.00	1415.00	
				Annual fee	302.00	302.00	
				<u>Tracks</u>			
				Transitional Fast Track Application	144.00	144.00	
				Transitional Non Fast Track Application	600.00	600.00	
				New application	1200.00	1200.00	
				Annual fee	480.00	480.00	
				<u>Family Entertainment Centres</u>			
				Transitional Fast Track Application	207.00	207.00	
				Transitional Non Fast Track Application	600.00	600.00	
				New application	1200.00	1200.00	
				Annual fee	480.00	480.00	
				<u>Adult Gaming Centre</u>			
				Transitional Fast Track Application	202.00	202.00	
				Transitional Non Fast Track Application	645.00	645.00	
				New application	1236.00	1236.00	
				Annual fee	623.00	623.00	
				<u>Bingo Club</u>			
				Application to vary	840.00	840.00	
				Application to transfer	576.00	576.00	
				Application for Re-instatement	576.00	576.00	
				Application for Provisional Statement	1680.00	1680.00	
				<u>Betting Premises (excluding tracks)</u>			
				Application to vary	720.00	720.00	
				Application to transfer	576.00	576.00	
				Application for Re-instatement	576.00	576.00	
				Application for Provisional Statement	1440.00	1440.00	

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CHARGING DIGEST - Public Protection

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2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied £	2016/17 Proposed Charge £	Comments
				<u>Tracks</u>			
				Application to vary	600.00	600.00	
				Application to transfer	456.00	456.00	
				Application for Re-instatement	456.00	456.00	
				Application for Provisional Statement	1200.00	1200.00	
				<u>Family Entertainment Centres</u>			
				Application to vary	640.00	640.00	
				Application to transfer	608.00	608.00	
				Application for Re-instatement	608.00	608.00	
				Application for Provisional Statement	1280.00	1280.00	
				<u>Adult Gaming Centres</u>			
				Application to vary	640.00	640.00	
				Application to transfer	768.00	768.00	
				Application for Re-instatement	768.00	768.00	
				Application for Provisional Statement	1280.00	1280.00	
				<u>Bingo club</u>			
				Licence application (provisional statement holders)	576.00	576.00	
				Copy Licence	25.00	25.00	
				Notification of Change	50.00	50.00	
				<u>Betting premises (excluding tracks)</u>			
				Licence application (provisional statement holders)	576.00	576.00	
				Copy Licence	25.00	25.00	
				Notification of Change	50.00	50.00	
				<u>Tracks</u>			
				Licence application (provisional statement holders)	456.00	456.00	
				Copy Licence	25.00	25.00	
				Notification of Change	50.00	50.00	
				<u>Family Entertainment Centres</u>			
				Licence application (provisional statement holders)	608.00	608.00	
				Copy Licence	25.00	25.00	
				Notification of Change	50.00	50.00	

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CHARGING DIGEST - Public Protection

2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied £	2016/17 Proposed Charge £	Comments
				<u>Adult Gaming Centres</u>			
				Licence application (provisional statement holders)	768.00	768.00	
				Copy Licence	25.00	25.00	
				Notification of Change	50.00	50.00	
				<u>Permits</u>			
				<u>FEC Gaming Machine</u>			
				Application fee	300.00	300.00	
				Annual Fee	N/A	N/A	
				Renewal Fee	300.00	300.00	
				Transitional Application Fee	100.00	100.00	
				Change of name	25.00	25.00	
				Copy of permit	15.00	15.00	
				<u>Prize Gaming</u>			
				Application fee	300.00	300.00	
				Annual Fee	N/A	N/A	
				Renewal Fee	300.00	300.00	
				Transitional Application Fee	100.00	100.00	
				Change of name	25.00	25.00	
				Copy of permit	15.00	15.00	
				<u>Alcohol Licensed Premises - Notification of 2 or less machines</u>			
				Application fee	50.00	50.00	
				Annual Fee	N/A	N/A	
				Renewal Fee	N/A	N/A	
				Transitional Application Fee	N/A	N/A	
				<u>Alcohol Licensed Premises Gaming machine Permit - More than 2 machines</u>			
				Application fee	150.00	150.00	
				Annual Fee	50.00	50.00	
				Renewal Fee	N/A	N/A	
				Transitional Application Fee	100.00	100.00	
				Change of name	25.00	25.00	
				Copy of permit	15.00	15.00	
				Variation	100.00	100.00	
				Transfer	25.00	25.00	

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CHARGING DIGEST - Public Protection

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2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied £	2016/17 Proposed Charge £	Comments
				<u>Club Gaming Permit</u> Application fee Annual Fee Renewal Fee Transitional Application Fee Copy of permit Variation	200.00 50.00 200.00 100.00 15.00 100.00	200.00 50.00 200.00 100.00 15.00 100.00	
				<u>Club Gaming Machine Permit</u> Application fee Annual Fee Renewal Fee Transitional Application Fee Copy of permit Variation	200.00 50.00 200.00 100.00 15.00 100.00	200.00 50.00 200.00 100.00 15.00 100.00	
				<u>Club Fast track for Gaming Permit or Gaming machine permit</u> Application fee Annual Fee Renewal Fee Transitional Application Fee	100.00 50.00 N/A 100.00	100.00 50.00 N/A 100.00	
				<u>Small Society Lottery Registration</u> Application fee Annual Fee	40.00 20.00	40.00 20.00	
			<u>Street Collections</u>	Street Collections	No fee	No fee	
			<u>House to House Collections</u>	House to House Collections	No fee	No fee	
			<u>Boatmen</u>	Boatmans Licence	60.00	60.00	2016/17 charges due to go through the political cycle for approval
			<u>Pleasure Craft</u>	Pleasure Craft Licence	500.00	120.00	2016/17 charges due to go through the political cycle for approval

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CHARGING DIGEST - Public Protection

2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied £	2016/17 Proposed Charge £	Comments
169,357	184,371	185,478	<u>Licensing Act 2003 (Prescribed) Premises</u>	Rateable Value No Rateable Value to £4300 £4301 to £33000 £33001 to £87000 £87001 to £125000 £125000 and above	A B C D E	A B C D E	Prescribed Prens & club application & annual fees are calculated on the rateable value band
				Band A B C D E	70.00 180.00 295.00 320.00 350.00	70.00 180.00 295.00 320.00 350.00	Each band attracts a different level of annual fee payable one yr after the grant of licence
				<u>Exceptionally Large Events</u> No. in attendance at any one time 5000 to 9999 10000 to 14999 15000 to 19999 20000 to 29999 30000 to 39999 40000 to 49999 50000 to 59999 60000 to 69999 70000 to 79999 80000 to 89999 90000 and over	(Additional Fee) 1,000.00 2,000.00 4,000.00 8,000.00 16,000.00 24,000.00 32,000.00 40,000.00 48,000.00 56,000.00 64,000.00	(Additional Fee) 1,000.00 2,000.00 4,000.00 8,000.00 16,000.00 24,000.00 32,000.00 40,000.00 48,000.00 56,000.00 64,000.00	Prescribed

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CHARGING DIGEST - Public Protection

2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied £	2016/17 Proposed Charge £	Comments			
2000	5,020	5,465	<u>Personal Licences, Temporary Events and Other Fees</u>	Application for a grant or renewal of personal licence	37.00	37.00	Prescribed			
	8,833	9,616		Temporary event notice	21.00	21.00				
				Theft, loss etc of premises licence or summary	10.50	10.50				
				Application for a provisional statement where premises being built etc	315.00	315.00				
				Notification of change of name or address	10.50	10.50				
				Application to vary licence to specify individual as premises supervisor	23.00	23.00				
				Application to transfer premises licence	23.00	23.00				
				Interim authority notice following death etc of licence holder	23.00	23.00				
				Theft, loss etc of certificate or summary	10.50	10.50				
				Notification of change of name or alteration of rules of club	10.50	10.50				
				Change of relevant registered address of club	10.50	10.50				
				Theft, loss etc of temporary event notice	10.50	10.50				
				Theft, loss etc of personal licence	10.50	10.50				
				Duty to notify change of name or address	10.50	10.50				
				Right of freeholder etc to be notified of licensing matters	21.00	21.00				
	1,615	1,758		1,769	<u>Tattooing, Skin Piercing and Colouring</u>					2016/17 charges due to go through the political cycle for approval
					Registration fee	140.00		140.00		
			Personal registration fee	55.00	55.00					

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CHARGING DIGEST - Public Protection

2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied £	2016/17 Proposed Charge £	Comments
			<u>Sex Establishments</u>	Sex establishment new	5,000.00	975.00	
				Sex establishment renewal	3,500.00	750.00	
				Sex establishment transfer	800.00	180.00	
				Sex establishment replacement of licence	N/A	21.00	
			<u>Safety at Sports Grounds</u>	Safety certificate new and review	0.00	930.00	
			<u>Food Hygiene Rescore Request</u>	Food hygiene rating rescore request	150.00	150.00	2016/17 charges due to go through the political cycle for approval
			<u>Scrap Metal Dealers</u>	Site Licence - New	380.00	380.00	
3,530	3,843	3,866		Site Licence - Renewal	320.00	320.00	
				Site Licence - Variation	60.00	60.00	
				Collectors Licence - New	260.00	260.00	
				Collectors Licence - Renewal	260.00	260.00	
				Collectors Licence - Variation	60.00	60.00	
			<u>Street Trading</u>	Street trading in markets managed by the Council and where stallholders provide their own stalls			2016/17 charges due to go through the political cycle for approval
3,475	3,783	3,806		3m * 3m pitch	15.00	15.00	Daily rate
				6m * 3m pitch	30.00	30.00	Daily rate
				Street trading in markets managed by the County Council and where stalls are provided by the council in Licensed Streets	46.00	46.00	Daily rate
				Street trading in specialist or themed markets operated or managed privately in Licensed Streets	25.00	25.00	Daily rate

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CHARGING DIGEST - Public Protection

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2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied £	2016/17 Proposed Charge £	Comments
				Street trading in lay-by's in Licensed Streets. Town centre zones - No advance payment available	25.00	25.00	Daily rate
				Street trading in lay-bys in Licensed Streets - Rural zones 3 month advance payments available - 3m * 3m pitch	15.00	15.00	Daily rate
				Street trading in lay-bys in Licensed Streets - Rural zones 3 month advance payments available - 6m * 6m pitch	30.00	30.00	Daily rate
				Street trading in lay-bys in Licensed Streets - Rural zones annual advanced payment - 3m * 3m pitch	1000.00	1000.00	
				Street trading in lay-bys in Licensed Streets - Rural zones annual advanced payment - 6m * 6m pitch	2000.00	2000.00	
2,591	12,168	12,241	<u>Special Weighing and Measuring Equipment</u>	Per hour	72.50	72.50	The chgs for examining, testing, certifying, stamping, authorising or reporting on special weighing or measuring equipment at the place where service is provided. These fee structures were published for the UK in February 2015.
<p>Note: Exemptions:</p> <ul style="list-style-type: none"> 1 - Automatic or totalising weighing machines 2 - Equip designed to weigh loads in motion 3 - Bulk fuel measuring equip tested following a Regulation 65 or 66 occurrence 4 - Weighing or measuring equip tested by means of statistical sampling 5 - The establishment of calibration curves from templates 6 - Templates graduated in millilitres 7 - Testing or other services in pursuance of a Community obligation other than EC initial or partial verification 							

APPENDIX C

CHARGING DIGEST - Public Protection

2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied £	2016/17 Proposed Charge £	Comments		
Page 65			<u>Weights</u>	Weights exceeding 5kg or not exceeding 500mg, 2cm	8.25	8.25			
				Other weights	6.50	6.50			
			<u>Measures</u>	Linear Measures not exceeding 3m for each scale	10.00	10.00			
				Capacity measures, without divisions not exceeding 1 litre	7.75	7.75			
				Cubic ballast measures (other than brim measures)	160.00	160.00			
				Liquid capacity measures for making up and checking average quantity packages	26.00	26.00			
				Templates - per scale - first item	45.00	45.00			
				Templates - second and subsequent	17.50	17.50			
			<u>Weighing Instruments</u>	Non-EC (NAWI)					
				Not exceeding 1 tonne	60.00	60.00			
	Exceeding 1 tonne to 10 tonne	100.00	100.00						
	Exceeding 10 tonnes	210.00	210.00						
	EC (NAWI)								
	Not exceeding 1 tonne	100.00	100.00						
	Exceeding 1 tonne to 10 tonne	160.00	160.00						
	Exceeding 10 tonnes	330.00	330.00						
<p>Note: When testing instruments incorporating remote display or printing facilities, & where completion of test requires a second person or a second series of tests by the same person, an additional fee may be based on the basic fee given above plus a 50% surcharge.</p> <p>Note: When supplying specialist equipment (incl but not limited to weighbridge test unit, van & test weights etc) an additional fee may be charged hourly daily or per appointment, according to circumstance</p>									
			<u>Measuring Instruments for Intoxicating Liquor</u>						
				Not exceeding 150ml	20.00	20.00			
				Other	22.50	22.50			

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CHARGING DIGEST - Public Protection

2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied £	2016/17 Proposed Charge £	Comments			
Page 60			<u>Measuring Instruments for Liquid Fuel & Lubricants</u>	Container Type	67.50	67.50	These fee structures were published for the UK in Feb 2015			
				Single/multi outlets 1st nozzle tested per site	115.00	115.00				
				Single/multi outlets - Each additional nozzle tested	70.00	70.00				
				Testing of peripheral electronic equipment on a separate visit per site	75.00	75.00				
						<u>Road Tanker Fuel Measuring Equipment (above 100litres)</u>	Testing of credit card acceptor	75.00	75.00	For any compartment over 7600 litres, basic fee plus additional costs @ rate of £72.5 /hr
							Meter measuring systems			
							Wet hose with two testing liquids	240.00	240.00	
							Wet hose with three testing liquids	265.00	265.00	
							Dry hose with two testing liquids	255.00	255.00	
							Dry hose with three testing liquids	295.00	295.00	
Wet/Dry hose with two testing liquids	355.00	355.00								
Wet/Dry hose with three testing liquids	395.00	395.00								
Dipstick measuring system - up to 7600 litres for calibration of each compartment and production chart	165.00	165.00								
Initial Dipstick	20.00	20.00								
Spare Dipstick	20.00	20.00								
Replacement Dipstick (incl examination of compartment)	45.00	45.00								
			<u>Certificate of Errors</u>		40.00	40.00	These fee structures were published for the UK in Feb 2015			
400	426	428	<u>Poisons Act</u>	Initial Registration	35.00	35.00				
				Re-registration	20.00	20.00				
				Change in details of registration	13.00	13.00				

APPENDIX C

CHARGING DIGEST - Public Protection

2014/15 Actual £	2015/16 Budget £	2016/17 Budget £	Business Unit	Service Provided	2015/16 Charge Levied £	2016/17 Proposed Charge £	Comments
5,150	5,480	5,513	<u>Petroleum</u>	Annual licence for quantities Transfer or variation of licence Not exceeding 2500 ltrs Exceeding 2500 ltrs but not exceeding 50000ltrs Exceeding 50000 ltrs	8.00 42.00 58.00 120.00	8.00 42.00 58.00 120.00	
2,895	3,080	3,099	<u>Explosives</u>	Annual Registration for new licence All year explosives licence Annual licence for storage Renewal of registration Renewal of licence Transfer or variation of licence	105.00 500.00 178.00 52.00 83.00 35.00	105.00 500.00 178.00 52.00 83.00 35.00	
			<u>Builders Registration Scheme</u>	Annual Registration fee	80.00	80.00	

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CHARGING DIGEST - Chief Executives

2014/15 Actual £'000	2015/16 Budget £'000	2016/17 Budget £'000	Business Unit	Service Provided	2015/16 Charge Levied £	2016/17 Proposed Charge £	Comments
			Community Safety	Copy of CCTV evidence to solicitors	10.00	10.00	

**ENVIRONMENTAL & PUBLIC PROTECTION
SCRUTINY COMMITTEE
11th DECEMBER 2015**

**Review of locally set fees in the Environmental
Health and Licensing Section**

To consider and comment on the following issues:

- 1) To advertise the proposed hackney carriage and private hire fees in Appendix 1 for a period of 28 days as required by the Local Government (Miscellaneous Provisions) Act 1976 for persons to submit objections. Where there are no objections, the fees shall be implemented immediately following this period of advertisement. Where objections are received, the fees concerned and objections shall be brought back to Council for further consideration and determination.
- 2) To advertise the remainder of the fees in Appendix 1 for a period of 28 days. The reviewed fees to be implemented immediately following this period of advertisement.

Reasons:

- To receive stakeholders views on the proposed fees.
- To ensure transparency and good practice in fee setting.
- To formulate views for submission to the Executive Board / Council for consideration.

To be referred to Executive Board / Council for decision: YES

**Executive Board – 4th January 2016
County Council – 10th February 2016**

Executive Board Member Portfolio Holder:
Cllr. Jim Jones (Environmental & Public Protection)

<p>Directorate: Communities</p> <p>Name of Head of Service: Robin Staines</p> <p>Report Author: Sue Watts</p>	<p>Designations:</p> <p>Head of Housing & Public Protection</p> <p>Environmental Health & Licensing Manager</p>	<p>Tel Nos. / E-Mail Addresses:</p> <p>01267 228960 rstaines@carmarthenshire.gov.uk</p> <p>01267 228929 sewatts@carmarthenshire.gov.uk</p>
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EXECUTIVE SUMMARY

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE 11th DECEMBER 2015

Review of locally set fees in the Environmental Health and Licensing Section

Background

The common principles of setting locally set fees has been recently scrutinised in a high court case (Hemmings v Westminster). The outcome of the case has clarified the type of costs that councils can recover through locally set licence fees. This includes the administration, issuing and, where applicable, enforcement of licences. Fee setting must be transparent, must not exceed the cost of the procedure and be open to scrutiny.

As a result of this clarity of costs that may be included in fee setting, 'tool kits' have been devised by the Welsh Licensing Expert Panel which allows for a consistency of approach for Local Authorities when deciding their charges. They allow for Authorities to ensure that all relevant costs are considered during the calculation.

Appendix 1 sets out the proposed fee structure for Environmental Health and Licensing fees.

The proposed charges are the result of a recent review of fees. Previously, only minimal index linked increases have been adopted. During the review, it was identified that;

- Some fees will remain unchanged;
- Some fees will be increased;
- Some fees will decrease and
- Fees will now be set where they were not in place previously.

The following gives some background to the findings of the review:

Hackney Carriage and Private Hire Licensing – The section currently licence drivers, operators and vehicles annually. However, from 1st October 2015, the Deregulation Act 2015 legislation provides for licences to be issued every 3 years rather than annually for drivers and every 5 years for operators. There is also a provision in the legislation that annual licences can be issued in 'exceptional circumstances'. As a result, the review has calculated fees for annual and 3/5 year licences. The Trade have been notified that the section is allowing the applicant to choose whether an annual or 3/5 year licence is more suitable for them.

Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 requires Local Authorities to publicise proposed fees for vehicle and operator licences in a local newspaper giving 28 days for persons to submit objections. Where there are no objections, the advertised fees would take immediate effect. However, where there are objections to the proposed fees for either vehicle or operator licences, the objection to the proposed fee will be brought back to Council for consideration. The remaining fees will take effect at the end of the 28 day period. Currently, we have issued 576 Dual Drivers Licences, 355 Hackney Carriage Licences, 97 Private Hire Vehicle Licences and 36 Private Hire Operators Licences.

Sex establishments – There has been a significant reduction in these fees. The relevant fees toolkit has been utilised to calculate the proposed fees. Members are minded that the case law referred to above was in regard to excessive fees for sex establishments and many other authorities have been challenged as a result. Currently, there are no establishments in the County that require this type of licence.

Private Water supplies – The current fees are the suggested maximum charges set by Welsh Government. During the first 5 years of implementation, Welsh Government paid the charges for the risk assessments. From this year, the Welsh Government are no longer contributing towards these fees. The relevant fees toolkit has been utilised to calculate the proposed fees which has resulted in some fees (for example the risk assessment) to be reduced. In light of the fact that Welsh Government made a contribution towards the risk assessments to date, there should be no challenge from previous charges.

Tattooing and skin piercing – This is an initial, on-off registration/licensing fee. The relevant fees toolkit has been utilised to calculate the proposed fees. The Public Health Bill will be establishing a more robust enforcement process for tattooing and skin treatments as this is a very progressive industry. There may be prescribed fees with the introduction of said legislation, however, the proposed fees attached are reflective of current cost recovery. Currently, we have 85 licensed premises and 144 persons registered in the County.

Safety at Sports Grounds – The legislations states that Local Authorities may charge for administrating a sports ground safety certificate. We have not charged for this service to date, however, the relevant fees toolkit has been utilised to calculate the proposed fee. There are currently 3 sports grounds that have a safety certificate.

Food Hygiene rescore – The relevant fees toolkit has been utilised to calculate the proposed fee and it is found that the charge reflects the officer's time to carry out the visit. It must be highlighted that officers will carry out revisits (at no charge) should there be a concern regarding food hygiene and will endeavour to work with businesses to ensure that the businesses attain a minimum rating of 3. This charge is for a service that is available should the businesses require an official inspection to change the rating score for the public.

Carmarthenshire currently has 1482 premises with a Mandatory food hygiene score. In Carmarthenshire, the ratings reflect this improvement with 64% of food businesses having a rating of 5 and 97% having a rating of 3, 4 or 5.

There are 37 premises scoring 1 or 2, all of whom have been subject to multiple visits by enforcement officers and enforcement action where appropriate in securing broadly compliant standards. Carmarthenshire currently has no businesses with a '0' rating. This year we have received 11 applications for rescore revisits.

Stray Dogs – The changes in the fees are reflective of the charges from the dog pound. Having spoken to neighbouring Authorities, the 'first day' charge is slightly higher than the proposed fee which is actually deterring owners from recovering their dogs.

Housing Act Notice fees – Currently the policy is to charge a flat fee rate of £400 for the service of statutory notices under the Housing Act 2004. The fee does not reflect the time taken by officers to take the necessary action, is sometimes disproportionate to the actual costs. A more appropriate way of charging for statutory notices would be to calculate the cost of the 'actual time taken' by the officers to take the enforcement action as well as including any other additional costs such as mileage, specialist reports, re-housing. This has been calculated for Housing and Public Protection officers.

The average hourly rate for both Housing and Public Protection officers has been calculated at £75 per hour. We propose, that when serving statutory notices under the Housing Act 2004, to charge an hourly rate of £75 per hour.

Mobile Home Site licensing – This legislation was introduced in October 2014 with 12 months lead in period. Officers are currently liaising with the site owners (11 in the county) to ensure that the site management fulfils criteria required by legislation. The relevant fees toolkit has been utilised to calculate the proposed fee and it is found that the charge reflects the officer's time to carry out the visit. We have received 6 applications to date.

Selective and House in Multiple Occupation (HMO) – Selective licensing is a discretionary scheme for Local Authorities to adopt to target private rented properties in low demand or where there is significant problems relating to anti social behaviour. Carmarthenshire in March 2014 declared the Tyisha ward as a selective licensing area. There are approximately 400 private rented properties (25% of the overall housing stock in the ward). We currently have 175 selective licenses.

The Authority is aware that there are approximately 500 HMOs within the County. The Authority has a mandatory duty to license the higher risk HMOs. These would include, for example, bedsits and shared accommodation where there are over 5 or more people over 3 or more stories of which there are 35 all of which are licensed. The relevant fees toolkit has been utilised to calculate the proposed fee and it is found that the charge reflects the officer's time to carry out the visit.

Grant Agency fees – The fees are reflective of the cost to the local authority in administering such services and there is no need to vary them at this stage. They will be reviewed at regular intervals throughout the lifetime of the schemes.

Empty Properties / Houses into Homes – The fee structure has been set by the Welsh Government, as Houses into Homes is a National scheme. The wording specific to the Land Registry charges has been altered, for the purposes of clarity, as the maximum loan available to an individual Applicant is £150,000.

DETAILED REPORT ATTACHED?

NO but Appendix 1 attached

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report.

Signed: **Robin Staines** **Head of Housing & Public Protection**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: **Robin Staines** **Head of Housing & Public Protection**

- 1. Local Member(s)** – Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 requires Local Authorities to publicise proposed fees in a local newspaper giving 28 days for persons to submit objections.
- 2. Community / Town Council** – Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 requires Local Authorities to publicise proposed fees in a local newspaper giving 28 days for persons to submit objections.
- 3. Relevant Partners** – N/A
- 4. Staff Side Representatives and other Organisations** – N/A

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

THERE ARE NONE

Title of Document	File Ref No. / Locations that the papers are available for public inspection

Appendix 1

Environmental Health and Licensing proposed locally set fees 2016 – 2017.

1.1 HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING

Vehicles

	Current fee	Proposed fee
Hackney Carriage Vehicle Renewal (inclusive of initial test, one retest and licence plate without MOT)	£121.45	£130.00
Private Hire Vehicle Renewal (inclusive of initial test, one retest and licence plate without MOT)	£121.45	£135.00
Hackney Carriage Vehicles Renewal (inclusive of initial test, one retest and licence plate and MOT)	£133.75	£142.00
Private Hire Vehicles Renewal (inclusive of initial test, one retest and licence plate and MOT)	£133.75	£147.00
Hackney Carriage New Application (inclusive of initial test, one retest and licence plate, door stickers and roof sign without MOT)	£141.45	£146.00
Hackney Carriage New Application (inclusive of initial test, one retest and licence plate, door stickers and roof sign with MOT)	£153.75	£158.00
Private Hire Vehicles New Application (inclusive of initial test, one retest and licence plate, door stickers without MOT)	£138.35	£148.00
Private Hire Vehicles New Application (inclusive of initial test, one retest and licence plate, door stickers and MOT)	£150.65	£160.00
Retest If vehicle retest fails, each subsequent retest	£25.65	£ 26.00
Replacement Plate	£8.85	£ 10.00
Replacement Door Sticker	£8.85	£ 9.00
Meter test	£13.20	£ 14.00
Replacement roof sign sticker	£1.55	£ 2.00
Replacement drivers badge	£5.50	£ 7.00
Replacement licence	£10.50	£ 11.00
Vehicle Transfer	£23.05	£ 24.00

Operators

Private Hire Operators Licence New application (1yr)	£133.25	£145.00
Private Hire Operators Licence New application (5yr)	N/A	£639.00

Private Hire Operators Licence Renewal (1yr)	£133.25	£ 138.00
Private Hire Operators Licence Renewal (5yr)	N/A	£ 631.00

Drivers

Dual Driver Licence Renewal (1 yr)	£33.00	£ 38.00
Dual Driver Licence Renewal (3 yr)	N/A	£ 101.00
Dual Driver Licence New application (1 yr)	£33.00	£ 75.00
Dual Driver Licence New application (3 yr)	N/A	£ 137.00
Disclosure Barring Service	£44.00	£ 44.00
Knowledge test (per test)	N/A	£ 19.00

Boat man licence	£ 60.00	£ 60.00
Pleasure craft	£500.00	£ 120.00

1.2 STREET TRADING

Street trading in markets managed by the Council and where stallholders provide their own stalls	3m x 3m pitch	£15.00 / day	£15.00 / day
	6m x 3m pitch	£30.00 / day	£30.00 / day
Street trading in markets managed by the County Council and where stalls are provided by the Council in Licensed Streets		£46.00 / day	£46.00 / day
Street trading in specialist or themed markets operated or managed privately in Licensed Streets		£25.00 / day	£25.00 / day
Street trading in laybyes in Licensed Streets No advance payments available	Town Centre Zones	£25.00/day	£25.00/day
Street trading in laybyes in Licensed Streets 3 month advance payments available	Rural 3mx3m Rural 6mx6m	£15.00/day £30.00/day	£15.00/day £30.00/day
Street trading in laybyes in Licensed Streets Annual advance payment	Rural 3mx3m Rural 6mx6m	£1,000 £2,000	£1,000.00 £2,000.00

1.3 SEX ESTABLISHMENTS

	Current fee	Proposed fee
Sex establishment new	£5000	£975.00
Sex establishment renewal	£3500	£750.00
Sex establishment transfer	£800	£180.00
Sex establishment replacement of licence	N/A	£ 21.00

1.4 PRIVATE WATER SUPPLIES

	Current fees	Proposed fee
Risk assessment (each assessment)	£500.00	£120.00
Sampling (each visit)	£100.00	£100.00*
Investigation (each supply)	£100.00	£100.00
Granting an authorisation for temporary exemption from certain limits on impurities	£100.00	£100.00
Analysing a sample taken under Regulation 10 for single domestic supplies	£ 25.00	£ 25.00
Analysing a sample taken during check monitoring of large and small supplies	£100.00	Up to £100.00
Analysing a sample taken during audit monitoring of large and small supplies	£500.00	Up to £500.00

* plus analysis costs

1.5 TATTOOING, SKIN PIERCING AND COLOURING

	Current fee	Proposed fee
Premises Registration Fee	£140.00	£140.00
Personal Registration Fee	£ 55.00	£ 55.00

1.6 SAFETY AT SPORTS GROUNDS

	Current fee	Proposed fee
Safety certificate new and review	£00.00	£930.00

1.7 FOOD HYGIENE RESCORE REQUEST

	Current fee	Proposed fee
Food hygiene rating rescore request	£150.00	£150.00

1.8 STRAY DOGS

	Current fee	Proposed fee
For the first day or part day	£ 60.00	£ 80.00
Additional £ per day thereafter	£15.00	£15.00

1.9 SCRAP METAL DEALERS

	Current fee	Proposed fee
Site Licence – New	£380.00	£380.00
Site Licence – Renewal	£320.00	£320.00
Site Licence – Variation	£ 60.00	£ 60.00
Collectors Licence – New	£260.00	£260.00
Collectors Licence – Renewal	£260.00	£260.00
Collectors Licence – Variation	£ 60.00	£ 60.00

1.10 HOUSING ACT 2004 NOTICE FEES

	Current fee	Proposed fee
Enforcement fee	£400.00	Hourly fee of £75

1.11 MOBILE HOME SITE LICENSING: 5 YEAR LICENSING PERIOD

Cost break down	Set Up Cost(£)	Administration Cost of Licence(£)	Cost per pitch (£)	Total(£)
Property Type				
Initial Licence (Year 1)	300.29	80.09	9.73	Calculated
Re- licence (Year 5)	-	80.09	9.73	Calculated

Example

A site that has 50 pitches will have to pay:
300.29 + 80.09 + (9.73 x 50) = £866.88 for the initial licence
and
80.09 + (9.73 x 50) = £566.59 for a re- licence.

1.12 HOUSE IN MULTIPLE OCCUPATION/SELECTIVE LICENSING SCHEME FEES

<u>Cost Break Down</u> <u>Property Type</u>	<u>Set Up Cost(£)</u>	<u>Administration Cost of Licence(£)</u>	<u>Compliance Checks (£)</u>	<u>Other Costs(£)</u>	<u>Total(£)</u>
Single Let	75.26	145.53	50.47		240
2 Flats	75.26	145.53	62.64	76.57	360
3 Flats	75.26	145.53	166.97	92.24	480
4 Flats	75.26	145.53	246.96	132.25	600
5 Flats	75.26	145.53	344.30	154.91	720
6+ Flats	75.26	145.53	441.46	177.56	840
3 Person (Shared)	75.26	145.53	86.98	72.23	380
4-6 Persons (Shared)	75.26	145.53	198.29	100.92	520
7-10 Persons (Shared)	75.26	145.53	295.63	143.58	660
11+ Persons (Shared)	75.26	145.53	392.97	186.23	800

1.13 GRANT AGENCY FEES

Where we administer and act as agents for grants/ home improvement loans we charge 10% of the overall value of the scheme.

1.14 EMPTY PROPERTIES/ HOUSES INTO HOMES

<u>Value of Property For Security</u>	<u>Proposed wording change; Loan Value</u>	<u>Land Registry Charge Per Title For Security Of Loan</u>	<u>Administration Fee</u>	
If over £ 150,000	If £150,000	£ 70.00	Loan Amount Fee	Admin
If under £150,000	If £149,999 or under	£ 50.00	£0-£50,000	
			£295.00	
			£50,001 - £100,000	£395.00
			£100,001-£150,000	£495.00

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ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE 11th DECEMBER 2015

Review of Gambling Policy

To consider and comment on the following issues:

- That the Committee considers and comments on the revised Gambling Policy document and the summary of the consultation responses attached.
- The Committee is requested to recommend to Executive Board that the amended Gambling Policy be approved.

Reasons:

- The attached revised Gambling Policy document reflects the results of the consultation and review process and complies with relevant legislation and guidance.
- To formulate views for submission to the Executive Board / Council for consideration.

To be referred to Executive Board / Council for decision: YES

Executive Board – 4th January 2016
County Council – 10th February 2016

Executive Board Member Portfolio Holder:
Cllr. Jim Jones (Environmental & Public Protection)

<p>Directorate: Communities</p> <p>Name of Head of Service: Robin Staines</p> <p>Report Author: Emyr Jones</p>	<p>Designations:</p> <p>Head of Housing & Public Protection</p> <p>Principal Licensing Officer</p>	<p>Tel Nos. / E-Mail Addresses:</p> <p>01267 228960 rstaines@carmarthenshire.gov.uk</p> <p>01267 228717 eorjones@carmarthenshire.gov.uk</p>
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EXECUTIVE SUMMARY

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE 11th DECEMBER 2015

Review of Gambling Policy

The current Gambling Policy was adopted by the Authority in December 2012 and came into effect on the 31st of January 2013. The legislation requires it to be reviewed at least every three years to ensure that it reflects feedback from the local community that the statutory objectives are being met.

The Authority's Licensing Section in conjunction with the Council's Legal Services Division has reviewed the policy document in light of revisions to Gambling Commission guidance. The Authority has liaised closely with the Gambling Commission to ensure that the revised document embraces the changes being introduced by the commission, which included hosting a collaboration meeting with representatives of the Gambling Commission, Pembrokeshire and Ceredigion licensing authorities.

The key changes to the legislation and guidance include:

- Revisions to Licence Conditions and codes of practice, including the introduction of premises specific risk assessments from April 2016.
- Developing a more local focus for gambling policies, including the option of developing a local area profile.

As part of the review, the Authority is required to undertake a consultation exercise aimed at the chief officer of Police, representatives of gambling businesses and persons representing the interests of residents and businesses in the area, in order for their views to be formally considered by the Authority.

The consultation began on the 7th of July and finished on the 13th of September 2015.

Approximately two thousand individuals and organisations, including licence holders and their representatives, town and community councils, members of parliament, assembly members, county councillors, council departments and responsible authorities received consultation documents. The responsible authorities include, The Licensing Authority, Dyfed-Powys Police, Mid and West Wales Fire and Rescue Service, Gambling Commission, Environmental Health (Pollution Section), Planning Authority, HMRC, Children Services.

On this occasion the survey was undertaken using the iLocal consultation facility on the Council's web site. This enabled the majority of consultees to be contacted via e-mail, thus reducing the cost whilst increasing the accessibility of the consultation.

A total of 44 responses were received.

The key issues raised as a result of the consultation exercise and review were:

- No areas of the county were identified as suffering with gambling related problems.
- There is evidence of a link between gambling and financial exploitation.

A revised gambling policy document, incorporating amendments to reflect the relevant consultation responses is attached.

DETAILED REPORT ATTACHED?	YES
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report.

Signed: **Robin Staines** Head of Housing & Public Protection

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	NONE	NONE	NONE	NONE	NONE

1. Policy, Crime & Disorder and Equalities

The proposed amendments to the Gambling Policy promote the prevention of crime and disorder. The Policy complies with the Authority's duty under section 17 of the Crime and Disorder Act.

An Equalities impact assessment has been undertaken and no negative impacts have been identified.

2. Legal

Legal Services is satisfied that the proposed amendments comply with the Gambling Act 2005 and the statutory guidance issued by the Gambling Commission.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: **Robin Staines** **Head of Housing & Public Protection**

- 1. Local Member(s)** – Local Members were consulted through correspondence.
- 2. Community / Town Council** – Town and Community Councils were consulted through correspondence.
- 3. Relevant Partners** – Relevant partners were consulted through correspondence and consultation meetings.
- 4. Staff Side Representatives and other Organisations** – N/A

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW:

Title of Document	File Ref No. / Locations that the papers are available for public inspection
Consultation Responses	Review of Gambling Policy 2015 Housing & Public Protection Division 3, Spilman Street, Carmarthen
Gambling Commission Guidance	Review of Gambling Policy 2015 Housing & Public Protection Division 3, Spilman Street, Carmarthen

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Gambling Policy Gambling Act 2005

STATEMENT OF GAMBLING POLICY

Gambling Act 2005

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PART A

Statement of Gambling Policy

1. The Licensing Objectives

1.1 In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;**
- **Ensuring that gambling is conducted in a fair and open way;**
- **Protecting children and other vulnerable persons from being harmed or exploited by gambling.**

1.2 It should be noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

1.3 This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:

- **in accordance with any relevant code of practice issued by the Gambling Commission;**
- **in accordance with any relevant guidance issued by the Gambling Commission;**
- **reasonably consistent with the licensing objectives and**
- **in accordance with the authority's statement of Gambling policy.**

2. Introduction

2.1 Carmarthenshire is the third largest county in Wales in geographic terms, with a population in 2013 of 184 681. As a primarily rural area, Carmarthenshire has a strong agricultural base with a 'necklace' of key market towns providing for the needs of communities in those rural areas. South East Carmarthenshire is the most densely populated part of the county, and is characterised by close knit former industrial communities. A plan of the county showing individual wards is attached as Appendix C.

2.2 Currently there are 26 Gambling Premises in the County, consisting of 15 Betting Premises, 3 Bingo Premises, 4 Adult Gaming Centres, 3 Family Entertainment Centre and 1 Track Betting Licence.

2.3 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles, which they proposed to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed periodically and any amended parts re-consulted upon. The statement must be then re-published. This document is Carmarthenshire County Council's statement of principles in accordance with the Act.

2.4 This policy has been formulated as a result of a consultation exercise involving (but not limited to):-

- a) The Police
- b) Gambling Commission

- c) Other Responsible Authorities
- d) Licence Holders and their representatives
- e) Permit Holders and their representatives
- f) Local Gambling businesses and their representatives
- g) Local residents and their representatives

Due consideration has been given to all those who have responded.

- 2.5 It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.
- 2.6 It is noted that applicants for premises licences need to obtain operating licences from the gambling commission and have responsibilities to the Commission as a result.

3. Declaration

- 3.1 In producing this policy document, Carmarthenshire County Council declares that it has had regard to the licensing objectives of the Gambling Act 2005 and the guidance issued by the Gambling Commission.

3.2 Glossary of Terms

Within this Statement of Policy, the following words and terms are defined as stated:

Licensing Objectives:	As defined in section 1.1 above
Council:	Carmarthenshire County Council (hereinafter referred to as “the Council”)
County	The area of Carmarthenshire administered by Carmarthenshire County Council referred to in the map attached (see Appendix C)
Licences:	As defined in section 1.4 below
Applications:	Applications for licences and permits as defined in section 1.4 below
Licensing Authority	A Licensing Authority within the meaning of Section 2 of the Gambling Act 2005 (hereinafter referred to as “the Authority”)
Notifications:	Means notification of Temporary and Occasional Use Notices
Act:	The Gambling Act 2005
Regulations:	Regulations made under the Gambling Act 2005
Premises:	Any place
Code of Practice:	Means any relevant code of practice under section 24 of the Gambling Act 2005

Condition: attached to a licence
Default Condition: Means a specified condition provided by regulations to be attached to a licence, unless excluded by Carmarthenshire County Council

4. Responsible Authorities

The following are responsible authorities in relation to premises licences under the Act :-

1. The Licensing Authority in whose area the premises are wholly or partly situated ("Carmarthenshire County Council");
2. The Gambling Commission;
3. Chief Constable of Heddlu Dyfed-Powys Police;
4. Mid and West Wales Fire and Rescue Service
5. Head of Planning, Carmarthenshire County Council
6. Public Health Services Manager, Public Protection Carmarthenshire County Council.
7. Department for Education and Children, Carmarthenshire County Council.
8. HM Revenue and Customs.
9. In relation to a vessel, a navigation authority, Environment Agency, British Waterways Board and Secretary of State
10. Any other person prescribed in regulations by the Secretary of State

4.1 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm.

4.2 The principles are:

- a) the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- b) the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

4.3 For these reasons, this authority designates the Department for Education and Children , Carmarthenshire County Council for this purpose.

4.4 The contact details of all the Responsible Authorities under the Gambling Act 2005 are contained in Appendix B of this Policy document and are also available via the Council's website at: www.carmarthenshire.gov.uk

5. Interested parties

5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

“For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person:

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)”.

5.2 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision-making. It will consider the examples of considerations provided in the Gambling Commission’s Guidance for local authorities at 8.11 and 8.18. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.
- Interested parties can be persons who are democratically elected such as councillors and MP’s. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, community councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate/relative) ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the **Licensing Section, Department for Communities, 3 Spilman Street, Carmarthen, SA31 1LE.**

5.3 Any community or County Councillors who are approached to represent interested persons should ensure that they comply with the Code of Conduct and seek dispensation from the Standards Committee if appropriate.

6. Exchange of Information

6.1 Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission,

and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 of the Act.

- 6.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 6.3 Should any protocols be established as regards information exchange with other bodies then they will be made available.

7. Enforcement

- 7.1 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 7.2 This licensing authority's principles are that it will be guided by the Gambling Commission's Guidance for local authorities, and will endeavour to be:
- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
 - Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
 - Consistent: rules and standards must be joined up and implemented fairly;
 - Transparent: regulators should be open, and keep regulations simple and user friendly; and
 - Targeted: regulation should be focused on the problem, and minimise side effects.
- 7.3 As per the Gambling Commission's Guidance for local authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 7.4 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions, which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission
- 7.5 This licensing authority will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.
- 7.6 Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements will be available upon request to the Licensing Section, 3 Spilman Street, Carmarthen, Carmarthenshire, SA31 1LE. Our risk methodology will also be available upon request.

8. Licensing Authority functions

8.1 Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences; for Bingo premises, Betting premises, Tracks, Adult Gaming Centres and Family Entertainment Centres.
- Issue Provisional Statements;
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits;
- Issue Club Machine Permits to Commercial Clubs
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres;
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines;
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines;
- Register small society lotteries below prescribed thresholds;
- Issue Prize Gaming Permits;
- Receive and Endorse Temporary Use Notices;
- Receive Occasional Use Notices;
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange');
- Maintain registers of the permits and licences that are issued under these functions.

8.2 It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences.

PART B PREMISES LICENCES – CONSIDERATION OF APPLICATIONS

9. General Principles

9.1 Premises licences will be subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

9.2 All applicants for Premises Licences will be required to set out how they will have regard to the licensing objectives, as specified in section 1.1 above, and what measures they intend to employ to ensure compliance with them.

9.3 Decision-making

This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission ;
- reasonably consistent with the licensing objectives; and

- in accordance with the authority's statement of licensing policy.

9.4 It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" and also that unmet demand is not a criterion for a licensing authority.

This licensing authority also notes Gambling Commission guidance on ensuring that betting is the primary activity of a licensed premises. Gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available. Operators will need to demonstrate that betting will continue to be the primary activity of the premises when seeking variations to licenses.

In making this determination, this licensing authority will have regard to the six indicators of betting as a primary gambling activity.

- The offer of established core products (including live event pictures and bet range)
- The provision of information of products and events
- The promotion of gambling opportunities and products
- The actual use made of betting facilities
- The size of premises
- The delivery of betting facilities

9.5 **Definition of "premises"** – In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, we will pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

9.6 The Gambling Commission states in the fourth edition of its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises."

9.7 This licensing authority takes particular note of the Gambling Commission's Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.

- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

9.8 The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates?
- Is the premises’ neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

9.9 **The Gambling Commission’s relevant access provisions for each premises type are reproduced below:**

7.26:

Casinos

- The principal access entrance to the premises must be from a street (as defined at 7.24 of the Guidance)
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street (as per para 7.23 Guidance to Licensing Authorities) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

Tracks

- No customer should be able to access the premises directly from:
 - a casino
 - an adult gaming centre

Bingo Premises

- No customer must be able to access the premise directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Family Entertainment Centre

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

9.10 **Premises "ready for gambling"**

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

9.11 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

9.12 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

9.13 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

9.14 More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.60-7.67 of the Guidance.

9.15 **Location** - This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. This does not preclude any applications being made and each application will be decided on its merits.

9.16

When determining an application to grant a Premises Licence or review a Premises Licence, regard will be taken regarding the proximity of the premises to schools, vulnerable adult centres or residential areas where there is an evidential link between the proximity of such premises and the gambling premises. The proximity of premises taken into consideration will vary depending on the size and scope of the gambling premises concerned. Each case will, however, be decided on its merits and will depend to a large extent on the type of gambling that it is proposed will be offered on the premises. Therefore, if an Applicant can effectively demonstrate how they might overcome licensing objective concerns, this will be taken into account.

9.17 Duplication with other regulatory regimes

When determining an application, the Authority shall not take into account matters not relevant under the Act such as the likelihood of the applicant obtaining planning permission or building control approval.

An applicant can apply for a “provisional statement” if the building is not complete or if he does not yet have a right to occupy it. Such an application is, however, a separate and distinct process to the granting of planning permission or building control approval.

9.18 This licensing authority will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. This authority will not consider whether a premises is likely to be awarded planning permission or building regulations approval or comply with any existing permission or approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions, which are not able to be met by licensees due to planning restrictions, should such a situation arise.

9.19 When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

9.20 **Licensing objectives** - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission’s Guidance to local authorities and some comments are made below.

1. **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime –**

This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime.

The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective.

Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.

When preparing licence applications, applicants are advised to consider the following:-

1. The design and layout of the premises;
2. Location in so far as the location relates to the licensing objectives
3. The training given to staff in crime prevention measures appropriate to those premises;

4. Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
5. Where premises are subject to age restrictions, the procedures in place to conduct age verification checks;
6. The likelihood of any violence, public order or policing problem if the licence is granted.
7. In relation to the prevention of disorder, the Authority has the ability (under S169 of the Act) to impose licence conditions.
8. The staffs awareness of the Money Laundering Regulations and the provision of a clear procedure for reporting any suspicious activity to senior management

2. Ensuring that gambling is conducted in a fair and open way –

This licensing authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section below – page 14).

3. Protecting children and other vulnerable persons from being harmed or exploited by gambling –

This licensing authority has noted the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling. The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas within the same premises, staff training and design and layout of the premises.

This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

Children and vulnerable persons Children

The Gambling Act and guidance issued by the commission make detailed provision for the protection of children from gambling harm. Licence holders should familiarise themselves with these provisions.

Test Purchasing

The Authority supports the stance of the Gambling Commission in promoting operators to test the integrity of their age verification policies and procedures to prevent children from accessing gambling facilities. Each premises will be expected to inform their Primary Authority (where there are such agreements in place with specific operators) in writing of the approach they have adopted and share the results of such tests with the Authority annually with a view to working with the Authority to enhance robustness of procedures preventing children using gambling facilities.

Vulnerable Persons

As regards the term “vulnerable persons” it is noted that the Gambling Commission is not seeking to offer a definition but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” This licensing authority will consider this licensing objective on a case by case basis.

The Authority expects all gambling premises to make available information regarding the Financial Exploitation Safeguarding Scheme (FESS) .Given the evidence of a link between gambling and financial exploitation. Further information regarding the scheme can be obtained from the Licensing Section.

Conditions

9.21 - Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

9.22 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively.

9.23 This licensing authority will also consider specific measures, which may be required for buildings that are subject to multiple premises licences.

9.24 Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

9.25 This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- that all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- that only adults are admitted to the area where these machines are located;
- that access to the area where the machines are located is supervised;
- that the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- that at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

9.26 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

9.27 It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

9.28 **Door Supervisors** - The Gambling Commission advises in its Guidance to Licensing Authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence condition to this effect.

Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirement for different types of premises vary (as per the Guidance, Part 33).

9.29 However, where an applicant chooses not to engage SIA registered door supervisors this Licensing Authority will expect the applicant to describe in their application how they intend to: -

- a) Carry out Criminal Record checks (CRB) on each individual
- b) Provide details of their criminal convictions criteria
- c) Explain the proposed method of identifying these individuals when working in the capacity of door supervisors.
- d) Indicate the ratio of male and female operatives
- e) Provide details of the appropriate training for the role
- f) Provide a work register showing the duty time and date (same applies to SIA registered).

9.30 **Closed Circuit Television Systems** - This Licensing Authority recognises the value of CCTV systems in preventing crime and disorder. Applicants are advised to follow the guidance available from the Dyfed Powys Police regarding the standards and specifications of any proposed system to ensure that it is appropriate for the premises.

10. Adult Gaming Centres

10.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

10.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes;
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;

- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

11. (Licensed) Family Entertainment Centres:

11.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

11.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets/helpline numbers for organisations such as GamCare;
- Measures/training for staff on how to deal with suspected truant school children on the premises.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

11.3 This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

12. Casinos

12.1 There are currently no casinos operating within the county.

12.2 There is no resolution to prohibit casinos in the county at present. However the Council reserves the right to review this situation and may, at some time in the future, resolve not to permit casinos.

12.3 Should the Council choose to make such a resolution, this will be a resolution of Full Council following considered debate, and the reasons for making the resolution will be given. There is no right of appeal against this resolution.

13. Bingo premises

13.1 This licensing authority notes that the Gambling Commission's Guidance states:

18.4 Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

13.2 This authority also notes the Guidance at paragraph 18.8 regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate sixteen category B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.

13.3 Paragraph 18.7 further states that children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

14. Betting premises

14.1 **Betting machines** - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. This Licensing Authority expects applicants to demonstrate suitable measures to ensure children do not have access to such machines.

14.2 The Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the Authority a single named point of contact, who shall be a senior individual, and whom the Authority will contact first should any compliance queries or issues arise.

15. Tracks

15.1 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

- 15.2 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities.
- 15.3 It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
- 15.4 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:
- Proof of age schemes;
 - CCTV;
 - Supervision of entrances/machine areas;
 - Physical separation of areas;
 - Location of entry;
 - Notices/signage;
 - Specific opening hours;
 - Self-exclusion schemes
 - Provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 15.5 **Gaming machines** - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.
- 15.6 **Betting machines** - This licensing authority will, as per Part 6 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.
- 15.7 **Condition on rules being displayed** - The Gambling Commission has advised in its Guidance for local authorities that "...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office."
- 15.8 This Licensing Authority will expect applicants to demonstrate how they will comply with this guide as part of their application.
- 15.9 **Applications and plans**
The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. (See Guidance to Licensing Authorities, para 20.28).

15.10 **Plans** – Applicants will be expected to provide a plan of the premises in a scale of 1:100 unless the Authority has agreed in writing to the applicant to accept a plan in an alternative scale. The plan should show:

- The entire boundary of the premises, and all buildings and structures within the premises.
- The location of the points of access to and egress from the premises.
- The areas to be used for gambling activities whether permanent or temporary.
- Any areas where access by children is restricted/prohibited.
- Location of any warning or information notices.
- Location of any public conveniences.
- Location of any gambling areas at the premises covered by separate licences or permits.
- The plan may include a legend through which the above matters may be identified.

Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises (see Guidance to Licensing Authorities, para 20.31).

In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined (See Guidance to Licensing Authorities, para 20.32).

15.11 This Licensing Authority is of the view that, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

15.12 This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information so that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan. (See Guidance to Licensing Authorities, para 20.33).

16. Travelling Fairs

16.1 It will fall to this licensing authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

16.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

16.3 It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

17. Provisional Statements

17.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

17.2 S.204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

17.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

17.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

17.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

17.6 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

18. Reviews:

- 18.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below;
- in accordance with any relevant Code of Practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and
 - in accordance with the authority's statement of principles.
- 18.2 The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.
- 18.3 The licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.
- 18.4 Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.
- 18.5 The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.
- 18.6 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-
- (a) add, remove or amend a licence condition imposed by the licensing authority;
 - (b) exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
 - (c) suspend the premises licence for a period not exceeding three months; and
 - (d) revoke the premises licence.
- 18.7 In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.
- 18.8 In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 18.9 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:
- the licence holder
 - the applicant for review (if any)
 - the Commission
 - any person who made representations
 - the chief officer of police or chief constable; and
 - Her Majesty's Commissioners for Revenue and Customs

19. Risk Assessments

19.1 Such risk assessments are required from new applicants, and from existing premises licensees seeking to vary a licence. The Licence Conditions and Code of Practice issued by the Gambling Commission (The code) requires all operators of; Adult Gaming Centres (AGC's), Bingo Premises, Family Entertainment Centres (FEC's), Betting shops and remote betting intermediaries to assess local risks to the licensing objectives, and to have policies, procedures and control measures in place to mitigate those risks.

19.2 Operators are required by the code from 6th April 2016 to make the risk assessment available to licensing authorities when an application is submitted either for new premises licence or variation of a premises licence, or otherwise on request, and this will form part of the Authority's inspection regime and may be requested when officers are investigating complaints.

19.3 The code requires the Authority to set out matters they expect the operator to take account of in the risk assessment in its statement of policy and this Authority expects the following matters to be considered by operators when making their risk assessment.

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Gaming trends that may reflect benefit payments and paydays.
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Urban setting such as proximity to schools, commercial environment, factors affecting footfall,
- Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.

19.4 The Authority expects the following matters to be considered by Operators when making their risk assessment.

Matters relating to children and young persons, including;

- Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas etc.
- Any premises where children congregate including bus stops, cafés, shops, and any other place where children are attracted,
- Areas that are prone to issues of youths participating in anti social behaviour, including such activities as graffiti/tagging, underage drinking, etc.
- Recorded incidents of attempted underage gambling

19.5 Matters relating to vulnerable adults, including;

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.

- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, places of worship, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, etc.

19.6 This list is not exhaustive and other relevant factors not in this list that are identified must be taken into consideration.

PART C

Permits/Temporary & Occasional Use Notice

20. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits – Schedule 10 paragraph 7).

20.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238 of the act).

20.2 An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and the Chief Officer of Police has been consulted on the application. This Licensing Authority will expect applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
- that staff are trained to have a full understanding of the maximum stakes and prizes.

20.3 It should be noted that a licensing authority cannot attach conditions to this type of permit.

20.4 **Statement of Principles** - This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

20.5 The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures/training for staff as regards suspected truant school children on the premises, appropriate measures / vetting of staff/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises. This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

20.6 Applicants are advised to contact the relevant Responsible Authorities for further guidance.

21.(Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1)).

21.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority and pay the prescribed fee.

21.2 The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

21.3 **Permit: 3 or more machines** If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives under the 2005 Act, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “such matters as they think relevant”.

This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

21.4 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

21.5 It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

21.6 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

21.7 The Local Authority may consult the Police prior to determining any such applications.

22.Prize Gaming Permits - (Statement of Principles on Permits - Schedule 14 paragraph 8 (3)).

22.1 The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.

22.2 **Statement of Principles** - Applicants should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.
- Clear policies that outline the steps to be taken to protect children from harm.

22.3 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance (Gambling Act 2005, Schedule 14 paragraph 8(3)).

22.4 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

23. Club Gaming and Club Machines Permits

23.1 Members Clubs and Miners’ welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit . The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations.

Members Clubs and Miner’s welfare institutes – and also Commercial Clubs – may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

23.2 This licensing authority notes that the Gambling Commission’s Guidance states:

25.46 The LA has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit. In doing so it will take account a number of matters as outlined in sections 25.47-25.49 of the Gambling Commission’s Guidance. These include the constitution of the club, the frequency of gaming, and ensuring that there are more than 25 members.

The club must be conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.

23.3 The Commission Guidance also notes that "licensing authorities may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police".

23.4 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced". The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

23.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

24. Temporary Use Notices

24.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

24.2 The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

24.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

24.4 There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", the licensing authority will look at, amongst other things, the ownership/occupation and control of the premises.

24.5 This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

25. Occasional Use Notices

25.1 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice. This licensing authority will also ensure that no more than 8 OUNs are issued in one calendar year in respect of any venue.

26. Small Society Lotteries

26.1 This licensing authority will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- Submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- Submission of incomplete or incorrect returns
- Breaches of the limits for small society lotteries

26.2 Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- by or on behalf of, a charity or for charitable purposes
- to enable participation in, or support of, sporting, athletic or cultural activities.

Charities and community groups should contact this licensing authority on 01267 228717 for further advice.

DELEGATION OF FUNCTIONS

Matter to be dealt with	Full Council	Sub Committee	Officers
Final approval of three year Licensing policy	X		
Policy not to permit casinos	X		
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received and representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received and representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received and representations have been withdrawn
Application for a review of a premises / club licence		X	
Application for club gaming/ Club machine permits		Where objections have been made and not withdrawn	Where no objections made or where objections have been withdrawn
Cancellation of club gaming/ Club machine permits		X	
Applications for other permits		Where objections have been made and not withdrawn	Where no objections made or where objections have been withdrawn
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	
Fee setting (when appropriate)	Executive Member Board Decision Meeting		
Decision of whether a representation is irrelevant, frivolous or vexatious			X In consultation with Licensing Committee Chairperson

GAMBLING ACT 2005

GAMBLING POLICY

Appendix B

Contact Details

Licensing Authority

Licensing Section
Public Protection Division
Carmarthenshire County Council
3 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LE

Tel No. 01267 234567
e-mail : PublicProtection@Carmarthenshire.gov.uk
Fax No. 01267 229141

Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP

Tel No. 0121 230 6666
e-mail: info@gamblingcommission.gov.uk
Fax No. 0121 230 6720

HMRC
The National Registration Unit
Betting and Gaming
Portcullis House
21 India Street
Glasgow
G2 4PZ

Tel No. 03000 516023
e-mail nrubetting&gaming@hmrc.gsi.gov.uk
Fax No. 03000 516249

The Relevant planning Authority

Either ,

Head of Planning
Carmarthenshire County Council
8 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LQ

Tel No. 01267 224663 / 01267 224882 / 01267 224118
e-mail: Planning@Carmarthenshire.gov.uk
Fax No. 01267 237612

Or

Brecon Beacons National Park, for premises within its administrative area

Enforcement Officer
Brecon Beacons National Park Authority
Plas Y Ffynnon
Cambrian Way
Brecon
Powys
LD3 7HP

Tel No: 01874 620431
Email: planning.enquiries@breconbeacons.org
Fax: 01874 622524

Public Health Services Manager
Public Protection Division
Carmarthenshire County Council
3 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LE

Tel No. 01267 234567
e-mail: PublicProtection@Carmarthenshire.gov.uk
Fax No. 01267 221616

Licensing Officer
Dyfed Powys Police
C/O Police Station
Foundry Road
Ammanford
SA18 2LS

Tel No. 01269 590578
e-mail: Mike.Price@Dyfed-Powys.pnn.police.uk
Fax: 01269 591892

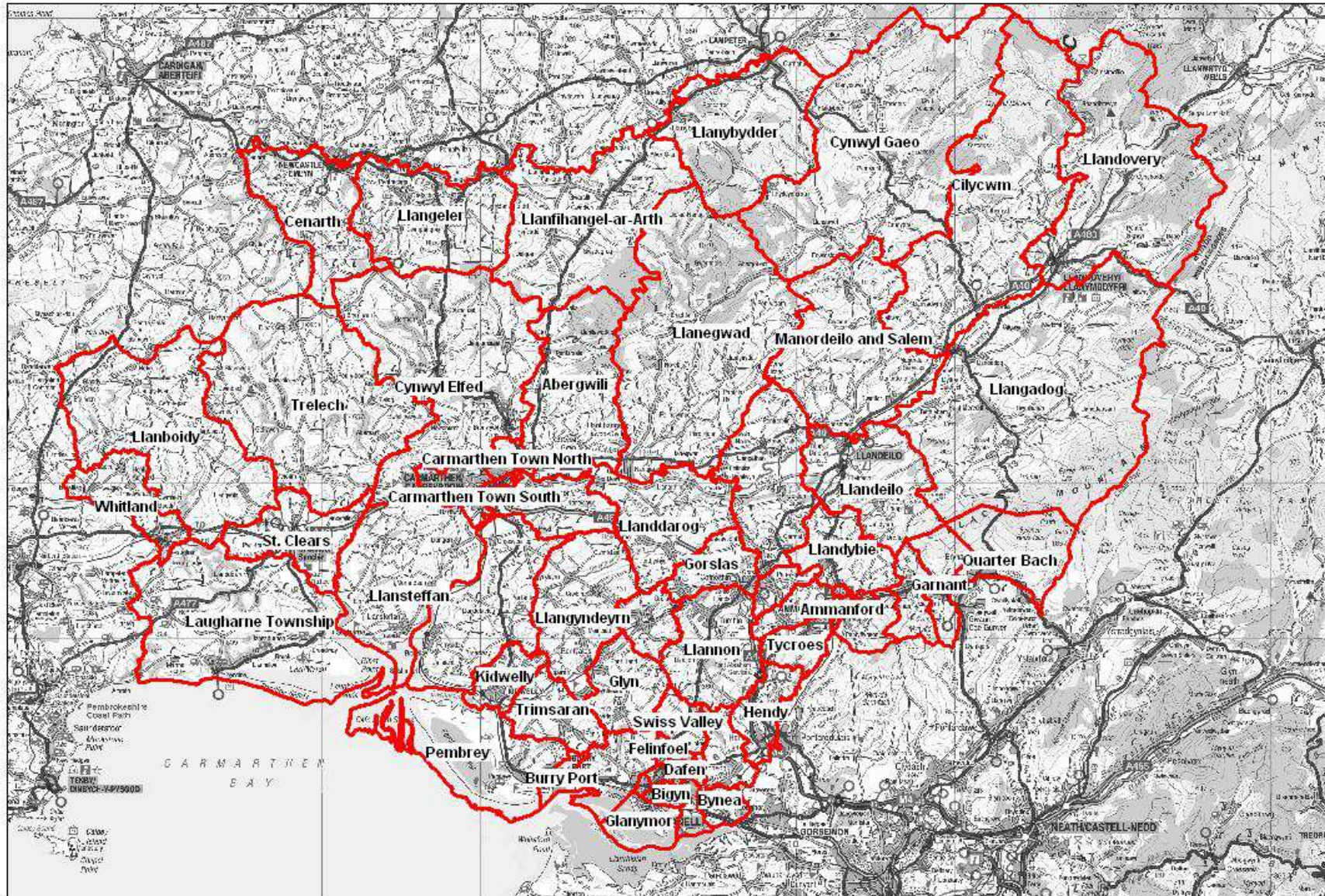
County Commander
Mid and West Wales Fire and Rescue Services
Carmarthenshire Command HQ
Lime Grove Avenue
Carmarthen
Carmarthenshire
SA31 1SP

Tel No. 0870 6060699
e-mail : Mail@Mawwfire.gov.uk
Fax: 01267 222382

Head of Children Services
Department for Education and Children
Carmarthenshire County Council
Parc Dewi Sant
Carmarthen
Carmarthenshire
SA31 3HB

Tel No. 01267 246549
e-mail. Childrensocialcare@Carmarthenshire.gov.uk
Fax: 01267 246746

Applicants for licences in respect of vessels should contact the Licensing Authority for additional information.



CARMARTHENSHIRE COUNTY COUNCIL



Gambling Policy CONSULTATION REPORT

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CARMARTHENSHIRE COUNTY COUNCIL

Gambling Policy CONSULTATION

INTRODUCTION & CONTEXT

On a periodic basis – at least once every three years – the local authority is legally required to review its Gambling Policy under the Gambling Act 2005 to ensure fitness for purpose. Consultation is an intrinsic part of this process: the policy must be responsive to local needs, it should take under advisement comments from myriad stakeholders and seek evidence that will help evaluate progress against its statutory objectives.

To this end, a ten week consultation (July 7th to September 13th 2015) was held to garner views from a wide range of organisations and individuals with an interest in licensing matters. The consultation was the first opportunity that local residents, businesses, existing licence holders and their representatives have had to formally comment on the Policy since 2012.

This report, incorporating the results of the public consultation and the authority's response in summary form, will go to both the Licensing Committee and Environmental & Public Protection Scrutiny Committee mid-November and then to the Executive Board for a decision before the month ends.

This report:

- 1) Outlines the approach and consultation methods deployed;
 - 2) Summarises results and key findings;
 - 3) Considers free-text responses from residents, license holders, organisations and town and community councils in a summary matrix table;
 - 4) Provides a short summary
-

1) OUTLINE OF APPROACH AND CONSULTATION METHODS

A mixed-methods approach to ascertaining views on Carmarthenshire's Gambling Policy was employed to gather quantitative and qualitative data for analytical and evaluative purposes. Specifically, the consultation focused on identifying locations where gambling and gambling-related problems were perceived to be a serious issue.

In accordance with the Gambling Act 2005, a number of statutory consultees were engaged throughout the consultation. This included:

- the fire authority
- the police service
- the Gambling Commission
- Planning
- Environmental Health
- Child Protection

- HMRC

The gambling consultation was jointly publicised with the licensing policy. Awareness was raised through use of the following consultation channels:

Publicity

The consultation was publicised through the Council's press office, through means including: press releases; article in Carmarthenshire News; information on the Council's website; online consultation portal (hosted on iLocal) and through social media feeds.

Carmarthenshire Citizens' Panel & 50+ Forum

Carmarthenshire's Citizens' Panel (a representative group comprising c. 600 members) – and 50+ Forum (2400 members aged 50 plus) are a useful barometer of public opinion and are regularly consulted on Council services. Information was disseminated electronically to members on email: c. 230 Citizens' Panel and c. 550 50+ members.

Survey

Surveys are a cost-effective method for finding out stakeholders' views and can be administered in a variety of different ways. An electronic and paper survey was thus selected as the principal method for gathering data. The survey contained a number of fixed-response (closed) and free-response (open) questions. Furthermore, the survey encouraged respondents to upload/attach evidence to support their submission.

The on-line survey was made available through Carmarthenshire County Council's iLocal consultation portal. In addition to listed statutory consultees, links to the survey were circulated to members of the Citizens Panel, 50+ Forum, Equality Carmarthenshire and Youth Council; county councillors and town and community councils, license holders, licensing solicitors, MPs, AMs and the Police and Crime Commissioner. Taken as a whole, consultation invites were sent to over 1900 individuals and organisations (excluding Carmarthenshire News recipients).

The consultation exercise resulted in **44 submissions**, covering a wide section of the community. Half of the responses received were from members of the public,¹ 14 (32%) from a body/person representing the public, 4 (9%) were a premises licence holder, 2 (5%) were club premises licence holders and 2 (5%) were other organisations/groups. A full breakdown is tabulated overleaf. Considering all responses, 24% of responses were received from premises/households in SA14, 18% in SA32, 15% in both SA15 and SA18, 12% in both SA17 and SA33 and 3% in both SA19 and SA34. No other postcode attracted a response.

¹ The demographic profile of respondents is as follows. Ethnicity: all respondents described themselves white. Age: 5% were under 25, 5% were 25-34; 27% were 35-44, 14% 45-54, 36% 55-64, 14% 65-74, (age cohorts with no responses are not listed). Gender: 50% female, 50% male. Disability: 5% yes, 86% no, 9% preferring not to say (PNTS). Religion or belief: 48% held a religion or belief, 48% did not and 5% PNTS. Sexual orientation: 91% heterosexual, with 9% PNTS.

Are you responding as a...	
Premises licence holder	4 (9%)
Personal licence holder	-
Club premises certificate holder	2 (5%)
Member of the Public	22 (50%)
Local business	-
Body representing licence holders / clubs	-
Body/ Person representing members of the Public (e.g. County councillors; Town & Community Council)	14 (32%)
Other Organisation or Group	2 (5%)

Proper weight has been given to the views of all those consulted and, in particular, 'due regard' given to free text (literal) responses.

Other

Carmarthenshire's Licensing department also convened a meeting with Ceredigion and Pembrokeshire Councils and the Gambling Commission.

2) KEY QUANTITATIVE FINDINGS FROM THE SURVEY

The section will be structured by considering each quantitative survey question in turn. Mention will be made of the views of different categories of respondent, to enable comparisons to be made. This process is known as the disaggregation of survey data: examining trends by age, gender and other demographic variables to enrich the consultation. In section 3, comments from the consultation will be considered separately in a matrix table, whether these have arisen through survey submission, or letter or email submissions.

*About the **Average Index Score (AIS)***

Sometimes known as a 'weighted average', the AIS is a way of distilling the 'balance and strength of opinion' down into one number. Useful for questions with options to 'strongly agree', 'disagree', etc., the technique is used throughout the report.

Example

10 people are asked whether they 'strongly agree', 'agree', 'have no opinion', 'disagree' or 'strongly disagree' that Wales will win the six nations.

Results...

3 strongly agree (each response worth 2, so=**6**)

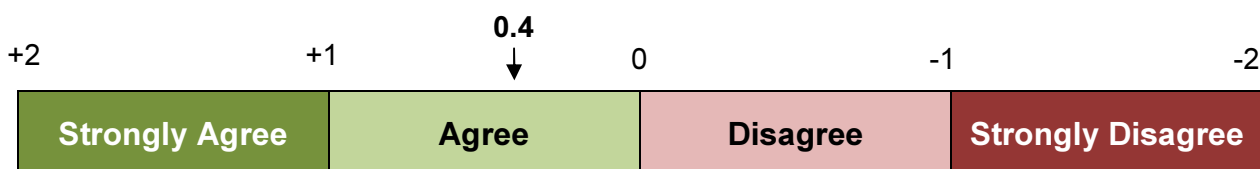
3 agree (each response worth 1, so=**3**)

1 no opinion (each response worth 0, so=**0**)

1 disagree (each response worth -1, so=**-1**)

2 strongly disagree (each response worth -2, so=**-4**)

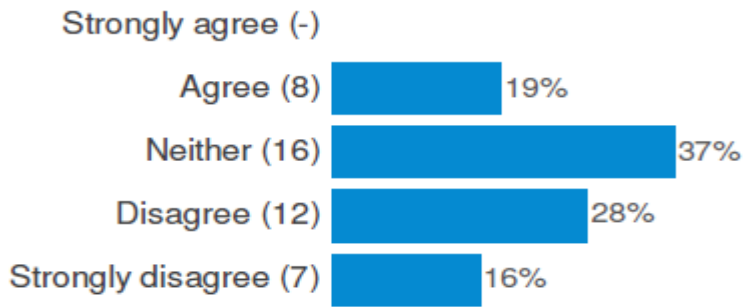
The AIS is calculated by adding all the numbers in bold: So, $6+3+0-1-4=4$; Then dividing by the number of responses (10 in this case). The average index score is: $4 \div 10 = \mathbf{0.4}$



Following a series of demographic profiling questions, respondents were asked to indicate the extent to which they agreed or disagreed with a series of statements about gambling – designed to elicit information on the prevalence of gambling-related problems across Carmarthenshire. A likert scale was used, with 'strongly agree' and 'strongly disagree' as response anchors.

Firstly, 42% of respondents disagreed (16% disagree; 28% strongly disagree) that there were **gambling-related problems in their area**. 'Neither' was the largest response category, attracting 37% of responses. This may suggest that respondents do not feel they have sufficient knowledge/information or local intelligence to make an informed judgment, thus preferring to remain neutral. Less than one fifth (19%) of respondents agreed with the statement. Of those who agreed gambling-related problems were an issue in their area, the following streets/towns were cited: Llanelli (x2 respondents); Carmarthen (x1); Ammanford (x1) and a belief that the problem is county wide (Carmarthenshire x1).

1. There are gambling-related problems in my area

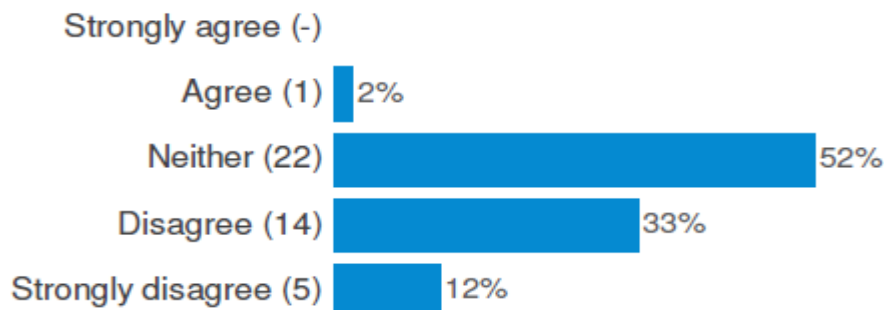


That the majority do not consider gambling-related problems to be an issue in their area is borne out by a negative Average Index Score (AIS) of **-0.42** (plotted below).

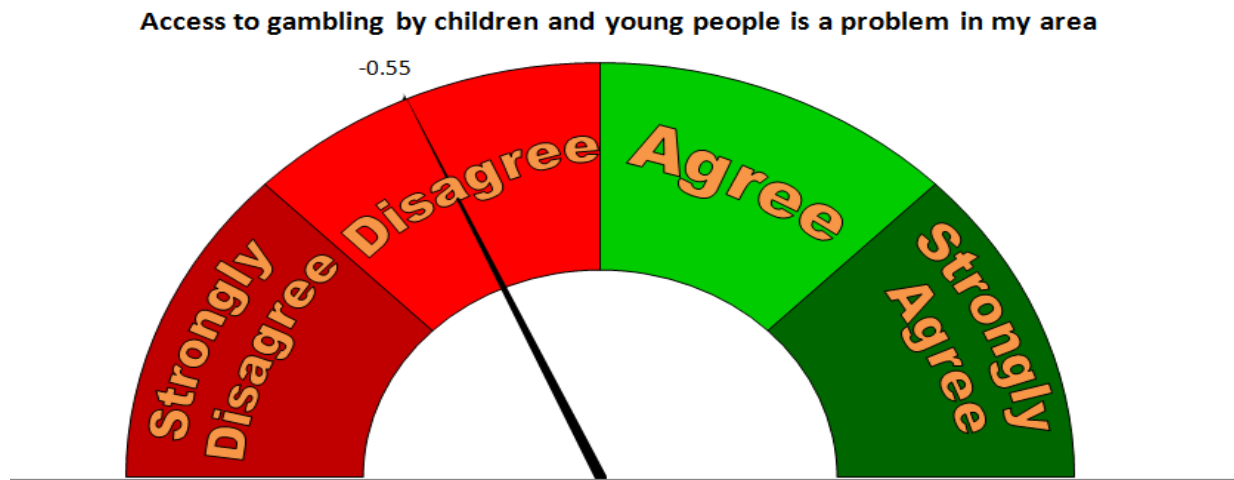


Next, 45% of respondents disagreed that **access to gambling by children and young people was a problem in their area**. As with the preceding question, 'neither' attracted the most responses (52%). Only one respondent (2%) agreed.

2. Access to gambling by children and young people is a problem in my area

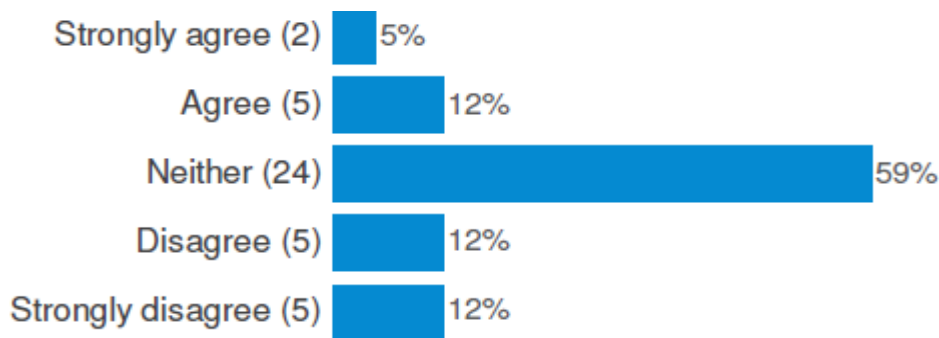


An Average Index Score of -0.55 confirms this result, with a score in the 0 – -1 range indicating disagreement.



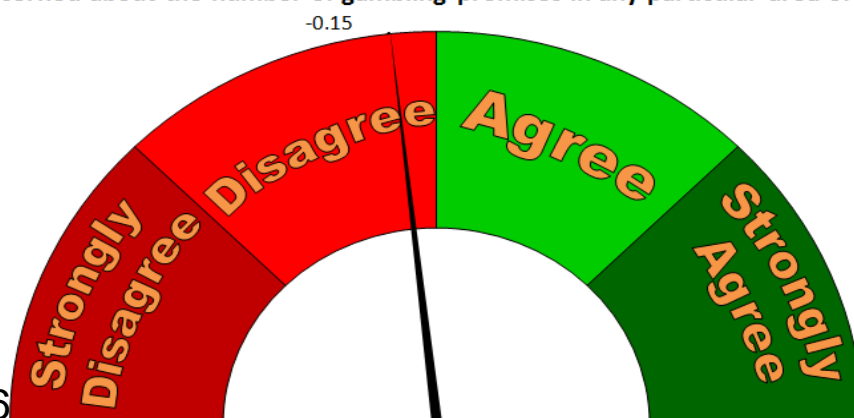
Lastly, around six in ten (59%) respondents neither agreed or disagreed that they were **concerned about the number of gambling premises in any particular area of the County**. Again, this suggests most respondents are neutral/undecided on the matter or have insufficient knowledge or experience to form strong feelings. Around a quarter (24%) disagreed (12% strongly disagree; 12% disagree), with 17% agreeing (5% strongly agree; 12% agree).

3. I am concerned about the number of gambling premises in any particular area of the County



An Average Index Score of -0.15 suggests, overall, slight disagreement. Values closer to a '0' value are indicative of a fairly neutral response.

I am concerned about the number of gambling premises in any particular area of the County



The AIS for selected demographic categories, and that of particular postcodes, has been tabulated below for each of the three statements.² The table draws upon a process known as ‘exception reporting’ to shade values that are critical; in this case positive values indicating agreement with the statements. Of particular note, the positive AIS for male respondents (0.09) denotes slight concern about the number of gambling premises in the County.

+2	+1	0	-1	-2
Strongly Agree	Agree	Disagree	Strongly Disagree	

	SA14	SA15	SA17	SA18	SA32	SA33	M	F
<i>There are gambling-related problems in my area</i>	-0.13	-0.8	-1	-0.6	-0.17	-0.5	0	-0.8
<i>Access to gambling by children and young people is a problem in my area</i>	-0.5	-1	-0.75	-0.8	-0.17	-0.33	-0.36	-0.8
<i>I am concerned about the number of gambling premises in any particular area of the County</i>	-0.13	-0.25	-0.5	-0.6	-0.2	-0.25	0.09	-0.27

Bringing the analysis of quantitative data to a close, 98% of respondents said they were not aware of any problems that have occurred as a result of gambling premises being located in close proximity to sensitive buildings such as schools, sixth form colleges and children’s play areas. Similarly, 93% of respondents were unaware of any premises where problems have occurred as a result of gaming machines being made available to the public. Although a general comment was made about the proliferation of gaming machines, information on locality was not provided.

² Please note that in some instances, the sample sizes of each postcode are relatively small – distorting the results. Categories (postcodes, age, gender) which have received fewer than 4 responses are omitted from the table. . A map showing the postcode areas of Carmarthenshire is appended to this report (appendix 2).

3) ANALYSIS OF COMMENTS – SUMMARY MATRIX TABLE

The report now considers comments expressed in the survey's free-text questions. Note is made of the respondents ID number (to provide a traceable record), comment(s) received, the Council's response and, where appropriate, changes to the gambling policy as a result of the consultation. Respondents that have not submitted a reply are omitted from the table.

RESPONDENT	COMMENTS	APPRAISAL	RESPONSE	CHANGES
Respondent 1	Question 3 Concerned about the number of premises in Llanelli	Noted	To be taken into account when reviewing the policy	No Change
Respondent 3	Question 3 Gambling can lead to financial problems and physical abuse for the gambler's family. Arcades are breeding grounds for future addicts. Care needed to balance establishments and limit numbers of machines.	Noted	To be taken into account when reviewing the policy	Change to Appendix A and new paragraph regarding Financial Exploitation Safeguarding Scheme (FESS).
Respondent 4	Question 3 Councillors should spend time reviewing this issue. Their job is to protect the vulnerable and they should send a clear message to gambling businesses that exploitation will not be tolerated	Noted	To be taken into account when reviewing the policy	Change to Appendix A and FESS.
Respondent 14	Question 3 Concerned about the number of gambling premises in Stepney	Noted	To be taken into account when reviewing the	FESS.

	Street/Station Road, Llanelli. Gambling encourages people to waste money		policy	
Respondent 17	Question 3 The main problem is the ease of access to online gambling and the high profile advertising	Noted. However the policy is unable to deal with issues of online gambling	No change required to policy	No Change
Respondent 22	Question 3 The introduction of online gambling has seen a dramatic increase in the numbers of people with a gambling problem. Gambling adverts on television should be banned.	Noted. However online gambling is not a matter that can be dealt with by the policy	No change required to the policy	FESS
Respondent 28	Question 3 Poverty due to an increase in gambling. Betting shop windows advertisements encourages betting. Should be forced to also say how often people win.	Noted	To be taken into account when reviewing the policy	FESS
Respondent 34	Question 3 Evidence of a link between problem gambling and vulnerability to financial exploitation. Gambling premises should promote the Financial Exploitation Safeguarding Scheme (FESS) as a means of protecting the vulnerable from problem gambling	Noted	To be taken into account when reviewing the policy	FESS

Respondent 35	Question 1 Gambling related problems in Llanelli. Increase in number of betting shops in Llanelli a concern. Should limit the number of betting shops in socially deprived areas of the town.	Noted	To be taken into account when reviewing the policy	Cannot limit numbers.
Respondent 37	Question 3 Some bookmakers have so many Gambling machines that they look more like arcades	Noted	To be taken into account when reviewing the policy	No Change as dealt with by legislation and guidance.
Respondent 44	Question 3 Detailed representations submitted on the following points; <ol style="list-style-type: none"> 1. Generally supports current policy 2. Would be happy to provide risk assessments should the policy be amended to require this 3. Such assessments should assess specific local risks and the control measures to address them. 4. No evidence of betting shops close to places frequented by children actually causing harm 	Noted	To be taken into account when reviewing the policy	Risk assessment paragraph.

4) SUMMARY – KEY CHANGES TO THE GAMBLING POLICY

1. Updated demography and plan of County inserted
2. Glossary of terms inserted
3. Details of Responsible Authorities revised and updated
4. Guidance to applicants inserted on matters to consider when preparing applications
5. Updated advice inserted on the protection of children and vulnerable persons from gambling harm, including reference to the Financial Exploitation Safeguarding Scheme.
6. Inserted new section on Risk Assessments.
7. Scheme of Delegation amended to give elected members a greater role in determining gaming machine permit applications.

Gambling Act 2005 - Review of Gambling Policy

Part 1 - About You

- 1 Are you responding as a...
- Premises licence holder
 - Personal licence holder
 - Club premises certificate holder
 - Member of the Public
 - Local business
 - Body representing licence holders / clubs
 - Body/ Person representing members of the Public (e.g. County councillors; Town & Community Council)
 - Other Organisation or Group

- 2 If responding as an organisation/business/body, please write its name here
-

- 3 Following 'SA', please specify the two numbers of your postcode
-

- 4 What is your age group?

- | | |
|-----------------------------------|----------------------------------|
| <input type="checkbox"/> Under 16 | <input type="checkbox"/> 55 - 64 |
| <input type="checkbox"/> 16 - 24 | <input type="checkbox"/> 65 - 74 |
| <input type="checkbox"/> 25 - 34 | <input type="checkbox"/> 75 - 84 |
| <input type="checkbox"/> 35 - 44 | <input type="checkbox"/> 85+ |
| <input type="checkbox"/> 45 - 54 | |

- 5 What is your gender?

- Female Male Prefer not to say

- 6 What is your ethnic group?

- | | |
|---|--|
| <input type="checkbox"/> White | <input type="checkbox"/> Black / African / Caribbean / Black British |
| <input type="checkbox"/> Mixed / multiple ethnic groups | <input type="checkbox"/> Other ethnic group |
| <input type="checkbox"/> Asian / Asian British | <input type="checkbox"/> Prefer not to say |

- 7 The Equality Act 2010 states that a person has a disability for the purposes of this Act if he/she has or has had '*a physical or mental impairment which has had a substantial and long term adverse effect on his/her ability to carry out normal day to day activities*'.

Long term has been defined as meaning having lasted 12 months or is likely to last at least 12 months

Do you consider yourself to be disabled?

- Yes No Prefer not to say

- 8 Do you hold a religion or belief?

Yes

No

Prefer not to say

9 What is your sexual orientation?

Heterosexual

Bisexual

Lesbian

Gay

Prefer not to say

Part 2

To what extent would you agree or disagree with the following statements:

1. There are gambling related problems in my area

Strongly agree

Agree

Neither

Disagree

Strongly disagree

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Street

Town / Village

Nature of problem

2. Access to gambling by children and young people is a problem in my area

Strongly agree

Agree

Neither

Disagree

Strongly disagree

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Street

Town / Village

Nature of problem

3. I am concerned about the number of gambling premises in any particular area of the County

Strongly agree

Agree

Neither

Disagree

Strongly disagree

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Street

Town / Village

Nature of problem

Are you aware of any problems that have occurred as a result of gambling premises being located in close proximity to sensitive buildings e.g. schools, sixth form colleges, children's play areas etc?

Yes

No

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Street

Town / Village

Nature of problem

Are you aware of any premises where problems have occurred as a result of gaming machines being made available to the public?

Yes

No

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

Street

Town / Village

Nature of problem

Is there anything else that you want us to take into account when reviewing the Gambling Policy?

If you would like to attach a document to your survey response, please note below

Part 3 - Your Details (optional)

Name:

Address:

Tel No:

Fax:

E-mail:

Under certain circumstances, we may wish to contact you to follow-up on your response, either to ask for additional comment or to reply to the points you have raised.

Do you consent to CCC using your details in this way?

- Yes - I am happy to be contacted
 No - I do not wish to be contacted

Data Protection Act 1998

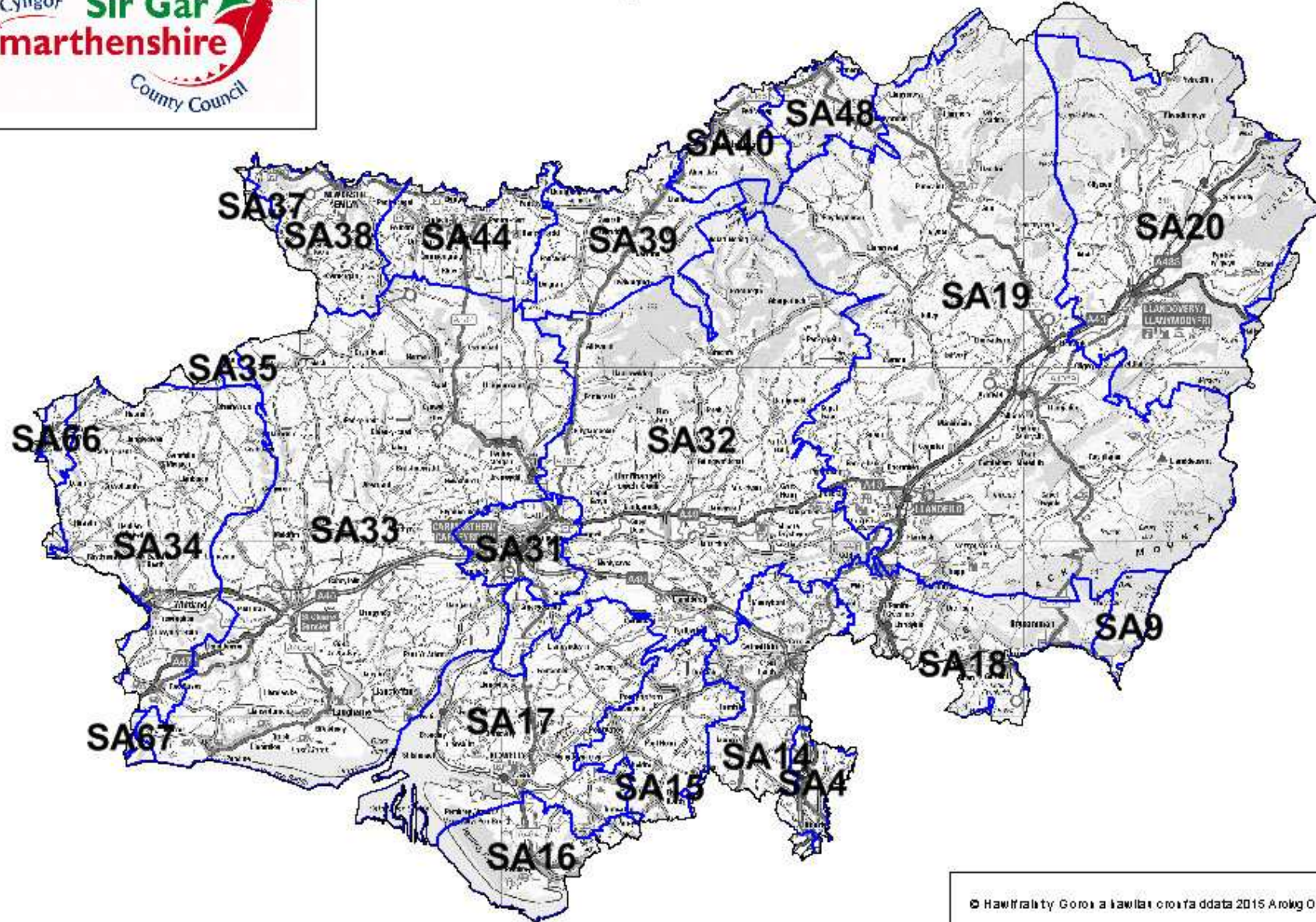
The information contained in this form will be held and processed by Carmarthenshire County Council in accordance with the Data Protection Act 1998.

Your personal details will not be made public in any Council report.

Thank you for your response



APPENDIX 2 - Map of Carmarthenshire Postcode Districts



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**ENVIRONMENTAL & PUBLIC PROTECTION
SCRUTINY COMMITTEE
11th DECEMBER 2015**

**Review of Statement of Licensing Policy
(Licensing Act 2003)**

To consider and comment on the following issues:

- That the Committee considers and comments on the revised Licensing Policy document and the summary of the consultation responses attached.
- The Committee is requested to recommend to Executive Board that:
 - The amended Statement of Licensing Policy be approved.
 - The existing Cumulative Impact Policy be retained for Station Road Llanelli as detailed in Section 10 of the attached policy.
 - Further evidence be gathered in relation to the possible adoption of a Cumulative Impact Policy for Lammas Street, Carmarthen as a result of responses to the consultation exercise.

Reasons:

- The attached revised Licensing Policy document reflects the results of the consultation and review process.
- Sufficient evidence has been provided to justify retaining a Cumulative Impact Policy in respect of Station Road Llanelli.
- The consultation responses justify formulating specific proposals for the adoption of a Cumulative Impact Policy in respect of Lammas Street, Carmarthen and undertaking a further consultation exercise to look specifically at whether such a cumulative impact policy should be adopted.
- To formulate views for submission to the Executive Board / Council for consideration.

To be referred to Executive Board / Council for decision: YES

**Executive Board – 4th January 2016
County Council – 10th February 2016**

Executive Board Member Portfolio Holder:
Cllr. Jim Jones (Environmental & Public Protection)

Directorate: Communities	Designations:	Tel Nos. / E-Mail Addresses:
Name of Head of Service: Robin Staines	Head of Housing & Public Protection	01267 228960 rstaines@carmarthenshire.gov.uk
Report Author: Emyr Jones	Principal Licensing Officer	01267 228717 eorjones@carmarthenshire.gov.uk

EXECUTIVE SUMMARY

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE 11th DECEMBER 2015

Review of Statement of Licensing Policy (Licensing Act 2003)

The current Licensing Policy was adopted by the Authority in January 2011 and the Cumulative Impact Policy (CIP) in respect of Station Road, Llanelli in 2012. Legislation currently requires the Licensing Policy to be reviewed at least every five years to ensure that it reflects feedback from the local community that the statutory objectives are being met.

Since the current Licensing Policy was last reviewed, there have been a large number of amendments to the Licensing Act 2003. The Authority's Licensing Section, in conjunction with the Council's Legal Services Division has reviewed the policy document in light of these amendments, revised government guidance and recent case law. These statutory changes have been incorporated into the attached Policy document. The Authority also hosted a collaboration meeting to discuss the review to local licensing policies with representatives of the local health board, Pembrokeshire and Ceredigion licensing authorities.

The key changes to the legislation include:-

- Making the local health board and the licensing section responsible authorities.
- Removing the test of vicinity for persons wishing to make representations.
- Deregulation of some types of entertainment under certain circumstances.
- Revisions to mandatory licence conditions.

As part of the review, the Authority is required to undertake a consultation exercise aimed at responsible authorities, local residents, businesses, existing licence holders and their representatives, to ensure that their views can be formally considered by the Authority. The responsible authorities include, The Licensing Authority, Dyfed-Powys Police, Mid and West Wales Fire and Rescue Service, Trading Standards, Environmental Health (Public Health Section), Planning Authority, Health and Safety Authority, Children Services, Local Health Board.

The consultation began on the 7th of July and finished on the 13th of September 2015. Approximately two thousand individuals and organisations, including licence holders and their representatives, town and community councils, members of parliament, assembly members, county councillors, council departments and responsible authorities received consultation documents.

On this occasion the survey was undertaken using the iLocal consultation facility on the Council's web site. This enabled the majority of consultees to be contacted via e-mail, thus reducing the cost whilst increasing the accessibility of the consultation. A total of 89 responses were received. The following is a brief summary of the key consultation responses:-

Responsible Authority Responses

Dyfed-Powys Police

- Noticeable increase in alcohol related crime and disorder as well as anti social behaviour in Lammas Street, Carmarthen, linked to the late night economy. Cumulative Impact Policy should be adopted for the street.
- Station Road , Llanelli continues to be an area identified with the highest number of alcohol related crime and disorder as well as alcohol related anti social behaviour in Carmarthenshire. The existing cumulative impact policy should be retained for the street.

Hywel Dda University Health Board

- Support for the adoption of a Cumulative Impact Policy where there is evidence that an area is saturated with licensed premises and alcohol related problems.
- The Policy should be amended to include specific reference to the use of new psychoactive substances.

Public Health Services

- Applications for premises licences should be accompanied by a risk assessment detailing how the applicant intends to promote the licensing objectives or a statement indicating why an assessment is not needed.
- The usefulness of multi agency meetings to respond to problem premises.

Other Consultation Responses

- Ann Street, Llanelli and Nott square Carmarthen highlighted as Hot Spots of alcohol related crime and disorder.
- Strong support for the retention of the existing Hot Spot areas listed within the Policy.
- Strong support for the retention of the existing cumulative impact policy for Station Road Llanelli.
- Consideration should be given to adopting a Cumulative Impact Policy for all or part of Carmarthen town centre.
- Support for the policy to encourage events and businesses which do not undermine the licensing objectives.
- Slight overall support for maintaining the current policy not to limit permitted hours in certain parts of the County.

A revised licensing policy document, incorporating amendments to reflect the relevant consultation responses is attached.

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report.

Signed: **Robin Staines** Head of Housing & Public Protection

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	NONE	NONE	NONE	NONE	NONE

1. Policy, Crime & Disorder and Equalities

The proposed amendments to the Licensing Policy promote the prevention of crime and disorder. The Policy complies with the Authority's duty under section 17 of the Crime and Disorder Act.

An Equalities impact assessment has been undertaken and no negative impacts have been identified.

2. Legal

Legal Services is satisfied that the proposed amendments comply with the Licensing Act 2003 and the statutory guidance issued by the Secretary of State. It will be necessary to undertake a further period of public consultation in respect of the proposed Cumulative Impact Policy for Lammas Street in order to comply with the Authority's legal duty to consult on that specific proposal.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: **Robin Staines** **Head of Housing & Public Protection**

- 1. Local Member(s)** – Local Members were consulted through correspondence.
- 2. Community / Town Council** – Town and Community Councils were consulted through correspondence.
- 3. Relevant Partners** – Relevant partners were consulted through correspondence and consultation meetings.
- 4. Staff Side Representatives and other Organisations** – N/A

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW:

Title of Document	File Ref No. / Locations that the papers are available for public inspection
Consultation Responses	Review of Licensing Policy 2015 Housing & Public Protection Division 3, Spilman Street, Carmarthen
Home Office Guidance	Review of Licensing Policy 2015 Housing & Public Protection Division 3, Spilman Street, Carmarthen

Licensing Policy Statement

The Licensing Act 2003



January 2016

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

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STATEMENT OF LICENSING POLICY

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LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

1. INTRODUCTION

1.1 This policy has been developed in accordance with the Licensing Act 2003 ('the Act'), regulations made under that Act, and guidance issued by the Home Office. This policy should be considered in conjunction with these documents.

1.2 The Licensing Authority will carry out its duties under the Act with a view to promoting the four Licensing Objectives. These are:

- a) The prevention of crime and disorder**
- b) Public safety**
- c) The prevention of public nuisance**
- d) The protection of children from harm**

The Licensing Authority believes that these objectives are of equal importance.

See sections 5-9 below for further details.

1.3 This policy has been formulated as a result of a wide ranging consultation exercise involving (but not limited to): -

- a) The Police
- b) The Fire Service
- c) Other Responsible Authorities
- d) Licence Holders and their representatives
- e) Holders of club premises certificates and their representatives
- f) Local businesses and their representatives
- g) Local residents and their representatives

Due consideration has been given to all those who have responded.

1.4 This policy relates to all those licensable activities identified as falling within the provisions of the Act, namely:

- a) Retail sale of alcohol (including via the Internet or Mail Order)
- b) Supply of alcohol to members of registered clubs
- c) The supply of hot food and/or drink from any premises between 11pm and 5am (late night refreshments)
- d) Provision of '*regulated entertainment*' (as defined by schedule 1, part 1, paragraph 2 of the Act) to the public, club members or with a view to profit. This includes: -
 - i) A performance of a play
 - ii) An exhibition of a film
 - iii) An indoor sporting event

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STATEMENT OF LICENSING POLICY

- iv) Boxing or wrestling entertainment
- v) A performance of live music
- vi) Any playing of recorded music
- vii) A performance of dance

1.5 The Act contains a number of exceptions and exemptions, which have been amended and increased in recent years by, the Live Music Act, Deregulation Act and other legislative orders. It is not intended to set out these changes in detail in this policy, but they are explained in the guidance issued by the Home Office under section 182 of the Act. They should be carefully considered by any person considering providing entertainment. For further advice, applicants are advised to contact the Licensing Section.

1.6 Types of Authorisations

There are four types of authorisations:

- a) **Premises Licence** - a licence granted in respect of any premises, which authorises them to be used for one or more licensable activities.
- b) **Personal Licence** - a licence granted by the Licensing Authority to an individual which authorises them to supply alcohol (or authorise the supply of alcohol) in accordance with a premises licence.
- c) **Club Premises Certificate** - a certificate granted in respect of premises occupied and used for the purposes of a club.
- d) **Temporary Event Notice** - where it is proposed to use premises for one or more licensable activity during a period not exceeding 168 hours.

1.7 It is recognised that the licensing process can only seek to address those measures within the control of the licensee, and in the vicinity of licensed premises. The licensing process is not a mechanism for the general control of anti-social behaviour by individuals once they are away from licensed premises and beyond the direct control of the licence holder. However where it can be established that a licensed premises is linked to anti-social behaviour or any other activity which undermines the licensing objectives, the matters may be pursued under the licensing process. The Licensing Authority will therefore continue to work in partnership with neighbouring authorities, the police, fire service, the NHS, the licensed trade, local businesses and local people towards the promotion of these four objectives.

1.8 It is intended that this policy statement will remain in existence for a period of up to five years from January 2016. However the policy will be kept under constant review during this period, and where necessary, changes made, subject to the statutory consultation requirements being met.

1.9 As part of the above the Licensing Authority will consider the impact of licensing on regulated entertainment and particularly live music and dancing.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

2 BACKGROUND

- 2.1 Carmarthenshire is the third largest county in Wales in demographic terms, with a population in 2013 of 184,681 of whom 11.6% were between the ages of 15 and 24, and 22.1% were between the ages of 25 and 44. It is these two age groups, who are currently most likely to make use of, and be employed within, the night time economy. However, 22% of the population is of pensionable age and therefore it is an aim of this policy to make the night time economy accessible to everyone, not just the young.
- 2.2 As a primarily rural area, Carmarthenshire has a strong agricultural base with a 'necklace' of key market towns providing the needs of communities in those rural areas. South East Carmarthenshire is the most densely populated part of the county, and is characterised by close knit former industrial communities. These contrasting types of environment present very different opportunities and challenges to those involved in the night time economy.
- 2.3 The night time economy within the county is extremely diverse, ranging from night clubs in the town centres to traditional local pubs, pub/restaurants, small village halls and community halls. These smaller venues have an important role to play in preserving and promoting the rich cultural and linguistic heritage of the county. On the 1st of April 2015 the Authority had 878 premises with Premises Licences, 82 with Club Premises Certificates and 2221 individual Personal Licence Holders.
- 2.4 Whilst the night time economy undoubtedly has benefits in terms of jobs, wealth creation, tourism and the promotion of cultural diversity, there are also obvious disadvantages. Alcohol related public nuisance, and crime and disorder are found not just in the larger town centres, but also in the smaller rural communities.

3 FUNDAMENTAL PRINCIPLES

- 3.1 Each application received under the provisions of the Act will be dealt with upon its own merits. However the Licensing Authority's discretion will not be engaged unless representations are received.
- 3.2 Nothing in this policy will undermine the right of a person to apply for a variety of permissions under the Act.
- 3.3 Absolute weight will be given to all relevant representations received by the council in respect of any application or request made under the Act. However representations, which are frivolous, vexatious or repetitious, will not be considered.
- 3.4 The Licensing Authority will not operate a quota of any kind, which would predetermine any application.

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- 3.5 The Licensing Authority does not currently impose general limitations on trading hours in particular areas.
- 3.6 In carrying out its functions under the Act, the Licensing Authority will have due regard to all relevant legislation.

4 CONDITIONS OF LICENCE

- 4.1 In order to avoid duplication with other statutory regimes as far as possible, the Licensing Authority, where representations are received, will not attach conditions of licence unless they are considered appropriate for the promotion of the licensing objectives. Conditions will generally be considered inappropriate if issues are already adequately covered by other legislation.
- 4.2 The Licensing Authority cannot impose standard conditions of licence across the board.
- 4.3 In 2010 the Licensing Act 2003 (Mandatory Licensing Conditions) order set out five new mandatory licence conditions. In 2014 those conditions were replaced by five new conditions introduced by an amendment order .

The new mandatory licence conditions relate to:-

- 1) Prohibition of irresponsible drinks promotions.
- 2) Provision of free tap water for customers
- 3) Requiring the adoption and use of an Age Verification Policy
- 4) Giving customers the choice of small measures
- 5) Banning the sale of alcohol below the cost of duty plus VAT.

The five conditions apply to all premises licences and club premises certificates which authorise the sale of alcohol for consumption on the premises.

Mandatory condition 3 is the only one which applies to premises which authorise off sales of alcohol only.

In certain circumstances conditions attached to licences will not take effect due to the operation of the Live Music Act, Deregulation Act and other legislative orders. For further advice contact the licensing section.

Licence holders are encouraged to contact the Licensing Section to discuss any proposed drinks promotion prior to their commencement. Further detailed guidance along with a new page outlining the conditions have been sent to each licence holder. Further copies of this advice is available from the Licensing Section.

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- 4.4 For advice regarding any pools of model conditions which may be available please contact the licensing section.

5 THE LICENSING OBJECTIVES – GENERAL COMMENTS

- 5.1 Applicants for new premises licences and those seeking variation of existing licences/permissions are advised to demonstrate how they intend to promote the four licensing objectives.
- 5.2 In order to do this applicants are advised to carry out a comprehensive and detailed assessment which should cover, amongst other things:
- a) The scope and nature of the licensable activities to be carried out.
 - b) The duration of such activities.
 - c) The nature and location of the premises in which the activities are to take place (this may include reference to beer gardens, smoking shelters or any other open areas forming part of the premises, or used by the premises for the carrying on of licensable activities and/or consumption of alcohol).
 - d) The nature and location of other premises in the vicinity and their occupants.
 - e) The skills and knowledge levels of persons engaged in carrying out those activities.
- 5.3 The Licensing Authority advises that such an assessment should identify issues which could lead to the licensing objectives being undermined.
- 5.4 The Licensing Authority advises that such an assessment, and its conclusions, be incorporated within, or be annexed to, the operating schedule, which forms part of the application. Where an applicant chooses not to submit a risk assessment they are advised instead to provide a statement explaining why in their opinion one is not needed.
- 5.5 The Licensing Authority advises that the operating schedule sets out in detail the control measures the applicant intends to put in place to deal with the risks identified in the assessment.
- 5.6 Applicants are reminded that, where representations are made in relation to an application, the Licensing Authority has the power to place conditions upon the licence where it considers it appropriate to do so to promote the licensing objectives.

The Licensing Authority believes that the effective management of licensed premises by suitability experienced and trained staff is essential for the promotion of the four licensing objectives.

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Designated Premises Supervisors

- 5.7 Applicants are reminded that where they wish the premises licence to include the sale or supply of alcohol that they need to appoint a Designated Premises Supervisor (DPS), who must hold a personal licence. The Licensing Authority strongly recommends to all applicants that the Designated Premises Supervisor (DPS) be the person who has day-to-day control of the premises.
- 5.8 The Licensing Authority recognises that where a large organisation such as a pub or supermarket chain has a number of premises from which it intends to sell/supply alcohol, that organisation may wish a more senior member of staff such as an Area Manager to act as Designated Premises Supervisor (DPS) for more than one premises. In those circumstances, the Licensing Authority strongly advises applicants to clearly set out in their operating schedules on how the DPS will ensure that the licensing objectives are to be promoted at the premises in question. The Licensing Authority recommends that this includes:
- a) The frequency of visits by the DPS to the premises.
 - b) The maintenance of proper records at the premises relating to the Licensing Objectives and their inspection by the DPS.
 - c) The identification of the person or persons responsible for the day-to-day management of the premises.
 - d) The proper training of staff at the premises, having regard to their individual roles and the nature of the licensable activities carried on at the premises.
- 5.9 Adult Entertainment
Following the amendment of the Local Government (Miscellaneous Provisions) Act 1982 to introduce a new category of establishment called Sexual Entertainment Venues, applicants and existing licence holders who are providing adult entertainment such as Lap Dancing, Pole Dancing or Table Dancing are advised to contact the Authority to check whether they require a separate Sexual Entertainment Venue licence for the premises. Further guidance regarding the provision of adult entertainment is available from the Licensing Section.
- 5.10 When preparing their Operating Schedules, applicants are advised to have regard to the guidance issued under Section 182 of the Licensing Act 2003 and any other guidance referred to therein.

6 THE PREVENTION OF CRIME AND DISORDER

- 6.1 In order for applicants to properly address this objective, the Licensing Authority advises that the operating schedule where appropriate includes (amongst other things) reference to the following:

LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

- a) The use of CCTV cameras, both inside and outside the premises. It is recommended that such cameras, where installed, meet the standard set out in the Operational Requirements Guidance document issued by the Carmarthenshire Division of the Dyfed Powys Police and that images are retained for thirty one days. Where cameras are installed, applicants are advised to provide a declaration that Police and Licensing Officers can have immediate access to the images at any time during the opening hours of the premises.
- b) The CCTV system shall be recording whenever the premises is open for licensable activities and at least one hour before opening time and one hour beyond the closing time.
- c) That a competent person capable of producing a copy of CCTV footage upon request of any investigating agency is available at the premises.
- d) The CCTV system be installed and maintained to the satisfaction of the Dyfed Powys Police and local Community Safety Officer.
- e) The Premises Licence holder shall ensure that the CCTV system is kept in a good working order.
- f) The licensee or another appropriate person must randomly examine any available recordings in an attempt to satisfy themselves that all relevant policies are being adhered to and act accordingly where there is any suspicion that staff are not following policy, such as requesting identification or questioning potential 'proxy sales'.
- g) The installation of a security system for the whole of the premises, including the stock area of an approved standard.
- h) Procedures for risk assessing promotions (e.g. drinks promotions) and special events with potential to cause crime and disorder. Plans to minimise the risks identified.
- i) Means to prevent the use and supply of illegal drugs.
- j) Training of staff, including the obtaining of qualifications to a national standard. Applicants are advised to keep written records of all staff training.
- k) The use of security staff, including the number to be deployed, methods of operation, training and qualifications. Applicants are reminded of the requirements of the Securities Industry Act. Applicants will be expected to maintain a register, detailing the security staff on duty at any one time and allow the Police and Licensing Officers access to that register at any time during the opening hours of the premises.
- l) That where Door Supervisors are employed it be in the ratio of two door supervisors for the first one hundred persons and one per hundred thereafter. If applicants wish to employ a different ratio, it is recommended they explain why.
- m) In the case of nightclubs and venues used for live entertainment and concerts, the use of metal detectors and/or other search facilities and procedures.
- n) Door supervisors whenever on duty must wear high visibility style clothing both indoors and outdoors. The type of clothing to be used indoors must be clearly visible and readily identifiable in premises where the lighting may be dim, so that they are recognisable to members of the public, police officers and licensing officers. Whenever on duty door supervisors must complete a register of the time they start and finish duty, the register must contain the contact details of the individual door supervisor.

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- o) Certain premises , particularly those with access restrictions for under 18's are advised to consider arranging for trading standards officers to deliver the free training regarding age verification, detailed in paragraph 9.10, for key staff such as door supervisors.
- 6.2 Applicants are strongly advised to state clearly in their operating schedules the measures to be taken to prevent customers removing glasses and/or open bottles/cans of alcohol from the premises.
- 6.3 All applicants are advised for the purposes of the prevention of crime and disorder that they include within the operating schedule, a capacity limit for the premises and the control measures to ensure it is enforced.
- 6.4 Applicants are advised to outline measures to be taken to supervise customers within any outside location at the premises either a beer garden or street café, in respect of the consumption of alcohol or smoking.
- 6.5 Applicants are advised that where they are planning to place tables and chairs on the highway or on private land, to indicate how they intend to control patrons at those locations and when they intend to remove those tables and chairs. Applicants are advised to contact the Street Scene section for advice regarding relevant permits under the Highways Act 1980.
- 6.6 It is recommended that Licensees support the Dyfed Powys Police in any initiatives to prevent crime and disorder such as passive drugs dogs, Itemiser drug scanning machine or any other relevant resource tool.
- 6.7 Licensees are encouraged to actively participate in an appropriate Pub Watch, LVA, Club Watch, Club Radio, Behave or be Banned, Best Bar None, and Home Watch Scheme or any other similar scheme. Applicants are advised to indicate whether or not they are willing to participate and also whether they are willing to contribute financially to the cost of such schemes.
- 6.8 Licensees are encouraged to promote and take part in any local or national initiatives, strategies or campaigns such as the 'Safer Clubbing Guide' and have regard to the Working Together to Reduce Harm – The Substance Misuse Strategy For Wales 2008 – 2018(Welsh Government 2008)
- 6.9 Applicants are advised where age restrictions on access apply, to put in place measures to control such activities, including staff training and the adoption of schemes such as "Challenge 25"
- 6.10 Licensees are reminded of their statutory duties to display certain licence documents and notices, Proper access to the licence and the display of the summary documents are vital elements of both the premises management and enforcement regimes. The Dyfed Powys Police and the Licensing Authority are of the view that in order to comply with these requirements, the premises summary document needs to be displayed in full public view, at a convenient height, not obscured and in such a way that each page of the document can easily be read by any person at the premises.

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Police and Licensing Officers will expect the responsible person at the premises to be able to produce the licence without delay.

- 6.11 Applicants requiring further information regarding the above or local crime prevention strategies should contact the Police at the address given in Appendix B.
- 6.12 The Dyfed Powys Police have identified the following areas within the County as hot spots of alcohol related crime and disorder. Applicants and existing Licence holders are strongly advised to pay special attention to measures aimed at preventing Crime and Disorder at premises located on these streets and in the vicinity.

Llanelli

Murray Street, Station Road, Stepney Street, Ann Street.

Carmarthen

Coracle Way, Lammas Street, Water Street, Priory Street, Queen Street, King Street. Nott Square

Ammanford

Quay Street, Wind Street.

7 PUBLIC SAFETY

- 7.1 Applicants are reminded that the safety of staff and patrons on licensed premises is the responsibility of the licensee.

7.2 **New Psychoactive Substances**

A recent trend has been the use and availability of New Psychoactive Substances(NPS), so called ' legal highs'. The authority recognises that legislation is sometimes slow to change to deal with such substances and that both the Police and local authority have powers under other legislation to tackle premises supplying substances that could be considered as legal highs. The Licensing Authority expects licence holders and qualifying clubs to actively discourage and prevent the use or supply of such substances in licensed premises.

- 7.3 All applicants are strongly advised to include within their operating schedule details of the maximum numbers of persons to be allowed in the premises at any time, how that figure was reached, and the control measures to ensure it is enforced.

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- 7.4 Applicants are reminded that such maximum numbers should be calculated to ensure that premises can be safely evacuated in the event of any emergency, not just in the event of fire (which is the subject of separate legislation). The proposed maximum numbers and control measures should therefore also provide for other types of emergency (e.g. violent disorder, flooding, bomb threats etc).
- 7.5 All applicants are strongly advised to assess as to when the use of alternatives to glass, such as plastic bottles, plastic glasses and/or toughened glasses may be appropriate. The Licensing Authority believes that this is of particular relevance not just to high volume premises such as nightclubs and large town centre pubs, but also to other premises during peak periods such as bank holidays, other special occasions and external beer gardens and street cafes. Failure to properly address this issue could result in representations being submitted by the responsible authorities.
- 7.6 Applicants are advised to set out how they intend to make adequate first aid provisions for staff and customers.
- 7.7 The Licence Holder are advised to ensure that there is in force an appropriate public Liability Insurance Policy relating to his/her use of the premises for licensable activities. A copy of which should be on display at the principal point of entry and be produced to a Police Officer or an officer of the Licensing Authority on request.
- 7.8 Applicants are reminded electrical safety is of paramount importance. Applicants should be aware of the importance of ensuring that the electrical installations of a venue are maintained in safe correct working order, and are periodically checked to ensure they remain in such a condition.

Applicants are advised that the electrical installation in the premises should be in accordance with the requirements contained in the Institution of Electrical Engineers Regulations for the Electrical Equipment of Buildings (IEE Wiring Regulations – issued as BS 7671:2001-amd 2002: Requirements of electrical installations). The Local Authority also advises that the electrical installation of the premises should be inspected and tested annually by a qualified electrical engineer. Applicants are encouraged to keep a record of such certificates for a period of twelve months.

- 7.9 Applicants are reminded that in circumstances where temporary structures (e.g. stages, marquees, seating etc) and/or temporary installations (e.g. generators, heaters) are used, it is the applicants responsibility to ensure that they are suitable for their intended use and they are erected/installed correctly. Applicants are encouraged to ensure only competent people install/erect temporary structure(s) and installations, and the applicant is strongly advised to obtain completion / conformity certificates from the persons responsible for erecting or installing the structure. In addition, applicants are encouraged to keep a record of such certificates for a period of 12 months following obtaining the certificate.

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- 7.10 The use of LPG is not uncommon, in particular, at outdoor events. In circumstances where LPG is intended to be used and stored, applicants are urged to familiarise themselves with the requirements of the LPG Association code of practices and follow such codes.
- 7.11 Applicants and existing licence holders are reminded of the need to comply with the requirements of The Regulatory Reform (Fire Safety) Order 2005. Advice regarding Fire safety can be obtained from the Mid and West Wales Fire Brigade, contact details for their Fire Safety department appear in Appendix B.
- 7.12 The Licensing Authority recommends that applicants contact the Fire Brigade, Health and Safety Executive and or Carmarthenshire County Council Commercial Services as appropriate for further information and guidance on these issues. (See Appendix B for relevant contact details).

8 THE PREVENTION OF PUBLIC NUISANCE

- 8.1 Applicants are reminded that licensed premises do not exist in isolation and that their operation contains an inherent risk of public nuisance.
- 8.2 Applicants are advised, as part of the assessment referred to in paragraph 5.2, to identify potential instances of public nuisance, arising from the operation of the premises and the measures to be implemented to control them.
- 8.3 Inaudibility - The simple presence of noise at a complainant's premises would not itself be sufficient to determine the matter as being a Public Nuisance or statutory noise nuisance as defined by the Section 79 of the Environmental Protection Act 1990. In determining the existence of a public nuisance or statutory noise nuisance a number of factors must be taken into consideration such as time, duration, frequency and loudness of the noise.
- 8.4 Applicants are reminded that their responsibilities in this respect are not limited to activities taking place within the premises during opening hours. Applicants are advised to have regard to (amongst other things) the manner in which their premises are prepared for opening (e.g. cleaning and deliveries), the management of patrons entering and leaving the premises and the manner in which the premises is closed down, including the way in which glass bottles are disposed of.

Applicants are also advised to consider:-

- a) Displaying Neighbour courtesy notices to be displayed at the premises.
 - b) Adopting a Dispersal Policy for the premises in respect of any person leaving the premises after midnight.
- 8.5 Applicants are reminded that public nuisance is not limited in scope to noise nuisance. Regard should therefore be had to (amongst other things) issues of light pollution, odour pollution, vibration etc.

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- 8.6 As a result of the introduction of The Health Act 2006 and subsequently The Smoke-free Premises etc. (Wales) Regulations 2007, a large number of premises have erected external shelters and smoking areas, a number of which use street furnishings. Applicants should consider carefully the layout and locations of such external areas and are advised that such furnishings be situated in locations so as not to cause obstruction to the public.
- 8.7 Prior to erecting smoking structures applicants are reminded to consider whether their structure may conflict with relevant planning/building control permission for the premises. If the applicant is unsure whether this is the case or where they are aware of such a conflict, then they should contact the relevant Section of the Authority to resolve this matter.
- 8.8 Applicants are advised to consider how noise arising from the use of external smoking shelters/smoking areas is controlled. Applicants are advised to locate such areas away from residential properties if possible. It is also advised that applicants consider restricting the access to such areas and the activities undertaken within the areas e.g. alcohol not to be used in the external areas beyond a particular time and carefully manage access to and use of such areas.
- 8.9 Applicants are advised not to provide entertainment such as music and televisions in the external smoking areas. Not only can the noise from the entertainment cause disturbance, but external entertainment encourages people to stay outside for prolonged periods of time and this itself can give rise to noise and disturbance
- 8.10 Advertising by means of fly posting is increasing and can have a detrimental effect on the surroundings. Applicants who use such methods of advertisement are recommended to have procedures in place to ensure that the advertisements are removed as soon as possible. Applicants are reminded that fly posting may give rise to criminal liability, both for those who fly post and the business that is being advertised.
- 8.11 Applicants are advised to consider how customers using the smoking areas dispose of their used cigarettes. Applicants are encouraged to provide receptacles for the used cigarettes and also to have systems in place to ensure the area is kept free from litter.
- 8.12 The Public Health Team has encountered a number of cases where trade waste is not being effectively managed by Licensed Premises. The result of which can give rise to Public Health problems such as rodent infestations, flies and odours. Situations have also arisen where premises (especially food premises) have been depositing their waste oil into the foul drainage system that resulted in blocked drainage system. Applicants are therefore reminded of their obligation to comply with legislation in relation to these issues.

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- 8.13 Carmarthenshire County Council Public Health Services has produced further detailed guidance to assist applicants to address the public nuisance licensing objective. The Licensing Authority advise applicants to have regard to this guidance when producing operating schedules.
- 8.14 The Public Health Team has a duty to investigate nuisance complaints and therefore should be the first point of contact in cases where individuals are experiencing problems of nuisance from licensed premises.

9 THE PROTECTION OF CHILDREN FROM HARM

- 9.1 The Licensing Authority will not seek to require that access to any premises is given to children at all times. Under normal circumstances this will be left to the discretion of the licensee. Generally the Licensing Authority will not seek to limit access of children to any premises unless it is necessary for the prevention of harm to them. Applicants are reminded that their general responsibilities towards staff and customers are increased where such staff/customers are children.
- 9.2 Applicants are advised to include within their operating schedules a clear statement as to when children will be employed at the premises and/or when they will be allowed on the premises as customers or performers in regulated entertainment. Applicants are reminded of the existence of local by laws governing the employment of children, and are advised to contact Education and Children Services in relation to this issue.
- 9.3 The range of alternatives which may be considered for limiting the access of children include:
- a) Limitations on the hours when children may be present.
 - b) Limitations on the exclusion of the presence of children under certain ages when particular specified activities are taking place.
 - c) Limitations on the parts of premises to which children might be given access.
 - d) Age limitations (below 18).
 - e) Requirements for accompanying adults.
 - f) Full exclusion of people under 18 from premises when licensable activities are taking place.
- 9.4 Where applicants intend to allow children to enter their premises they are advised to establish and enforce clear codes of conduct to be observed at all times when children are present. The Licensing Authority suggests such codes to be incorporated within or annexed to operating schedules and to include reference to (amongst other things):
- a) The prohibition of foul and abusive language
 - b) The prohibition of threatening behaviour
 - c) The prohibition of entertainment of an adult or sexual nature
 - d) The prohibition of entertainment of a violent nature

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- e) The prohibition of gambling (other than small numbers of AWP machines).
- 9.5 Applicants are advised to clearly state which parts of the premises children are allowed to enter, the circumstances in which this can take place and the control measures to ensure this is enforced. Applicants should seek advice from the Licensing Authority and Children's Services on a case by case basis.
- 9.6 Applicants are advised to include within their operating schedule a declaration that children of school age will not be allowed into their premises during school hours.
- 9.7 Applicants whose premises are used to provide services specifically to children and/or family groups are advised to adopt the following measures:
- a) Security checks on all staff, including temporary staff.
 - b) Training for key staff in relation to child protection and safety issues.
 - c) The adoption of fixed time deadlines after which children of a certain age will generally be expected to leave the premises. The Licensing Authority recommends that on a day preceding a school day this should be 8pm for children up to and including primary school age, and 10pm for secondary school children.
 - d) Procedures to ensure that unaccompanied children have the means to travel home safely.
- 9.8 In respect of licensed premises that hire their function rooms for private events, they adopt a system where all bookings are checked and details of the event or functions are verified as being bona fide. Such details to be recorded to include name of person who took the booking, contact details of person make the booking and what steps were taken to confirm that the event or function was not for persons under 18 years of age. This is to prevent the possibility of licensing offences being committed by the premises or those attending the function, such as an under 18's party, school proms or similar events where the majority of those attending will be under 18.
- 9.9 Applicants whose premises are to be used for Parties or events aimed primarily at 18 year olds and under are advised that the following arrangements are prudent to protect children from harm.
- Bookings for such events should only be taken from an adult. A requirement of an accompanying adult to supervise should be considered.
 - A Designated Premises Supervisor should be present whenever the premises is in use for such events
 - Specific arrangements need to be made by the premises to ensure that children and young people are able to get home safely. For example having a freephone available for booking local taxis.
 - Specific arrangements need to be made to ensure that children and young people that turn up at the premises and are denied access due to

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intoxication get home safely to the care of a parent or carer or responsible adult.

- Fixed time deadlines at which such parties will generally be expected to leave the premises.
- 9.10 Consideration should be given to the age of bar staff serving at these events and the potential impact that peer pressure could have on the likelihood of alcohol being served to underage persons. Arrangements should include the supervision and training of these staff to deal with peer pressure.
- 9.11 Applicants are reminded of research carried out on behalf of the Department of Children & Families by Newcastle University, which concluded that children who misuse alcohol are likely to suffer harm to their physical and mental health, educational development and personal safety.
- 9.12 Applicants whose premises are to be used for the sale and/or supply of alcohol are advised to set out in their operating schedules the steps that will be taken to prevent the sale and/or supply of alcohol to persons under age. This may include (but not necessarily be limited to):
- a) The Implementation of a “Challenge 25” policy to ensure that all staff will insist on appropriate ID if they believe that a purchaser may be 25 or under – “No ID – No Sale”.
 - b) The provision of notices / posters to be clearly displayed in store, near the point of sale areas, to emphasise to customers that they will be challenged if they look 25 or under. It is recommended that similar posters relating to the sale of age related products to be clearly displayed near the products themselves.
 - c) What forms of proof of age will be accepted at the premises e.g. Photo-card driving licence, passport, Validate card or any PASS accredited proof of age card.
 - d) A requirement that all new employees to undergo induction training in relation to the sale of age restricted products, immediately on commencing employment, and a written record and details be kept of such training.
 - e) A requirement that all relevant staff undertake refresher training in relation to the sale of age restricted products at least once every 6 months.
 - f) That such training include information on the acceptable forms of ID, and in particular the “Validate” proof of age card, promoted within Carmarthenshire. Sample “Validate” ID cards, should be made available, for staff, to assist confidence in their understanding of information contained on such cards.
 - g) A Requirement that a “Refusals Log” be maintained, kept at the till area, and entries completed every time a sale is refused. These “refusals” should be examined and analysed by an appropriate person within the organisation, at regular intervals, and any potential concerns addressed immediately. Any such actions should be recorded, signed and dated.
 - h) Where a person under is 18 is employed, a signed record should be made by the relevant “supervisor” in charge of that person, prior to them commencing duty on each day.

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- i) The Premises Licence Holder should have installed a CCTV system that covers the checkout area. The licensee or another appropriate person should randomly examine any available CCTV recordings, in an attempt to satisfy themselves that all relevant policies are being adhered to, and act accordingly where there is any suspicion that staff, are not following policy, such as not requesting ID, or questioning potential “proxy sales”.
- j) The preparation of a written policy in relation to the sale of age restricted products, a copy of which to be provided to all staff. Such a policy should be annually reviewed and if relevant, updated to reflect changes in the law, and / or guidance issued by relevant bodies.
- k) Where an EPOS system is in use, a till prompt is automatically generated to alert staff that an alcoholic product has been scanned, and that staff need to acknowledge this, before such a sale can continue.
- l) Arranging for the DPS to be in full time employment at the premises, with an active “hands on” role in, and responsibility for, overseeing staff. The DPS should have successfully completed, and provide evidence of such, a nationally accredited “personal licence” course.
- m) Ensuring that all documents referred to above, are kept at the premises and made available on request, at all times to Police, Trading Standards or Licensing Officers. Applicants are advised that where such a requirement is made a condition of licence, a failure to produce could be interpreted as documents “not being available”, which could be a breach of licensing conditions.

9.13 The Trading Standards Services Section offer free training for premises staff in relation to the sale of alcohol and other age restricted products. Licence holders wishing to take advantage of this service must make arrangements well in advance by contacting the Trading Standards Section using the contact details contained in Appendix B.

9.14 Applicants should have regard to such advice and guidance as may be issued from time to time by the Police and the Carmarthenshire County Council’s own Trading Standards Officers.

9.15 Applicants are reminded that the advice to keep training records set out in paragraph 6.1 in this policy is equally applicable in this context.

9.16 The Licensing Authority recognises that the Department for Education and Children of Carmarthenshire Council is the competent body to advise on matters relating to the protection of children from harm. The address to which applicants should forward copies of their application is contained in Appendix E.

9.17 The Licensing Authority strongly advises applicants to make a commitment in their operating schedules to follow the Portman Group code of practice on the naming, packaging and promotion of alcoholic drinks. Failure to do so may be regarded as intelligence of irresponsible drinks promotions under section 19 (2) of this policy.

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10 CUMULATIVE IMPACT

- 10.1 The Licensing Authority has received sufficient evidence to show that a Cumulative Impact Policy continues to be required in relation to the lower end of Station Road, Llanelli, between its junction with Queen Victoria Road south to the railway crossing as shown on the plan attached at appendix F. However, in accordance with paragraph 1.7 this matter will be kept under constant review.

This Policy applies to any property which has a boundary on the relevant portion of Station Road.

- 10.2 Where relevant representations are received, it is the Licensing Authority's policy to refuse applications in respect of the lower end of Station Road, Llanelli, between its junction with Queen Victoria Road south to the railway crossing as shown on the plan attached at appendix F for;

- (a) New Premises Licences
- (b) The variation of such licences that are considered likely to add to the existing cumulative impact.

The policy is intended to be strictly applied and will only be overridden in genuinely exceptional circumstances

Exceptions are unlikely to be made on the grounds that the premises are, or will be, well managed

Exceptions should be directed at the reasons underlying the policy.

An exception might arise where an application proposes;

- (a) To effect a real reduction in capacity
- (b) To replace vertical drinking with seated consumption and waiter service.
- (c) To transfer an operation from one premises to another, where the size and location of the second premises is likely to cause less detrimental Impact and will promote the licensing objectives.
- (d) The substitution of existing licensable activity at a premises with licensable activities which would have less impact on the area and would be more likely to further the licensing objectives.

Variation applications which are likely to be considered to add to the existing cumulative impact include;

- (a) An increase in the capacity of the premises
- (b) An extension in the hours of operation of the premises
- (c) Introducing opportunities to consume alcohol other than ancillary to table meals
- (d) Introducing opportunities to take food away from the premises
- (e) Introducing dance floors or similar facilities

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- (f) Any other change to the way the premises operate which is likely to have an impact on the promotion of the licensing objectives.
- (g) The varying of an existing licence condition attached to a premises licence, which is likely to have an impact on the promotion of the licensing objectives.

The Licensing Authority acknowledges that it has departed from the Secretary of State's guidance by including premises which sell alcohol for consumption off the premises within the scope of this policy. However the Licensing Authority believes that this departure is justified due to the evidence of price competitive behaviour linked to street drinking, underage drinking, proxy sales and pre-loading associated with the concentration of such premises in Station Road, Llanelli.

The Licensing Authority acknowledges that this policy goes further than that set out within the Secretary of State's Guidance. However the Licensing Authority believes this is justified on the grounds set out below.

The reasons for adopting this policy are as follows;

1. The portion of Station Road, Llanelli, between its junction with Queen Victoria Road south to the railway crossing as shown on the plan attached at appendix F contains a total of 23 licensed premises, including pubs, nightclubs, off licences and late night take away outlets.
 - a) During the period 01/01/13 to 31/07/15 the following incidents occurred in Station Road –
 - 101 incidents of alcohol related ASB
 - 84 Incidents including alcohol related public safety concerns
 - 233 alcohol related crimes.
 - b) Station Road accounted for 57% of alcohol related anti social behaviour and 67% of alcohol related crime recorded in the hot spot areas in Llanelli identified in the policy.
2. The Road is in close proximity to a large number of residential streets. There is clear evidence that these streets are subject to alcohol related crime and disorder by persons who have purchased alcohol in Station Road.
3. Station Road is the location for a number of licensed premises. There is clear evidence linking these premises to late night noise and anti social behaviour in Station Road and the surrounding residential streets.
4. Evidence has been received that late night food outlets attract passing custom from people leaving the town centre, leading to a greater concentration of people than would otherwise be the case, before dispersing through nearby residential streets.
5. There have been licence applications relating to premises in Station Road which have highlighted issues of alcohol related anti-social behaviour and crime and disorder.
6. The evidence to support the above is contained in the Policy review file and on the individual premises files held by the Licensing Section.

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7. The evidence from the consultation shows that residents are continuing to be affected by alcohol related crime and disorder, however this is primarily between it's junction with Queen Victoria Road south to the railway crossing, as shown on the plan attached at appendix F.

11 LICENSING HOURS

- 11.1 The Licensing Authority recognises that fixed and artificially early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when large numbers of people tend to leave licensed premises at the same time. Longer licensing hours may therefore be an important factor in reducing friction at late night food outlets, taxi ranks and other sources of transport in areas where there have already been incidents of disorder and disturbance.
- 11.2 However, the Licensing Authority recognises that in certain cases, the presumed benefits of longer licensing hours may be outweighed by the disadvantages of increased public nuisance, crime and disorder. This may be particularly the case in rural or residential areas. The Licensing Authority advises applicants to address this possibility when preparing their operating schedules in accordance with section 5 of this policy.
- 11.3 As far as the Licensing Authority's overall approach to licensing hours is concerned, it has not introduced any form of zoning at present.
- 11.4 Instead, regard will be given to the individual characteristics of the premises concerned and the area in which it is located. It is recognised that pubs, nightclubs, restaurants, hotels, theatres, members clubs and community venues all contribute to the night time economy but with contrasting styles and characteristics. Proper regard will be had to those differences and the impact they are likely to have on the local community.
- 11.5 Premises licensed to sell alcohol will generally be permitted to do so during the normal hours they intend to open for business
- 11.6 Where representations are received, the Licensing Authority will deal with the issue of licensing hours on the individual merits of each application. For example, when issuing a licence, stricter controls may be imposed in the case of premises which are situated in the vicinity of residential accommodation.
- 11.7 Applicants for new licences, or those seeking variation of their existing licences and permissions, are advised to set out in detail in their operating schedules the control measures which they intend to adopt to address the licensing objectives.
- 11.8 Applicants are strongly recommended to include provision for drinking up time in their operating schedules.

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12. FILMS

- 12.1 In the case of premises which are used for film exhibitions, conditions will be imposed restricting access only to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Licensing Authority itself.

In recent years, the Act has been amended to exempt some types of film entertainment provided at certain locations from the requirement to be licensed between the hours of 8am and 11pm. Persons considering providing film entertainment are advised to contact the licensing section for detailed guidance regarding these exemptions.

13. INTEGRATING STRATEGIES AND THE AVOIDANCE OF DUPLICATION

- 13.1 The Policy is not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operatives.
- 13.2 The Licensing Authority will endeavour to secure proper integration with local crime prevention, substance misuse action plans and strategies, planning, transport, tourism, cultural and health, social care and well-being strategies.
- 13.3 Where any protocols agreed with the police identify a particular need to disperse people from any areas swiftly and safely to avoid concentrations which could lead to disorder and/or nuisance, the Licensing Authority will aim to inform those responsible for providing local transportation so that arrangements can be made to reduce the potential for problems to occur.
- 13.4 The licensing authority will seek to encourage licensable activities which do not undermine the licensing objectives and which are consistent with the economic regeneration strategies and objectives of the authority, particularly those of the Llanelli town centre task force.
- 13.5 The Licensing Authority recognises that licensing applications should not be seen as a re-run of the planning application process and that there should be a clear separation of the planning and licensing regimes to avoid duplication and inefficiency. Therefore, the Licensing Authority will not insist that a premises has the benefit of appropriate planning consent before considering an application, although applicants are reminded that the local planning authority, as a relevant authority, has the power to object to the granting of a licence and/or request the imposition of conditions upon any licence granted. Applicants are also reminded that the fact that planning consent may permit them to operate until a particular hour does not mean that they will necessarily be granted a licence on the same terms as different statutory criteria is applied under the planning and licensing regimes.
- 13.6 The Licensing Authority recognises that, apart from the licensing function, there are a number of other means available for addressing issues of

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disorder and nuisance that can occur away from licensed premises, including:

- a) Planning Controls.
- b) Positive measures to create a safe and clean town centre environment in partnership with (amongst others) local businesses, transport operators and other departments of the Local Authority.
- c) The provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols.
- d) Powers of Local Authorities to designate parts of the Local Authority area as places where alcohol may not be consumed publicly.
- e) Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices.
- f) The prosecution of any personal licence holder or member of staff at such premises, selling alcohol to people who are drunk.
- g) The confiscation of alcohol from adults and children in designated areas.
- h) Police powers to close down instantly for up to 24 hours any licensed premises or temporary events on the grounds of disorder, or the likelihood of disorder or noise from the premises causing a nuisance.
- i) The powers of the police, other relevant authority or a local resident or business to seek a review of the licence or certificate in question.
- j) The powers of Public Health Services to issue abatement notices under Section 80 of the Environmental Protection Act 1990 to prevent statutory nuisance.

13.7 The Licensing Authority will continue to address issues of this type through the Carmarthenshire Community Safety Partnership.

14. LIVE MUSIC, DANCING AND THEATRE

14.1 In recent years, the Act has been amended by the Live Music Act, Deregulation Act and other legislative orders, which have exempted some types of entertainment provided at certain locations from the requirement to be licensed between the hours of 8am and 11pm. It should be noted that exempt entertainment is still subject to the powers under the Environmental Protection Act 1990 and that live music provided at licensed premises under The Live Music Act must still promote the licensing objectives and could still be subject to a licence review. Persons considering providing entertainment are advised to contact the licensing section for detailed guidance regarding these exemptions.

14.2 When determining applications for live and/or community based events the Licensing Authority will take into account the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community as a whole, and in particular the need to support and promote the linguistic and cultural heritage of Carmarthenshire.

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- 14.3 If representations are made concerning the potential for disturbance in a particular neighbourhood as a result of such activities, such representations will be balanced against the wider benefits to the community of such events taking place.
- 14.4 When attaching conditions to licences granted for such events, the Licensing Authority recognises the need to avoid measures that might deter live music, dancing or theatre by the imposition of substantial indirect costs.
- 14.5 The Licensing Authority acknowledges the advice previously received from the DCMS in this context that the views of vocal minorities should not be allowed to predominate over the general interests of the community.
- 14.6 Only conditions strictly appropriate for the promotion of the licensing objectives will be attached to licences for activities of this nature.

15. SMALL SCALE TEMPORARY EVENTS

- 15.1 The Act provides for certain occasions when small-scale events (for no more than 499 people at any one time and lasting for no more than 168 hours) do not need a premises licence providing that advance notice is given to the Police, Environmental Health and the Licensing Authority. Only the Police or Environmental Health can object to such a Temporary Event Notice if they believe the event is likely to undermine any of the licensing objectives.

Standard Temporary Event Notices

- 15.2 Persons wishing to hold such events under the authority of a standard temporary event notice (TEN) must give a **minimum of 10 clear working days** notice to the Police, Environmental Health and the Licensing Authority. The addresses to which such notices must be sent can be found in Appendix C to this policy.

Late Temporary Event Notices

- 15.3 A late temporary event notice can be submitted up to **five clear working days prior to the start** of an event and must be served in the same way as set out above for standard TENs. However if one of the authorities objects to a late TEN, the Notice will not be valid and the event will not be able to go ahead.
- 15.4 The Licensing Authority recommends that responsible event organisers give far greater notice of events however, to ensure that potential problems can be identified and resolved well in advance. Ideally the Licensing Authority would like to receive three months notice of such 'small' temporary events, although it is recognised that this may not be practicable in some cases.
- 15.5 Those submitting Temporary Event Notices are therefore strongly recommended to contact licensing officers early in the planning of such events to obtain further guidance regarding the process.

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- 15.6 Those submitting Temporary Event Notices are advised to consider the advice about organising events for 18 year olds and under which can be found at paragraph 9.9 and the impact of alcohol consumption on young people which can be found at 9.10
- 15.7 Organisers of Temporary Events are strongly advised to refer to the good practice advice contained in other sections of this policy document. In particular :-
- Section 6 The Prevention of Crime and Disorder,
 - Section 7 Public Safety
 - Section 8 The Prevention of Public Nuisance and
 - Section 9 The Protection of Children From Harm

Organisers are also strongly advised to consult the Authorities listed in Annex B for advice regarding their obligations under other separate legislation.

16 LARGER OCCASIONAL EVENTS

- 16.1 Organisers of larger Occasional events involving 500 or more people will be required to submit applications for premises licences. The Licensing Authority again strongly recommends that event organisers contact licensing officers early in the planning stages of the event. Ideally the Licensing Authority would like to receive 12 months notice of any such event, although it is again recognised this may not be practicable in some cases.
- 16.2 The Following table is included as a suggested minimum period of time prior to an event for submitting a complete application, following consultations with the responsible authorities.

Maximum number of attendees at any time	Minimum notice period
500 - 999	Not less than 2 months
1000 - 2999	Not less than 3 months
3000 - 4999	Not less than 4 months
5000 - 19999	Not less than 5 months
20000 – 49999	Not less than 6 months
50000 +	Not less than 7 months

- 16.3 Organisers of all occasional events, irrespective of their size and duration, are reminded that failure to consult with the Licensing Authority and Responsible Authorities well in advance of the event taking place increases the risk of objections to the event, and the subsequent cancellation of the event itself.
- 16.4 Organisers of occasional events are advised to prepare an Event Management Plan setting out details of all aspects of the arrangements for the event. Organisers are advised to contact the licensing section for advice and guidance regarding the preparation of such management plans.

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- 16.5 The Licensing Authority will establish a multi-agency advisory group, consisting of the emergency services and other council services such as Highways and Public Health, to advise and co-ordinate planning for public events in the County, irrespective of their size and duration.
- 16.6 Organisers of occasional events are advised to consider the advice about events aimed at 18 year olds and under that can be found at 9.9 and the impact of alcohol consumption on young people which can be found at 9.10.

17. THE LICENSING PROCESS

- 17.1 The powers of the Licensing Authority under the Act will be carried out either by the Licensing Committee, by a sub-committee of that committee, or by one or more officers of the council in accordance with the scheme of delegation, which is prescribed from time to time by regulations and guidance under the Act. See Appendix A.
- 17.2 In general terms however, the Licensing Committee will have a largely supervisory role, contested applications will be dealt with by sub-committees, and uncontested applications by officers. See Appendix A.
- 17.3 Applicants are strongly encouraged to consult the Licensing Authority, responsible authorities, local businesses and residents whilst preparing their applications. The Licensing Authority firmly believes that this will assist applicants in identifying potential problems so that they can be addressed before they occur, and allay the fears of such businesses and residents as to the impact of the new licensing regime.
- 17.4 Applicants are strongly encouraged to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies or local crime prevention strategies and to have taken these into account, where appropriate, when formulating their operating schedules.
- 17.5 There is a presumption that a Sub Committee will not undertake site visits. A site visit will only be arranged where a valid representation is received and in the opinion of the licensing officer the sub committee may benefit from such a visit when determining the application. Officers will consult the chairman of the relevant Sub Committee prior to arranging a site visit.

If when dealing with applications where a site visit has not been arranged, the sub committee subsequently feels that a site visit is necessary in order to determine the application, the hearing may be deferred to allow this to take place.

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17.6 Minor Variations

The Licensing Act 2003 has been amended by the insertion of Section 41A to 41C relating to minor variations. This allows for certain small variations to be processed through a simplified 'minor variations' process.

Minor variations will generally fall into four categories:

- Minor variations to the structure or layout of the premises
- Small adjustments to licensing hours
- The removal of out of date, irrelevant or unenforceable conditions or addition of volunteered conditions
- The addition of certain licensable activities

Applicants are advised to contact the Licensing Section to discuss their proposed application prior to submitting a formal application.

17.7 Community Premises

The Licensing Act 2003 has been amended to allow certain community premises which have, or are applying for, a premises licence that authorises alcohol sales to be exempted from the need to have a designated premises supervisor.

Such an application may only be submitted where the licence holder is the management committee, who would then be responsible for the supervision and authorisation of all alcohol sales made.

Community premises are defined as church or chapel halls, village or community halls or similar buildings.

Applicants are advised to discuss their proposals with the Licensing Section prior to submitting a formal application.

Making Representations

17.8 Persons considering making representations in relation to an application may wish to contact the licensing section for further information regarding the application and for guidance regarding the process of making representations.

17.9 The Authority advises individuals wishing to make representations against submitting a petition, as it is often difficult to verify that all the signatories meet the criteria contained in the legislation for relevant representations. In line with advice from LACORS, where lengthy petitions are submitted in relation to licence applications, a lead contact should be given and the Authority will then only correspond directly with that individual. Information regarding the application will be made available upon reasonable request to other signatories of the petition.

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- 17.10 In the interests of Local Authority cost and efficiency, where large numbers of representations are received regarding an application, copies of all the representations may not be distributed to all persons. The relevant documents will however be made available for inspection.
- 17.11 Any persons who have submitted representations are strongly advised to attend the hearing arranged to determine the application, as the committee may have to attach less weight to their representation if they are not present to answer questions regarding matters raised.
- 17.12 Where a person does not agree for their personal information being disclosed to an applicant, they are advised that this may result in less weight being attached to their representations.
- 17.13 Where a person has a genuine and well founded fear of intimidation and may be deterred from making a representation, they are advised to consider contacting the relevant Responsible Authority to discuss their concerns regarding the application.
- 17.14 Any person may make relevant representations in respect of licence applications.
- 17.15 Persons who make representations are expected to set out in detail the problems complained of and how they affect them.

18. LICENCE REVIEWS

- 18.1 At any stage following the grant of a premises licence, any person or responsible authority may ask the Licensing Authority to review the licence because of problems arising at the premises in connection with any of the four licensing objectives. In addition, a review of the licence will normally follow any action by the police to close down premises for up to twenty-four hours on grounds of disorder or public nuisance.
- 18.2 Any person who wishes to apply to review a licence or certificate are reminded that such an application cannot be made on a confidential basis. It is a requirement of the Act that the identity of the person or organisation making the application be disclosed in order for the request to be valid.
- 18.3 Where the application for a review originates with a person other than a responsible authority the Licensing Authority will first consider whether the request made is irrelevant, vexatious, frivolous or repetitious. This decision will be made by officers of the Licensing Authority in conjunction with the Chair or Vice Chair of the Licensing Committee.
- 18.4 Nothing in this policy shall be taken to prevent any individual making separate applications for the review of different licences, or more than one application for the review of the same licence where such requests are based on different complaints or evidence.

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18.5 Following receipt of an application for review or where the closure procedures referred to in paragraph 18.1 above apply, the Licensing Authority will arrange a hearing, which will be conducted in accordance with the prescribed regulations.

19. DISPUTE RESOLUTION

19.1 In the first instance, individuals or groups with concerns about particular premises are encouraged to raise their concerns directly with the applicant or licensee concerned.

19.2 Where the following have occurred the Licensing Authority will offer to arrange for mediation between the parties concerned to try to address, clarify and resolve the issues in dispute:

- a) A valid representation regarding a licence application
- b) A valid request for the review of a licence
- c) A valid complaint about licensed premises.

19.3 This offer will not override the right of any party to ask that the Licensing Committee (through its sub-committees) consider their representation, request or objection, nor the right of any applicant or licensee to refuse to take part in the mediation process.

20. ENFORCEMENT

20.1 The Licensing Authority has established protocols with the police and other enforcing authorities. These protocols will provide for the targeting of unlicensed premises, problem premises and high-risk premises, but with a lighter touch being applied to those premises which are shown to be well managed and maintained.

The authority has established a Licensing Action Group to provide a forum for representatives of the responsible authorities to meet regularly to focus coordinated action in respect of clubs or premises which are a source of complaint or concerns.

20.2 In establishing whether premises are high risk, regard will be had to the following:

- a) Intelligence relating to disorder and/or nuisance at, or in the vicinity of the premises.
- b) Intelligence relating to the sale/consumption of alcoholic drinks at, or in the vicinity of the premises by persons under age.
- c) Intelligence relating to drug taking and/or dealing at, or in the vicinity of the premises.
- d) Intelligence relating to irresponsible drinks promotions at the premises.
- e) Intelligence relating to binge drinking at the premises.

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- f) Whether the premises can be categorised at any time as high volume or high-density vertical drinking establishments.

20.3 In general, action will only be taken in accordance with set enforcement principles and in line with the Licensing Authority's own enforcement policy. To this end, the key principles of consistency, transparency and proportionality will be maintained.

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Appendix A

DELEGATION OF FUNCTIONS

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a Police objection	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary Designated Premises Supervisor		If a Police objection	All other cases
Request to be removed as Designated Premises Supervisor			All cases
Application for transfer of premises licence		If a Police objection	All other cases
Applications for interim authorities		If a Police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a representation or review application is irrelevant, frivolous, vexatious etc.			All cases (In consultation with the Chair or Vice Chair of Licensing)
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a Police objection to a temporary event notice		All cases	
Adjourning a sub committee where all parties consent			In consultation with sub-committee chairperson

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Appendix B

CONTACT DETAILS

Licensing Authority

Licensing Section
Public Protection Division
Carmarthenshire County Council
3 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LE

Tel No. 01267 234567
e-mail : PublicProtection@Carmarthenshire.gov.uk
Fax No. 01267 229141

Licensing Officer
Dyfed Powys Police
c/o Police Station
Foundry Road
Ammanford
SA18 2LS

Tel No. 01269 590578
e-mail: Mike.Price@Dyfed-Powys.pnn.police.uk
Fax: 01269 591892

The relevant Planning Authority for your premises:-

Either

Head of Planning
Carmarthenshire County Council
8 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LQ

Tel No. 01267 224663 / 01267 224882 / 01267 224118
e-mail: Planning@Carmarthenshire.gov.uk
Fax No. 01267 237612

Or

Brecon Beacons National Park, for premises within its administrative area

Enforcement Officer
Brecon Beacons National Park Authority
Plas Y Ffynnon
Cambrian Way

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Brecon
Powys
LD3 7HP

Tel No: 01874 620431
Email: planning.enquiries@breconbeacons.org
Fax: 01874 622524

Public Health Services Manager (for Public Nuisance issues)
C/O Public Protection Division
Carmarthenshire County Council
Ammanford Town Hall
Iscennen Road
Ammanford
SA18 3BE

Tel No. 01267 234567
e-mail: PublicProtection@Carmarthenshire.gov.uk
Fax No. 01267 221616

Trading Standards Manager
Public Protection Division
Carmarthenshire County Council
Ty Elwyn
Llanelli
Carmarthenshire
SA15 3AP

Tel No. 01267 234567
e-mail: PublicProtection@Carmarthenshire.gov.uk
Fax No. 01554 742115

County Commander
Mid and West Wales Fire and Rescue Services
Carmarthenshire County Command HQ
Lime Grove Avenue
Carmarthen
Carmarthenshire
SA31 1SP

Tel No. 0870 6060699
e-mail: Mail@Mawwfire.gov.uk
Fax: 01267 222382

Department for Education and Children
Carmarthenshire County Council
Building 2
St. Davids Park
Jobs Well Road
Carmarthen
SA31 3HB

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Tel No. 01267 246544
e-mail. SocialCare@Carmarthenshire.gov.uk
Fax: 01267 246746

The relevant Health and safety authority for your premises

Either

Public Health Services Manager (for Public Safety Issues)
Public Protection Division
Carmarthenshire County Council
3 Spilman Street
Carmarthen
SA31 1LE

Tel No. 01267 234567
e-mail: PublicProtection@Carmarthenshire.gov.uk
Fax No. 01267 221616

Or

Health and Safety Executive
Services Division
Ty Myrddin
Old Station Road
Carmarthen
Carmarthenshire
SA31 1LP

Tel No. 01267 244230
Fax No 01267 223267

Applicants for licences in respect of vessels should contact the Licensing Authority for additional information.

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Appendix C

ADDRESSES FOR SERVICE OF TEMPORARY EVENT NOTICES

Licensing Section
Public Protection Division
Carmarthenshire County Council
3 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LE

Public Health Services Manager
C/O Public Protection Division
Carmarthenshire County Council
Ammanford Town Hall
Iscennen Road
Ammanford
SA18 3BE

Licensing Officer
Dyfed Powys Police
c/o Police Station
Foundry Road
Ammanford
SA18 2LS

Or

Dyfed-Powys Police
The Duty Inspector
Llanelli Police Station
Waunlanyrafon
Llanelli
Carmarthenshire

Envelopes should be marked 'URGENT TEMPORARY EVENTS NOTICE'

Appendix D

ADDRESS FOR SERVICE OF APPLICATIONS ON THE LICENSING AUTHORITY

The Licensing Section
Public Protection Division
Carmarthenshire County Council
3 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LE

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Appendix E

ADDRESSES FOR SERVICE OF RESPONSIBLE AUTHORITIES

Licensing Authority

Licensing Section
Public Protection Division
Carmarthenshire County Council
3 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LE

Licensing Officer
Dyfed Powys Police
c/o Police Station
Foundry Road
Ammanford
SA18 2LS

The Relevant planning Authority

Either ,

Head of Planning
Carmarthenshire County Council
8 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LQ

Or

Brecon Beacons National Park, for premises within its administrative area

Enforcement Officer
Brecon Beacons National Park Authority
Plas Y Ffynnon
Cambrian Way
Brecon
Powys
LD3 7HP

Tel No: 01874 620431
Email: planning.enquiries@breconbeacons.org
Fax: 01874 622524

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Public Health Services Manager (for Public Nuisance issues)
C/O Public Protection Division
Carmarthenshire County Council
Ammanford Town Hall
Iscennen Road
Ammanford
SA18 3BE

Trading Standards Manager
Public Protection Division
Carmarthenshire County Council
Ty Elwyn
Llanelli
Carmarthenshire
SA15 3AP

County Commander
Mid and West Wales Fire and Rescue Services
Carmarthenshire County Command HQ
Lime Grove Avenue
Carmarthen
Carmarthenshire
SA31 1SP

Department for Education and Children
Carmarthenshire County Council
Building 2
St. Davids Park
Jobs Well Road
Carmarthen
SA31 3HB

The relevant Health and safety authority for your premises,

Either

Public Health Services Manager (for Public Safety issues)
Public Protection Division
Carmarthenshire County Council
3 Spilman Street
Carmarthen
SA31 1LE

Or

Health and Safety Executive
Services Division
Ty Myrddin

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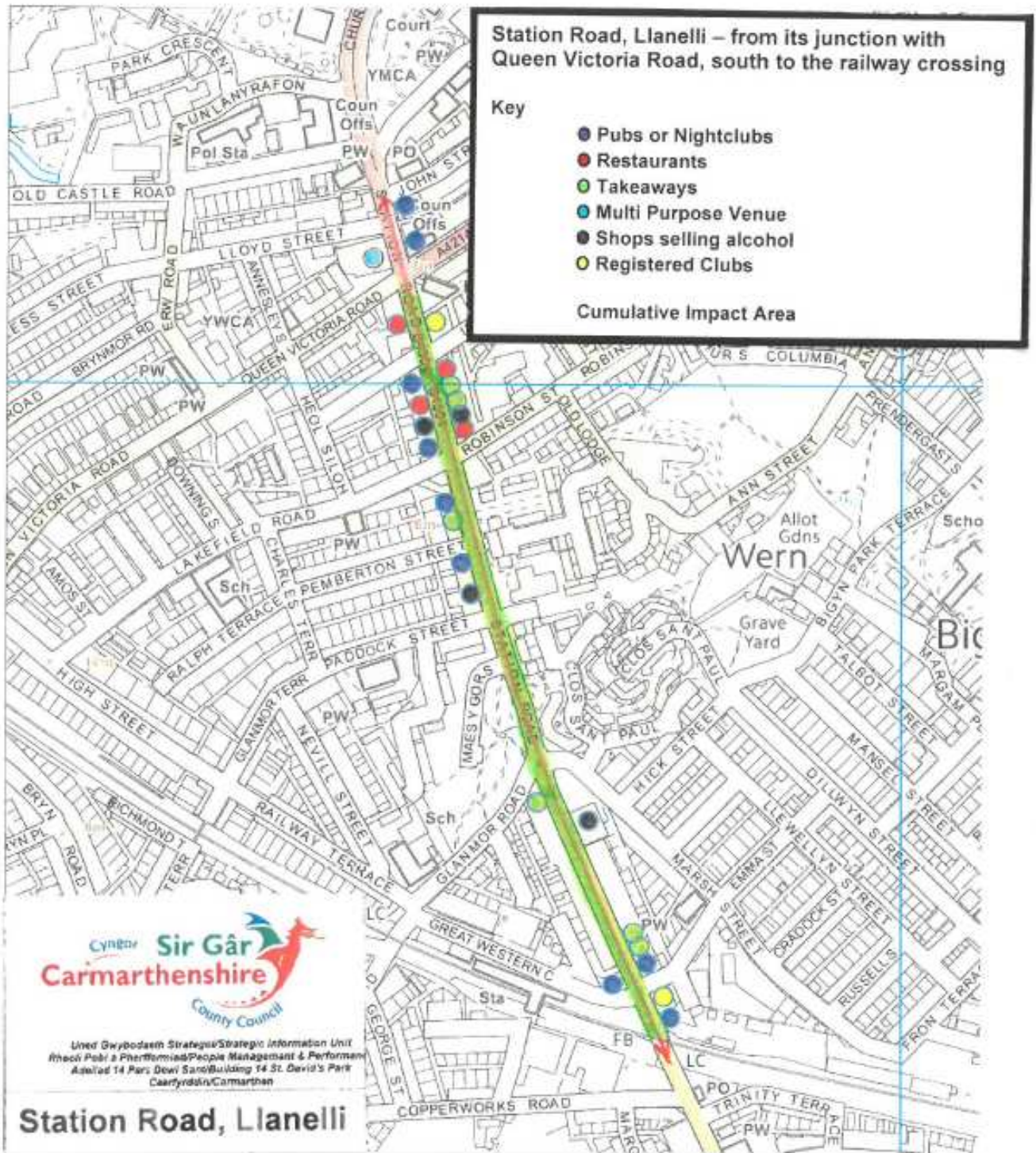
STATEMENT OF LICENSING POLICY

Old Station Road
Carmarthen
Carmarthenshire
SA31 1LP

Applicants for licences in respect of vessels should contact the Licensing Authority for additional information.

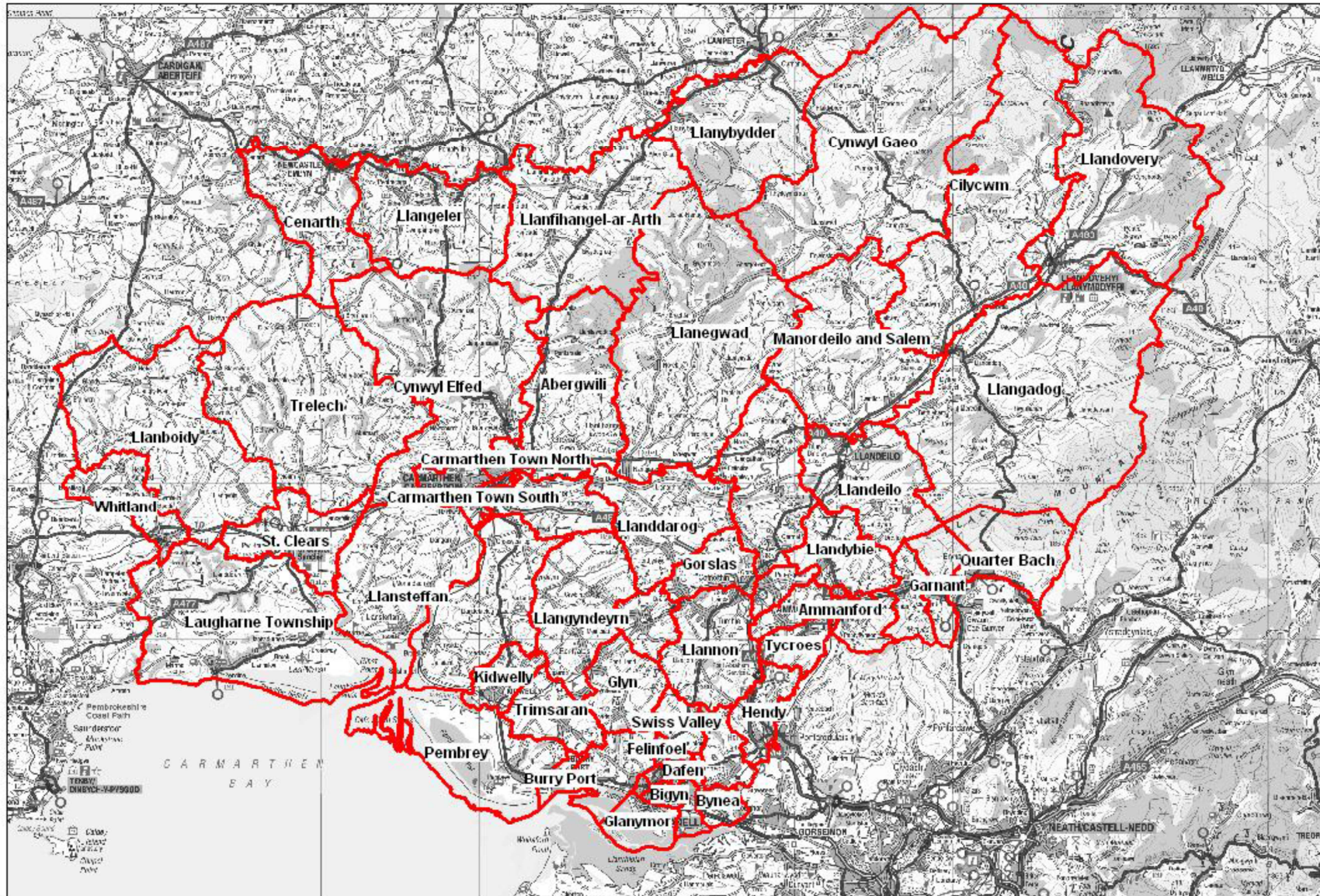
STATEMENT OF LICENSING POLICY

Appendix F



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STATEMENT OF LICENSING POLICY

Appendix G



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CARMARTHENSHIRE COUNTY COUNCIL



Licensing Policy CONSULTATION REPORT

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CARMARTHENSHIRE COUNTY COUNCIL

Licensing Policy CONSULTATION

INTRODUCTION & CONTEXT

On a periodic basis – at least once every five years – the local authority is legally required to review its Licensing Policy under the Licensing Act 2003 to ensure fitness for purpose. Consultation is an intrinsic part of this process: the policy must be responsive to local needs, it should take under advisement comments from myriad stakeholders and seek evidence that will help evaluate progress against its statutory objectives.

To this end, a ten week consultation (July 7th to September 13th 2015) was held to garner views from a wide range of organisations and individuals with an interest in licensing matters.

This report, incorporating the results of the public consultation and the authority's response in summary form, will go to both the Licensing Committee and Environmental & Public Protection Scrutiny Committee mid-November and then to the Executive Board for a decision before the month ends.

This report:

- 1) Outlines the approach and consultation methods deployed;
 - 2) Summarises results and key findings;
 - 3) Considers free-text responses from residents, license holders, organisations and town and community councils in a summary matrix table;
 - 4) Provides a short summary
-

1) OUTLINE OF APPROACH AND CONSULTATION METHODS

A mixed-methods approach to ascertaining views on Carmarthenshire's Licensing Policy was employed to gather quantitative and qualitative data for analytical and evaluative purposes. Specifically, the consultation focused on (i) identifying locations where alcohol-related problems (including ASB, littering and noise pollution) were perceived to be a serious issue and (ii) the effectiveness of the existing Cumulative Impact Policy and hot spot areas. Participants were also asked how the Policy could be used to further support the hospitality and leisure industry in Carmarthenshire.

In accordance with the Licensing Act 2003, a number of statutory consultees were engaged throughout the consultation. This included:

- the chief officer of police
- the fire authority
- persons/bodies representative of local premises licence holders
- persons/bodies representative of local club premises certificate holders
- persons/bodies representative of local personal licences
- persons/bodies representative of businesses and residents in the area

More generally, the following mechanisms and consultation channels were utilised:

Publicity

The consultation was publicised through the Council's press office, through means including: press releases; article in Carmarthenshire News; information on the Council's website; online consultation portal (hosted on iLocal) and through social media feeds.

Carmarthenshire Citizens' Panel & 50+ Forum

Carmarthenshire's Citizens' Panel (a representative group comprising c. 600 members) – and 50+ Forum (2400 members aged 50 plus) are a useful barometer of public opinion and are regularly consulted on Council services. Information was disseminated electronically to members on email: c. 230 Citizens' Panel and c. 550 50+ members.

Workshop

The September 3rd licensing committee was used as an opportunity to run a short workshop session with members. Facilitated by Emyr Jones, members were issued paper copies of the survey and taken through each question in turn.

Survey

Surveys are a cost-effective method for finding out stakeholders' views and can be administered in a variety of different ways. An electronic and paper survey was thus selected as the principal method for gathering data. The survey contained a number of fixed-response (closed) and free-response (open) questions. Furthermore, the survey encouraged respondents to upload/attach evidence to support their submission.

The on-line survey was made available through Carmarthenshire County Council's iLocal consultation portal. In addition to listed statutory consultees, links to the survey were circulated to members of the Citizens Panel, 50+ Forum, Equality Carmarthenshire and Youth Council; county councillors and town and community councils, license holders, licensing solicitors, MPs, AMs and the Police and Crime Commissioner. Taken as a whole, consultation invites were sent to over 1900 individuals and organisations (excluding Carmarthenshire News recipients).

The consultation exercise resulted in **89 submissions**, covering a wide section of the community. Over a third of responses received were from members of the public. Of the 88 respondents who answered the demographic question, 33 (38%) responses were from individual members of the public,¹ 17 (19%) from a body/person representing the public and 15 (17%) were a premises licence holder. A full breakdown is tabulated overleaf. Considering all responses, 22% of responses were received from premises/households in SA15, 13% in both SA14 and SA18, 10% in SA31 and SA33, 9% in SA17 and 7% in SA32, reflecting the clustering of premises in Carmarthenshire's three main population centres: Ammanford,

¹ The demographic profile of respondents is as follows. Ethnicity: all respondents described themselves white. Age:, 6% were under 25, 28% were 35-44, 28% 45-54, 12% 55-64, 25% 65-74, (age cohorts with no responses are not listed). Gender: 47% female, 50% male, 3% preferring not to say (PNTS). Disability: 6% yes, 94% no. Religion or belief: 56% held a religion or belief, 38% did not and 6% PNTS. Sexual orientation: 87% heterosexual, 1% lesbian, gay or bisexual, with 10% PNTS.

Carmarthen and Llanelli. Other postcodes either had fewer than 5% of responses or did not attract a response.

Are you responding as a...	
Premises licence holder	15 (17%)
Personal licence holder	10 (11%)
Club premises certificate holder	5 (6%)
Member of the Public	33 (38%)
Local business	-
Body representing licence holders / clubs	-
Body/ Person representing members of the Public (e.g. County councillors; Town & Community Council)	17 (19%)
Other Organisation or Group	8 (9%)

Proper weight has been given to the views of all those consulted and, in particular, 'due regard' given to free text (literal) responses.

Other

Carmarthenshire's Licensing department also met with the Licensing Action Group, Ceredigion and Pembrokeshire Councils and Local Health Board.

2) KEY QUANTITATIVE FINDINGS FROM THE SURVEY

In order to illustrate the key findings of the survey, this section will be structured by considering each quantitative survey question in turn. Mention will be made of the views of different categories of respondent, to enable comparisons to be made. This process is known as the disaggregation of survey data: examining trends by age, gender and other demographic variables to enrich the consultation. In section 3, comments from the consultation will be considered separately in a matrix table, whether these have arisen through survey submission, or letter or email submissions.

About the Average Index Score (AIS)

Sometimes known as a 'weighted average', the AIS is a way of distilling the 'balance and strength of opinion' down into one number. Useful for questions with options to 'strongly agree', 'disagree', etc., the technique is used throughout the report.

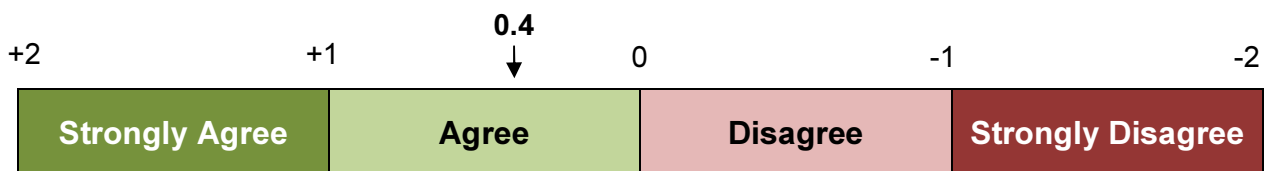
Example

10 people are asked whether they 'strongly agree', 'agree', 'have no opinion', 'disagree' or 'strongly disagree' that Wales will win the six nations.

Results...

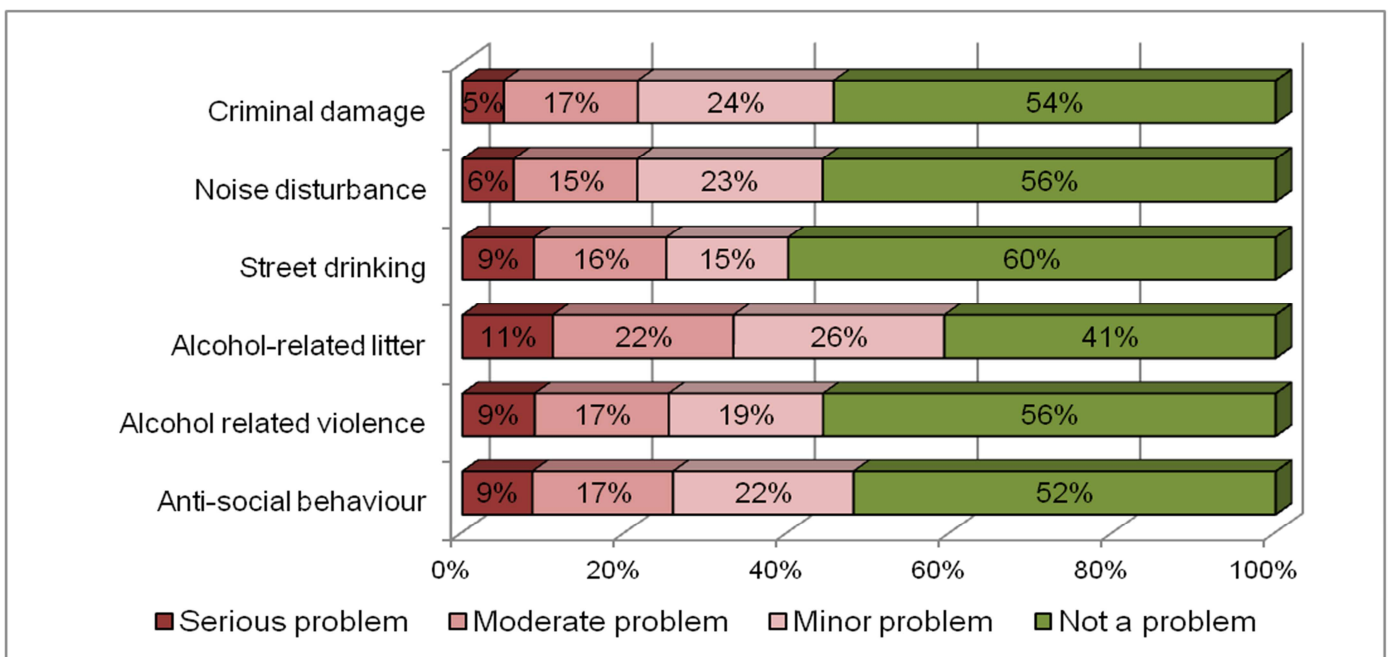
- 3 strongly agree (each response worth 2, so=**6**)
- 3 agree (each response worth 1, so=**3**)
- 1 no opinion (each response worth 0, so=**0**)
- 1 disagree (each response worth -1, so=**-1**)
- 2 strongly disagree (each response worth -2, so=**-4**)

The AIS is calculated by adding all the numbers in bold: So, $6+3+0-1-4=4$; Then dividing by the number of responses (10 in this case). The average index score is: $4 \div 10 = \mathbf{0.4}$



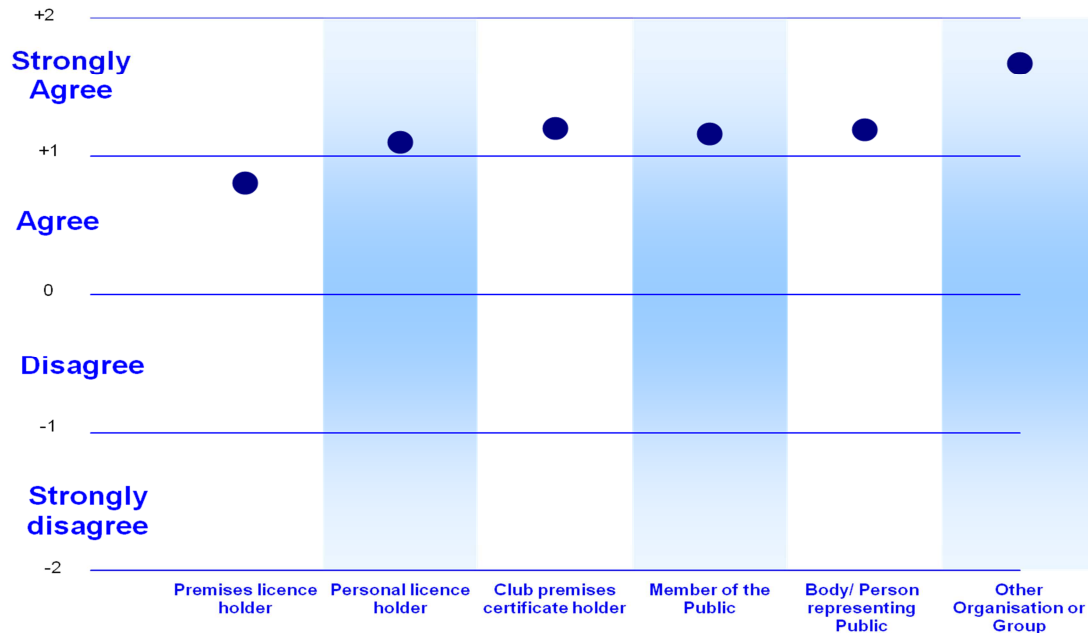
Following a series of demographic profiling questions, respondents were given a list of common alcohol-related issues and asked to indicate the extent to which they were a problem in their area using a likert scale, with 'serious problem' and 'not a problem' as scale anchors. As depicted below, over half of all respondents do not deem the listed alcohol-related issues a problem. Alcohol-related litter is one exception to the rule, 59% of respondents consider this a problem to varying degrees (11% serious; 22% moderate; 19% minor).

To what extent are the following alcohol-related issues a problem in your local area?

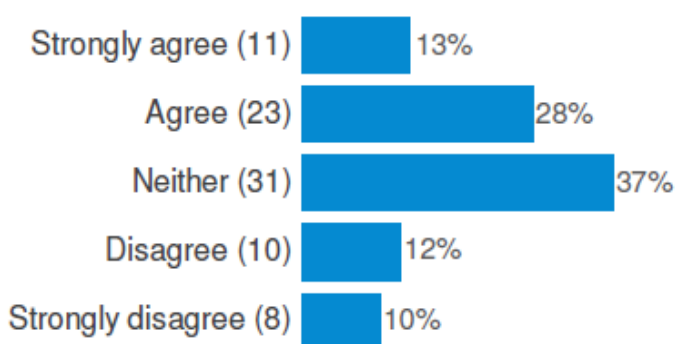


result, with a score in the range of 1–2 indicting strong agreement. An AIS graph by category of respondent is plotted below.

To what extent do you agree or disagree that the Cumulative Impact Policy should continue?



Four in ten respondents (42%; 30 individuals) felt the Cumulative Impact Policy should be applied to other streets in the County, 58% thought an extension was not warranted. Only 13 respondents (fewer than 50%) specified a location. The following streets were put forward for consideration, listed in order of frequency: Lammas St (x4 respondents); Ann Street, Llanelli (x2); Notts Square, Carmarthen (x2); King Street, Carmarthen (x1); wider Carmarthen town centre (x1); Wind Street, Ammanford (x1) and Llanelli Town Hall square (x1). This is fully considered in the summary matrix table (section 3).



Next, respondents were asked to what extent they agreed or disagreed with a statement about **permitted hours for licensed premises**. There is slight agreement towards maintaining the status quo: 51% agreed (13% strongly agree; 28% agree) that the Licensing Policy should not limit permitted hours for licensed premises.

The table below shows the overall AIS, and that for selected categories, in order to better understand the result. A range of +2 (strongly agree) to -2 (strongly disagree) is used. It is evident that license holders were more likely to agree that the policy should not limit permitted hours. With a lower AIS, members of the public, and in particular females were less likely to agree. Specifically, the female AIS of of -0.12

confirms a very slight negative position, against the idea of not limiting permitting hours.

+2	+1	0	-1	-2
Strongly Agree	Agree	Disagree	Strongly Disagree	

	ALL	Premises license holder	Personal License holder	Club premises certificate holder	Members of the public	Bodies representing public	F	M
AIS	0.23	0.43	0.9	0.6	0.09	0.06	-0.12	0.5
No. of respondents	83	14	10	5	32	16	17	24

Finally, the survey turned to **Hot Spot areas**. Respondents were given a list of twelve existing hot spot areas and asked to consider whether they should remain in place. The results are tabulated below.

	No. of respondents	Yes	No	Don't know / no opinion
Ammanford - Quay Street	71	39%	3%	58%
Ammanford - Wind Street	71	42%	1%	56%
Carmarthen - Coracle Way	73	37%	7%	56%
Carmarthen - Lammas Street	76	54%	1%	45%
Carmarthen - Water Street	76	43%	4%	53%
Carmarthen - Priory Street	76	47%	4%	49%
Carmarthen - Queen Street	75	55%	1%	44%
Carmarthen - King Street	76	54%	1%	45%
Llanelli - Island Place	69	39%	7%	54%
Llanelli - Murray Street	70	44%	4%	51%
Llanelli - Station Road	71	56%	4%	39%
Llanelli - Stepney Street	69	42%	4%	54%

The following additional streets were proposed for consideration as a hot spot area: Ann Street, Llanelli (x2 respondents); Notts Square, Carmarthen (x2); Blue Street, Carmarthen (x1); Llandybie tennis courts (x1); Eastgate (x1); Stepney Road (x1).

3) ANALYSIS OF COMMENTS – SUMMARY MATRIX TABLE

The report now considers comments expressed in the survey's free-text questions. Note is made of the respondents ID number (to provide a traceable record), comment(s) received, the Council's response and, where appropriate, changes to the licensing policy as a result of the consultation. Respondents that have not submitted a reply are omitted from the table.

RESPONDENT	COMMENTS	APPRAISAL	RESPONSE	CHANGES
Respondent 1	<p>Question 13 Serious problem with street drinking at Ann Street, Llanelli. Lasts all day from 7.30am until late evening. Problems with litter as a result.</p>	Noted	The Licensing Act does not regulate the consumption of alcohol away from licensed premises. This will be taken into account when reviewing the policy.	Ann Street added as a Hot Spot area in the policy.
	<p>Question 15 (reasons for strongly disagreeing with continuation of the CIP in Station Road, Llanelli) Since the Council 'cracked down' in Station Road, all the trouble has moved to Ann St, Llanelli.</p>	Noted	This will be taken into account in determining whether or not to continue the CIP in Station Road.	CIP retained as overwhelming evidence in favour of it.
	<p>Questions 17-19 The CIP should be applied to Ann St, Bigyn Hill field and Penyfan Park because of problems of street drinking, urination etc.</p>	Noted	It is unlikely that the CIP can be extended to these locations. The issues identified seem more properly dealt with by a DPPO	Ann Street added as a Hot Spot area in the policy.
	<p>Question 20 There should be a blanket ban</p>	Licensing Act does not control the consumption of	Not a matter for the Licensing Policy.	No change.

	<p>on drinking in open spaces</p> <p>Questions 23-26 Ann St, Bigyn Hill field and Penyfan Park should be added as hot spot areas</p> <p>Questions 31& 32 Remove bench at Ann St and install a (CCTV) camera to tackle problems that have moved from Station Road.</p>	<p>alcohol away from licensed premises.</p> <p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>These are not matters falling within the scope of the Licensing policy.</p>	<p>Ann Street added as a Hot Spot area in the policy</p> <p>No change</p>
Respondent 2	<p>Questions 10-13 People drinking on the bench from 7.30am throughout the day at Green Ann street/Arthur street Llanelli</p> <p>Question 23 Station Road Llanelli should continue as a hot spot as it is not safe at night.</p>	<p>Noted</p> <p>Noted</p>	<p>However the Licensing Act does not regulate alcohol consumption away from licensed premises.</p> <p>This will be taken into account when reviewing the policy.</p>	<p>Ann Street added as a Hot Spot area in the policy</p> <p>No change.</p>
Respondent 4	<p>Questions 14-19 A CIP should be imposed in King street, Nott square and Lammas street Carmarthen</p>	<p>Noted</p>	<p>This will be considered in light of other relevant evidence when reviewing the policy.</p>	<p>No change at this stage further public consultation</p>

	<p>Questions 20-22 Disagreeing with the lack of a limit on permitted hours. Permitted hours should be appropriate for the type of area a premises is in. Opening hours should be subject to public consultation.</p>	Noted	Licence applications are dealt with on their individual merits and already subject of a period of public consultation.	recommended No change
	<p>Questions 23-28 Nott Square Carmarthen should be added as a hot spot as it is surrounded by licensed premises and crowds pass through it.</p>	Noted	This will be taken into account when reviewing the policy.	Nott Square added as a Hot Spot in the policy
	<p>Questions 29 and 30 Well run festivals should be encouraged out of town so they are easier to police and transport is easier to organise and supervise</p>	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives.
	<p>Questions 31 & 32 Do not ignore the advice of the police and records of alcohol related incidents and complaints of noise/behaviour</p>	Noted	The licensing committee is already obliged to attach weight to the views of the Police and Public Health Services.	No change

Respondent 5	<p>Questions 10-13 Serious problems in Ann St, Llanelli with people treating the area like an open air pub/toilet.</p>	Noted	This will be taken into account when reviewing the policy	Ann Street added as a Hot Spot area in the policy
	<p>Questions 14-19 The CIP should be applied to 'any street' as it is intimidating seeing groups of people drunk/fighting.</p>	Noted	A CIP can only apply where there is already an accumulation of licensed premises and does not tackle the consumption of alcohol off the premises.	No change at this stage
	<p>Questions 23-28 Ann St, Bigyn Hill field and Penyfan Park have should be identified as hot spot areas as problems have moved there since the clampdown on Station Road.</p>	Noted	This will be taken into account when reviewing the policy.	Ann Street added as a Hot Spot area in the policy
	<p>Question 32 The lack of enforcement is a problem</p>	Noted	This is not a matter than can be dealt with by the Licensing Policy	No change
Respondent 7	<p>Questions 14 & 15 Strongly agrees with the continuation of the CIP in Station Road, Llanelli as it is a useful</p>	Noted	This will be taken in to account when reviewing the Policy.	CIP retained as overwhelming

	<p>tool to tackle ASB and other alcohol related problems in a known hot spot area.</p> <p>Questions 29 & 30 Festivals should be encouraged in Pembrey Country Park & any open expansive field.</p>	Noted	This will be taken into account when reviewing the policy	<p>evidence in favour of it.</p> <p>Policy to encourage activities that do not undermine the licensing objectives.</p>
Respondent 8	<p>Questions 14 & 15 Agreeing that the current CIP in Station Road should remain because if enough independent complaints are received the licence conditions clearly need to be looked at.</p> <p>Questions 20-22 When disagreeing with policy of not limiting permitted hours stated that limiting licensing hours may reduce the volume of problems and that premises causing licensing issues should be penalised</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into count when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy.</p>	<p>CIP retained as overwhelming evidence in favour of it.</p> <p>No change.</p>

	<p>Questions 29 & 30 Community events run by respectable organisations and individuals should be encouraged at alternative venues such as village halls and community areas.</p>	Noted	Recent deregulation by the government already does this.	Policy to encourage activities that do not undermine the licensing objectives.
Respondent 9	<p>Questions 29 & 30 Whether businesses, activities or events should be encouraged depends upon individual circumstances.</p>	Noted	This will be taken into account when reviewing the policy.	Policy to encourage activities that do not undermine the licensing objectives
Respondent 10	<p>Questions 10-13 There are problems in New Road Ammanford with people walking home from town in the early hours screaming and dropping litter</p> <p>Questions 16-19 The CIP should be extended to cover Wind St Ammanford because of the number of premises there</p> <p>Questions 20 & 21</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy.</p>	<p>No change</p> <p>No change at this stage.</p>

	<p>Issues of permitted hours should be dealt with on a case by case basis</p> <p>Questions 29 & 30 Local family events should be encouraged</p> <p>Question 31 & 32 All premises to include working CCTV to a set specification</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy.</p> <p>Statutory guidance provides that the blanket imposition of CCTV requirements on all premises is inappropriate. However where CCTV is required to deal with issues of crime and disorder Dyfed Powys Police already provides a specification for such systems.</p>	<p>No change</p> <p>Policy to encourage activities that do not undermine the licensing objectives</p> <p>No change.</p>
Respondent 11	<p>Questions 29 & 30 Festivals, restaurants and community events should be encouraged but with a serious review on alcohol use in such events. This is particularly in communities where there is a lack of social activity.</p>	<p>Noted</p>	<p>This will be taken into account when reviewing the policy.</p>	<p>Policy to encourage activities that do not undermine the licensing objectives</p>
Respondent 13	<p>Questions 25-28</p>			

	<p>Nott Square and Jackson Lane Carmarthen should be added as a hot spot areas</p> <p>Questions 29 & 30 Music venues, higher end eateries and drinking establishments aimed at low ABV consumption could be encouraged. King Street Carmarthen might be suitable for these types of premises</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy.</p>	<p>Nott Square added as a Hot Spot.</p> <p>Policy to encourage activities that do not undermine the licensing objectives</p>
Respondent 14	<p>Questions 20 & 21 In agreeing to current lack of a limit on permitted hours stated that limiting hours leads to lots of people moving locations at the same time. Allowing venues to choose suits premises and their staff</p> <p>Question 23 In stating that Island Place, Murray Street, Station Road and Stepney street should not be hotspot areas said that that this 'should be a requirement of all licences not certain ones'</p> <p>Questions 29 & 30</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account</p>	<p>No change</p> <p>Island place removed following redevelopment</p> <p>Policy to</p>

	Festivals and restaurants should be encouraged near to the town centre bus station and between bus and train station to provide transport links	Noted	when reviewing the policy.	encourage activities that do not undermine the licensing objectives
Respondent 15	Questions 14 & 15 Agrees with the continuation of the CIP in Station road as it is a nightmare there	Noted	This will be taken into account when reviewing the policy.	CIP retained as overwhelming evidence in favour of it.
Respondent 19	Questions 10-3 Alcohol related problems in Station Road, Llanelli. Pub next door holding music events where music caused a nuisance	Noted	The policy already addresses issues of public nuisance. This is really an enforcement issue	No change
	Questions 14 & 15 Young people at pub next door causing trouble	Noted	This will be taken into account when reviewing the policy	No change
Respondent 21	Questions 16-19 Sure other streets that would require a CIP if residents demand it.	Noted	As the respondent does not identify any streets in particular it is difficult to attach any weight to this response.	No change
	Questions 20-22 Premises should have a strict time limit on serving alcohol.	Noted	Most premises licences have a time limit for selling alcohol already.	No change

	<p>Ideally supermarkets and convenience stores should not sell alcohol and 24 hour licensing would be abolished.</p> <p>Questions 29-30 Supermarkets selling cheap alcohol should be encouraged</p> <p>Questions 31-32 Alcohol abuse is a major concern.</p>	<p>It is possible the respondent has not understood the question as the answer contradicts other responses given by the respondent</p> <p>Noted</p>	<p>No change to policy necessary</p> <p>No change to the policy necessary</p>	<p>No change</p> <p>No change</p>
Respondent 22	<p>Questions 10 & 11 Serious problems of ASB, violence, litter and street drinking in Wind Street, Ammanford</p> <p>Questions 29 & 30 Festivals should be encouraged</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy.</p>	<p>No change</p> <p>Policy to encourage activities that do not undermine the licensing</p>

	Questions 31 & 32 The problem of people entering licensed premises when they are already 'under influence'	Noted	No change necessary. It is already a criminal offence to serve alcohol to someone who is drunk.	objectives No change
Respondent 23	Questions 10-13 Minor problem of ASB in Chapel Street, Pont tyweli	Noted	This will be taken into account when reviewing the policy	No change
Respondent 24	Questions 14 & 15 CIP in Station Road should remain as it has a reputation for alcohol related disturbance	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
Respondent 27	Questions 14 & 15 CIP in Station Road should remain as it was obvious from the evidence submitted that there was a need for one.	Noted	This will be taken into account when reviewing the policy.	CIP retained as overwhelming evidence in favour of it.
	Questions 20-22 Permitted hours should be limited to exercise more control	Noted	This will be taken into account when reviewing the policy.	No change
Respondent 28	Questions 24-28 Inner city areas throughout the County should be identified in the policy as 'hot spot' areas	Noted	This will be taken into account when reviewing the policy.	No change
Respondent 29	Questions 10-13 Minor problems of ASB involving local youths in Whitland	Noted	This will be taken into account when reviewing the policy	No change

	<p>Questions 14 & 15 Evidence provided by residents must be heeded</p>	Noted	No action necessary	No change
	<p>Questions 20 & 21 Permitted hours should not be limited as it provides an opportunity to structure their hours to their needs.</p>	Noted	This will be taken into account when reviewing the policy	No change
Respondent 30	<p>Questions 14 & 15 In opposing retention of CIP in Station Road, felt that so long as alcohol was available there would be problems and that the number of premises is irrelevant</p> <p>Questions 20-22 In disagreeing with the current lack of a limit on permitted hours stated that when licences were limited problems were over at a reasonable time. Returning to the old licensing hours would allow drinkers to be managed better</p> <p>Question 23 The current list of streets identified as hot spot areas should be removed as premises should be managed better or</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>CIP retained as overwhelming evidence in favour of it.</p> <p>No change</p> <p>No change</p>

	have their licences revoked			
Respondent 32	Questions 10-13 Serious problems of ASB in Ann Street, Llanelli.	Noted	This will be taken into account when reviewing the policy	Ann Street added as a Hot Spot.
Respondent 34	Questions 10-13 Problems in Lammas Street, Carmarthen	Noted	This will be taken into account when reviewing licence	No change at this stage further public consultation recommended
	Questions 14 & 15 Assumes the CIP in Station Road only applies to pubs/nightclubs	Noted	The current policy applies to all premises that sell alcohol plus premises selling hot food and drink after 11pm	CIP retained as overwhelming evidence in favour of it.
	Questions 20—21 In agreeing with current policy on limiting permitted hours stated 'Opening with limited makes for irresponsibility'	Respondent may have misunderstood question as reasons do not correspond with response.	This will be taken into account when reviewing the policy	No change
	Questions 31 & 32 More CCTV cameras, large foot police presence, more activity from licence officers checking licences being adhered to.	Noted	Matters of town centre CCTV and policing are outside the scope of the policy. Licensing Officers already regularly check premises for compliance.	No change
Respondent 35	Questions 20 & 21 In agreeing with current lack of a	Noted	This will be taken into account	No change

	<p>limit on permitted hours stated that people should be given a choice</p> <p>Questions 29 & 30 All business should be encouraged. Festivals would be great in the right area. A greater variety of restaurants is needed. Llanelli town centre needs to be boosted with quality coffee shops etc.</p> <p>Questions 31 & 32 Since the Council took over licensing the system has become costly and cumbersome</p>	<p>Noted</p> <p>Noted</p>	<p>when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy</p> <p>Both licensing fees and the licensing process are prescribed by central government and the Council has no control over these issues.</p>	<p>Policy to encourage activities that do not undermine the licensing objectives</p> <p>No change</p>
Respondent 36	<p>Questions 14 & 15 In supporting the retention of the CIP in Station Road stated that had firsthand experience of emergency services regularly being called to deal with alcohol related issues</p> <p>Questions 20-22 In strongly disagreeing with lack of limit on permitted hours stated that there should be annual good behaviour reviews</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy.</p>	<p>CIP retained as overwhelming evidence in favour of it.</p> <p>No change</p>

	<p>Questions 29 & 30 Festivals should be encouraged wherever suitable</p>	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives
	<p>Questions 30 & 31 Previous convictions especially for drugs and alcohol or violence</p>	Noted	This will be taken into account when reviewing the policy	No change
Respondent 37	<p>Question 20 & 21 In agreeing with current lack of limit on permitted hours stated that since it has been in force there has been no impact on the area.</p> <p>Question 23 No need to designate Island Place as a hot spot as area transformed. No longer needed</p> <p>Questions 29 & 30 Should encourage restaurants and bars in town centres</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>The respondent may have misunderstood the question as no such limit has been in force since 2005</p> <p>This will be taken into account when reviewing the licence</p> <p>This will be taken into account when reviewing the policy</p>	<p>No change</p> <p>Island Place has been removed as a Hot Spot</p> <p>Policy to encourage activities that do not undermine the licensing objectives</p>

Respondent 38	<p>Questions 14 & 15 In strongly agreeing that the CIP in Station Road should remain stated that the situation cannot be allowed to get worse.</p>	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	<p>Questions 20 & 21 In agreeing to the lack of a limited on permitted hours stated that reasonableness needs to prevail</p>	Noted	This will be taken into account when reviewing the policy	No change
Respondent 40	<p>Questions 10-13 Moderate problem of alcohol related litter in Llanddarog Road</p>	Noted	This will be taken into account when reviewing the policy	No change
	<p>Questions 14 & 15 In agreeing with the retention of the CIP in Station Road stated that it appeared to be working well</p>	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	<p>Questions 16-19 The CIP should be extended to Lammas Street, Carmarthen due to the problems caused by the high volume of premises there.</p>	Noted	This will be taken into account when reviewing the policy	No change at this stage further public consultation recommended
	<p>Questions 20 & 21 In agreeing with the current lack of a limit on permitted hours</p>	Noted	This will be taken in to account	

	stated that these should continue to be dealt with on a case by case basis.		when reviewing the policy	No change
Respondent 41	Questions 14 & 15 In strongly agreeing with the continuation of the CIP stated that young people in the area are vulnerable to ASB and crime	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
Respondent 42	Questions 10-13 Minor problems with stag Groups attending local hostel in Llangain	Noted	This will be taken into account when reviewing the policy	No change
Respondent 45	Questions 14 & 15 In strongly agreeing with the retention of the CIP stated that there was a massive block of licensed premises close together Questions 29 & 30 Should possibly encourage a festival in Llanelli Town Centre once a year to boost the economy	Noted Noted	This will be taken into account when reviewing the policy This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it. Policy to encourage activities that do not undermine the licensing objectives

Respondent 46	Questions 20-22 In disagreeing with current lack of limit on permitted hours stated there should be time restrictions on licences	Noted	This will be taken into account when reviewing the policy	No change
Respondent 47	Questions 20-22 In strongly disagreeing with the lack of a limit on permitted hours stated that pubs in residential streets should close at 11pm	Noted	This will be taken into account when reviewing the policy	No change
Respondent 49	Questions 14 & 15 In strongly agreeing with the continuation of the CIP stated that this was to ensure respect for people living in the area	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	Questions 17-19 CIPs should be imposed in any area where people complain regularly	Noted	This will be taken into account when reviewing the policy	No change
	Questions 20 & 21 In disagreeing with the lack of limits on permitted hours stated that in problem areas limiting hours could provide a solution	Noted	This will be taken into account when reviewing the policy	No change
Respondent 51	Questions 14 & 15 In strongly agreeing with retaining the CIP stated that if alcohol is the main reason for	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in

	problems it is a good reason to refuse new applications			favour of it.
Respondent 52	Questions 14 & 15 In strongly agreeing with the retention of the CIP stated that it helps and supports residents	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	Questions 16-19 CIPs should be introduced in any areas where there are issues as the public should have that protection/support	Noted	This will be taken into account when reviewing the policy	No change
	Question 29 Festivals should be encouraged	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives
Respondent 53	Questions 10-13 Moderate problems in St Mary's lane Carmarthen from glass and food waste being deposited	Noted	This will be taken into account when reviewing the policy	No change
	Questions 20-22 lack of limit on permitted hours encourages greater drinking and that midnight is enough for non-	Noted	This will be taken into account when reviewing the policy	No change

	nightclubs			
Respondent 54	Questions 10-13 Moderate problems in Lammas Street, Carmarthen	Noted	This will be taken into account when reviewing the policy	No change at this stage further public consultation recommended
	Questions 14 & 15 Constant litter, drugs and disturbances in Station Road area	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	Questions 16-19 CIP should be imposed in Lammas Street, Carmarthen as does not feel safe between 5pm and 5am	Noted	This will be taken in to account when reviewing the policy	No change at this stage further public consultation recommended
	Questions 25-28 Blue Street Carmarthen should be added as a hot spot area due to drunkenness at the bus station	Noted	This will be taken into account when reviewing the policy	No change
	Questions 29 & 30 Late night take aways and late night alcohol sales should be encouraged in the streets previously named	Noted	The respondent may have misunderstood the question as the response contradicts previous replies by the same person	No change

Respondent 55	<p>Questions 14 & 15 CIP should remain as residents have a right to a life free of ASB</p> <p>Questions 20 & 21 Premises should be allowed to operate so long as standards are maintained</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>CIP retained as overwhelming evidence in favour of it.</p> <p>No change.</p>
Respondent 56	<p>Questions 10-13 Problems in Llwynhendy Road, Llanelli from alcohol fuelled arguments, fighting in street and alcohol litter</p>	<p>Noted</p>	<p>This will be taken into account when reviewing the policy</p>	<p>No change</p>
Respondent 57	<p>Questions 14 & 15 CIP should continue to prevent continued issues</p> <p>Questions 16-19 CIP should be extended to Cowell Street and the 'middle of town' as it is frightening with drunk and drugged people</p> <p>Questions 25-28 Cowell street and town centre should be added as hot spot</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>CIP retained as overwhelming evidence in favour of it.</p> <p>No change</p> <p>No change</p>

	areas for same reasons as above			
Respondent 58	Questions 16-16 CIP should be imposed where residents make complaints similar to those in Station Road	Noted	This will be taken into account when reviewing the policy	No change
	Questions 20-21 Agrees with current approach on permitted hours as premises need flexibility	Noted	This will be taken into account when reviewing the policy	No change
	Question 29 The policy should encourage small local festivals and events	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives
Respondent 59	Questions 14 & 15 CIP should remain if problems persist	Noted	This will be taken in to account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	Questions 20 - 22 Disagrees with current approach on permitted hours as does not see why premises need to be	Noted. However issues of need are not a relevant consideration under	No change required to the policy	No change

	open all night. Reasonable closing times should be agreed taking into account local residents views.	the Licensing Act. Similarly, local residents are able to comment on applications for Premises Licence and have those views considered		
	Questions 30 & 31 Festivals should be encouraged if properly run on existing sites where previous events have resulted in limited or no objection ns	Noted	This will be taken into account when reviewing the policy.	Policy to encourage activities that do not undermine the licensing objectives
Respondent 60	Question 15 The CIP in Station Road does not cover the whole street Question 21 Having too many places with late/same hours will cause ASB due to premises competing with each other. 3am is late enough. Once one premise goes later others will want to follow. Questions 29 & 30	Noted Noted	This will be taken into account when reviewing the policy This will be taken in to account when reviewing the policy	No change No change

	<p>Encourage late night takeaways to locate in 1 area from Station Road to Church street Llanelli to make policing easier.</p> <p>Questions 31 & 32 Premises Licence summary should be compressed to 1 sheet</p>	<p>Noted</p> <p>Noted. However the form of the summary is prescribed by regulation and beyond the control of the Council.</p>	<p>This will be taken into account when reviewing the policy</p> <p>No change required to the policy</p>	<p>No change</p> <p>No change</p>
Respondent 61	<p>Questions 10-13 Problems of underage drinking in King Street, Carmarthen</p> <p>Questions 20 & 21 Agrees with current approach on permitted hours as unless the hours cause a severe problem they should not be limited</p> <p>Questions 29 & 30 Should encourage promotions in Carmarthen Town Centre to help revitalise the area</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy.</p>	<p>No change</p> <p>No change</p> <p>Policy to encourage activities that do not undermine the licensing objectives</p>

	<p>Question 31 A level playing field should be applied to all premises</p>	<p>Noted. The authority treats all applications in accordance with the requirements of the Licensing Act and Guidance.</p>	<p>No change required to the policy.</p>	<p>No change</p>
Respondent 62	<p>Questions 14 & 15 If problems are already evident adding to them would be a mistake. Licence reviews should also be considered</p> <p>Questions 20 & 21 In strongly agreeing with current approach on permitted hours, stated that if there was viable demand then should be allowed to operate.</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>No change</p> <p>No change</p>
Respondent 63	<p>Questions 14 & 15 Residents views are very important</p> <p>Questions 29 & 30 Should encourage restaurants and festivals to attract tourists</p>	<p>Noted</p> <p>Noted</p>	<p>No change to the policy required</p> <p>This will be taken into account when reviewing the policy</p>	<p>No change</p> <p>Policy to encourage activities that do not undermine the licensing objectives</p>

	Questions 31 & 32 Policy should encourage business growth and employment	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives
Respondent 64	Questions 14 & 15 If there is evidence of problems then action to deter must be taken	Noted	This will be taken into account when reviewing the policy	No change
	Questions 20 & 21 Pubs should be allowed to set their own restrictions without need for LA to impose anything	Noted	This will be taken into account when reviewing the policy	No change
Respondent 65	Questions 14 & 15 There is already too many premises in Station Road already.	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	Questions 17-19 CIP should be extended to Pencader as already sufficient premises.	Noted	This will be taken into account when reviewing the policy	No change
	Question 32	Noted	Public Health is not a licensing	No change

	Does takeaway food lead to obesity.		objective	
Respondent 66	Questions 14 & 15 More than enough licensed premises in this location.	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	Questions 16 – 19 CIP should be extended to Town Hall Square , Llanelli.	Noted	This will be taken into account when reviewing the policy	No change
	Questions 20 – 21 Restrictions should be put on permitted hours to reduce alcohol related ASB.	Noted	This will be taken into account when reviewing the policy	No change
	Questions 23- 28 Station Road and Stepney Road , Burry Port should be added as Hot Spot areas	Noted	This will be taken into account when reviewing the policy	No change
	Questions 29- 30 Policy should encourage bars and restaurants selling alcohol.	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives
Respondent 67	Questions 10-13 Station Road Llanelli is often	Noted	This will be taken into account	CIP retained as

	<p>intimidating due to street drinkers and fighting.</p> <p>Questions 17-19 A CIP should be imposed anywhere that has similar problems to Station Road, Llanelli</p> <p>Questions 20-22 Pubs in high density residential areas should have their hours limited. There should be more consultation with local residents.</p> <p>Questions 29 & 30 Late night takeaways should only be allowed away from main roads and if they have their own parking areas. The problems caused in Murray street, Llanelli should be avoided</p>	<p>Noted</p> <p>Noted, although local residents have an opportunity to comment on all licence applications</p> <p>Noted, although the Licensing Policy only controls take aways if they operate after 11pm</p>	<p>when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>overwhelming evidence in favour of it.</p> <p>No change</p> <p>No change</p> <p>No change</p>
Respondent 68	<p>Questions 20-22 Permitted hours should be limited to midnight as late night drinking harms health</p> <p>Questions 29 & 30 Family festivals should be encouraged for example on Carmarthen showground</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>No change</p> <p>Policy to encourage activities that</p>

				do not undermine the licensing objectives
Respondent 69	Questions 14 & 15 CIP continues to be necessary due to the many alcohol related incidents in the area.	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	Questions 20 & 21 This is a difficult policy to balance.	Agreed	No change required to policy	No change
Respondent 72	Questions 14 & 15 CIP should continue in order to minimise late night ASB etc	Noted	This will be taken into account when reviewing the policy	CIP retained as overwhelming evidence in favour of it.
	Questions 16-19 A CIP should be imposed wherever there is evidence of late night ASB	Noted	This will be taken into account when reviewing the policy	No change
	Questions 20 & 21 Congestion of revellers may compound any problematical areas	Noted	This will be taken into account when reviewing the policy	No change

	<p>Questions 25-28 Llandybie tennis courts should be added as a hot spot area due to police intelligence.</p>	Noted	This will be taken into account when reviewing the policy	No change
Respondent 73	<p>Questions 14 & 15 Any increase in licensed premises will inevitably result in noise or anti-social related problems</p> <p>Questions 17-19 CIP should be imposed in any area where there are already a number of licensed premises in proximity to homes</p> <p>Question 32 The Respondent also made the following additional points by reference to paragraphs in the current policy; Para 4.1 – applicable requirements under other relevant legislation should be taken into account during the application process to ensure consistency Para 4.2 – the model pool of conditions needs to be reviewed and revised where necessary Para 5.4 – All applications</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p> <p>All these comments will all be taken into account when reviewing the policy</p>	<p>CIP retained as overwhelming evidence in favour of it</p> <p>No change</p> <p>Changes have been made to the policy where appropriate to reflect these comments.</p>

	<p>should be accompanied by a risk assessment, or a statement saying why one is not needed</p> <p>Para 7.7 – delete requirement for copies of annual test certificates to be sent to LA. Instead encourage licence holders to keep such records for at least 12 months</p> <p>Para 8 – needs to reflect the Live Music Act 2012. Licensing Group Meetings should continue to take place as they are very useful.</p> <p>Para 8.13 – The Public Nuisance guidance note needs to be reviewed and made available online.</p> <p>Para 13.7 – Responsible Authorities need to discuss what powers are available to tackle premises/events that cause significant problems</p> <p>Para 15 – Amendments needed to reflect changes to rules on Temporary Event notices</p> <p>Para 16 – All TENs should be</p>			
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	<p>accompanied by an adequate Event Management Plan</p> <p>Safety Advisory Group(SAG) The respondent also made several comments regarding the SAG process and recommended a Memorandum of Understanding be drawn up by the various partners in that process</p>	<p>Noted, although this falls outside the scope of the policy</p>	<p>No change needed to the policy</p>	<p>No change</p>
Respondent 74	<p>Questions 14 & 15 Research suggests that outlet density increases alcohol related health harms. (detailed supplementary evidence submitted in support of this assertion)</p> <p>Questions 20 & 21 The likely impact of limiting permitted hours is unclear</p> <p>Questions 29 & 30 The policy should encourage the diversification of licensed premises in town centres to</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy.</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>CIP retained as overwhelming evidence in favour of it</p> <p>No change</p> <p>Policy to encourage activities that</p>

	<p>support wider regeneration initiatives and a move away from vertical drinking establishments</p> <p>Question 32 The respondent made the following further detailed submissions by reference to specific parts of the current policy;</p> <p>The policy should set out the role of the responsible authorities</p> <p>Section 2.1 – The policy needs to be updated to reflect changes in the demography of the County since 2001</p> <p>Section 6.8 – The policy should reflect the most recent strategies on substance misuse in Wales</p> <p>Sections 8.12 & 8.14 Need to distinguish between the Council and UHB Public Health Teams</p> <p>Section 10 Support continuation of the CIP in Llanelli (statistical evidence</p>	<p>Noted</p>	<p>All these comments will be taken into account when reviewing the policy</p>	<p>do not undermine the licensing objectives</p> <p>Changes have been made to the policy where appropriate to reflect these comments</p>
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	<p>provided)</p> <p>The respondent also made the following general points;</p> <p>The policy makes no reference to Alcohol Harm and its impact</p> <p>NICE guidance on alcohol misuse disorders recommends using local crime and related trauma data to map the extent of alcohol related problems</p> <p>Ensuring sufficient resources are available for enforcement</p> <p>Partnership working with other authorities to tackle underage sales</p> <p>Use of test purchasing</p> <p>Data was also provided regarding alcohol consumption in Carmarthenshire</p> <p>The policy should be amended to include specific reference to the use of new psychoactive substances</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted. This is already done</p> <p>Noted. This is already done</p> <p>Noted</p> <p>Noted</p>	<p>These comments will be taken into account when reviewing the policy This will be taken into account when reviewing the policy</p> <p>No change required to policy</p> <p>No change required to policy</p> <p>No change required to policy</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p> <p>Policy has been changed to address this</p>
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Respondent 75	<p>Questions 14 & 15 The CIP in Station Road, Llanelli should remain as there continue to be high levels of alcohol related crime & ASB in that area (statistical evidence supplied in support of this assertion)</p> <p>Questions 17-19 A CIP should be imposed in Lammas street, Carmarthen as it is now a centre for alcohol related ASB (statistical evidence supplied in support of this request)</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>CIP retained as overwhelming evidence in favour of it</p> <p>No change at this stage further public consultation recommended</p>
Respondent 80	<p>Questions 20 & 21 Limiting permitted hours in some areas could reduce crime and ASB</p>	<p>Noted</p>	<p>This will be taken into account when reviewing the policy</p>	<p>No change</p>
Respondent 83	<p>Questions 10-13 Problems in village park Pontyberem</p> <p>Questions 20 & 21 It should be left to individual premises to decide opening hours</p> <p>Questions 30 & 31</p>	<p>Noted</p> <p>Noted</p>	<p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>No change</p> <p>No change</p> <p>Policy to</p>

	The policy should encourage festivals, local shows, rugby and sports celebrations	Noted	This will be taken into account when reviewing the policy	encourage activities that do not undermine the licensing objectives
Respondent 84	Questions 10-13 Problems in Lammas Street and Nott Square, Carmarthen	Noted	This will be taken into account when reviewing the policy	Nott Square added as a hot spot.
	Questions 17-19 CIP should be imposed in Lammas Street and Nott square	Noted	This will be taken into account when reviewing the policy	No change at this stage further public consultation recommended
	Questions 29 & 30 Should encourage restaurants in areas where no problems	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives
Respondent 85	Questions 10-13 Problems with people urinating in the street late at night	Noted	This will be taken into account when reviewing the policy	No change

	<p>Questions 20 & 21 Current approach allows for staggered closing which reduces problems associated with closing time</p>	Noted	This will be taken into account when reviewing the policy	No change
	<p>Questions 25-26 The Bus station at Eastgate Llanelli should be added as a hotspot area</p>	Noted	This will be taken into account when reviewing the policy	<p>Further consultation recommended in order to accurately define the hot spot area</p>
	<p>Questions 29 & 30 Should encourage greater use of festival fields in Llanelli for events to help promote the town</p>	Noted	This will be taken into account when reviewing the policy	<p>Policy to encourage activities that do not undermine the licensing objectives</p>
Respondent 86	<p>Questions 29 & 30 Should encourage festivals and restaurants</p>	Noted	This will be taken into account when reviewing the policy	<p>Policy to encourage activities that do not undermine the licensing objectives</p>

Respondent 87	<p>Question 13 Problems exist in Carmarthen Town. Police statistics are unlikely to provide a full picture. Other sources of community intelligence should be used when dealing with applications</p> <p>Questions 17-19 Supports the introduction of a CIP in Carmarthen Town Centre</p> <p>Questions 20 & 21 Strongly opposes the lack of a limit on permitted hours due to the impact later hours has on those living nearby</p> <p>Question 23 The hotspot areas in Carmarthen currently identified</p>	<p>Noted. All Councillors and many Town & Community Councils are notified of applications and given an opportunity to make representations. Local residents also have this opportunity</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>No change required to policy</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p> <p>This will be taken into account when reviewing the policy</p>	<p>No change</p> <p>No change at this stage further public consultation recommended</p> <p>No change</p> <p>No change</p>

	<p>in the policy should remain</p> <p>Questions 29 & 30 The policy should encourage appropriate social and cultural events that promote the town.</p>	Noted	This will be taken into account when reviewing the policy	Policy to encourage activities that do not undermine the licensing objectives
Respondent 88	<p>Questions 31 & 32 Statistical data on ambulance calls</p>	Noted	This will be taken into account when reviewing the policy	No change
Respondent 89	<p>Questions 31 & 32 DPPO and alcohol related crime data</p>	Noted	This will be taken into account when reviewing the policy	No change

4) SUMMARY – KEY CHANGES TO THE LICENSING POLICY

1. The policy has been updated to reflect changes to the legislation and statutory guidance, including for example the removal of the vicinity test and the relaxation of the licensing of live music.
2. Ann Street, Llanelli and Nott Square, Carmarthen have been added as new Hot Spot areas (several other streets which have been identified as locations of alcohol related ASB have not been added due to the lack of corroborating evidence. However these locations will be highlighted to the Licensing Action Group for consideration)
3. CIP retained for Station Road , Llanelli despite a reduction in the amount of alcohol related ASB and crime as Station Road continues to experience a disproportionately high incidence of alcohol related ASB and crime compared to the rest of Llanelli due to the number of licensed premises at that location.
4. Paragraph encouraging licensable activities which do not undermine the licensing objectives and which are consistent with the Council's regeneration strategies added. (In addition, although not part of the policy, the licensing section is proactively working with Leisure Services to facilitate the use of council council properly by event organisers.)
5. The policy has been amended to include specific reference to the use of new psychoactive substances.
6. The policy has been amended to reflect the most recent strategies on substance misuse in Wales.
7. The policy has been updated to reflect changes in the demography of the County since 2001

Licensing Act 2003 - Review of Licensing Policy

Part 1 - About You

- 1 Are you responding as a...
- Premises licence holder
 - Personal licence holder
 - Club premises certificate holder
 - Member of the Public
 - Local business
 - Body representing licence holders / clubs
 - Body/ Person representing members of the Public (e.g. County councillors; Town & Community Council)
 - Other Organisation or Group
- 2 If responding as an organisation/business/body, please write its name here
-
- 3 Following 'SA', please specify the two numbers of your postcode
-
- 4 What is your age group?
- Under 16
 - 16 - 24
 - 25 - 34
 - 35 - 44
 - 45 - 54
 - 55 - 64
 - 65 - 74
 - 75 - 84
 - 85+
- 5 What is your gender?
- Female
 - Male
 - Prefer not to say
- 6 What is your ethnic group?
- White
 - Mixed / multiple ethnic groups
 - Asian / Asian British
 - Black / African / Caribbean / Black British
 - Other ethnic group
 - Prefer not to say

7 The Equality Act 2010 states that a person has a disability for the purposes of this Act if he/she has or has had 'a physical or mental impairment which has had a substantial and long term adverse effect on his/her ability to carry out normal day to day activities'.

Long term has been defined as meaning having lasted 12 months or is likely to last at least 12 months

Do you consider yourself to be disabled?

- Yes
- No
- Prefer not to say

8 Do you hold a religion or belief?

- Yes
- No
- Prefer not to say

9 What is your sexual orientation?

- Heterosexual
- Bisexual
- Lesbian
- Gay
- Prefer not to say

Part 2

10 To what extent are the following alcohol-related issues a problem in your local area?

	Serious problem	Moderate problem	Minor problem	Not a problem
Anti-social behaviour	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alcohol related violence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alcohol-related litter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Street drinking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Noise disturbance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Criminal damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you would like to provide specific information on any of these issues, such as past or ongoing problems, please do so below:

11 Street

12 Town / Village

13 Nature of problem

Cumulative Impact Policy

Currently the Council's licensing policy identifies a specific section of Station Road, Llanelli in which there is a presumption that additional licences or variations of existing licences for the sale of alcohol, late night refreshment and regulated entertainment will not be granted.

The policy was adopted as a result of clear evidence from residents and other organisations that the licensed premises in that area were a source of late night noise, alcohol related anti social behaviour and crime and disorder. The policy allows for exemptions to be made in certain circumstances.

(Please refer to section 10 of the current Licensing Policy for a full explanation of the policy)

14 To what extent do you agree or disagree that this policy should continue?

- Strongly agree
- Agree
- Neither
- Disagree
- Strongly disagree

15 Please provide your reasons

16 Should this policy be applied to any other streets in the County?

- Yes
- No

If yes, please tell us where

17 Street

18 Town / Village

19 Please outline why, giving your reasons below

20 At present the Licensing Policy does not limit permitted hours for licensed premises.

To what extent do you agree or disagree that this approach should continue?

- Strongly agree

- Agree
- Neither
- Disagree
- Strongly disagree

21 Please provide your reasons

22 If you 'disagree' or 'strongly disagree', what changes should be made and why?

At present the Licensing Policy identifies **certain areas as hot spots** of alcohol related crime and disorder. The hot spot areas have been identified by Dyfed Powys Police and are intended to highlight areas within the county where applicants and existing licence holders are strongly advised to have appropriate measures in place to prevent crime and disorder on these streets.

(Please refer to section 6.12 of the Licensing Policy for further information).

23 Should the below hot spot areas remain?

	Yes	No	Don't know / no opinion		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				Llanelli - Murray Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ammanford - Quay Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Llanelli - Station Road	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ammanford - Wind Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Llanelli - Stepney Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carmarthen - Coracle Way	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Carmarthen - Lammas Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Carmarthen - Water Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Carmarthen - Priory Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Carmarthen - Queen Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Carmarthen - King Street	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Llanelli - Island Place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

25 Should any others be added

- Yes
- No

If yes, please tell us where

26 Street

27 Town / Village

28 Please outline why, giving your reasons below

29 Are there any types of business, activities or events that should be encouraged by the policy? e.g. Festivals, restaurants, late night takeaways or bars.

30 If so, where do you believe they should be located and why. Please also outline your reasons below.

31 Is there anything else that you want us to take into account when reviewing the Licensing Policy? .

- Yes
- No

32 Please outline the matter, giving reasons below.

33 If you would like to attach a document to your survey response, please note below

Part 3 - Your Details (optional)

34 Name:

35 Address:

36 Tel No:

37 Fax:

38 E-mail:

39 Under certain circumstances, we may wish to contact you to follow-up on your response, either to ask for additional comment or to reply to the points you have raised.

Do you consent to CCC using your details in this way?

- Yes - I am happy to be contacted
- No - I do not wish to be contacted

Data Protection Act 1998

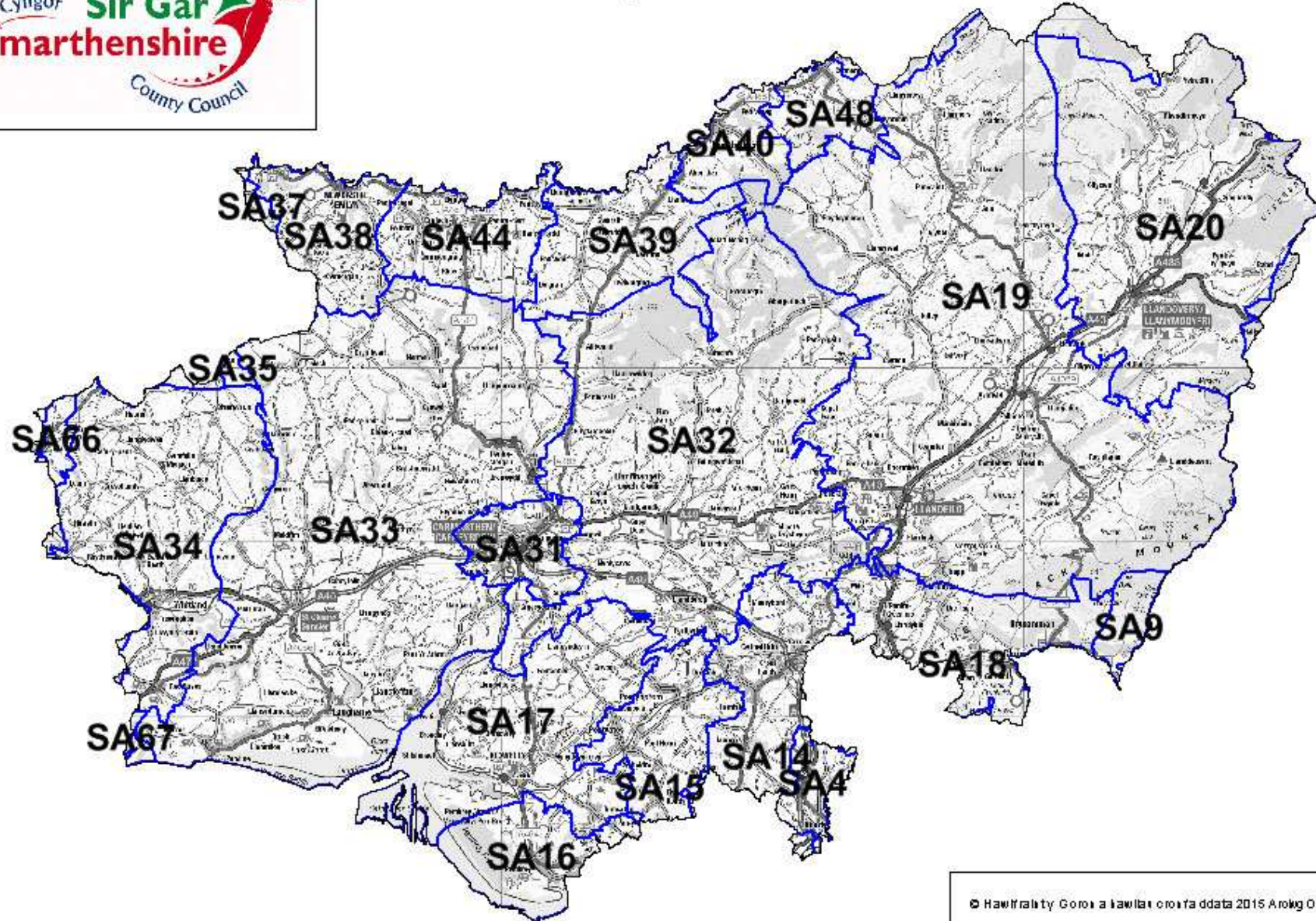
The information contained in this form will be held and processed by Carmarthenshire County Council in accordance with the Data Protection Act 1998.

Your personal details will not be made public in any Council report.

Thank you for your response



APPENDIX 2 - Map of Carmarthenshire Postcode Districts



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**ENVIRONMENTAL & PUBLIC PROTECTION
SCRUTINY COMMITTEE
11th DECEMBER 2015**

**Explanation for non-submission
of scrutiny report**

ITEM	RESPONSIBLE OFFICER(S)	EXPLANATION	REVISED SUBMISSION DATE
Capital Programme Budget Setting 2016/17 – 2020/21	Chris Moore / Owen Bowen / Phil Davies	<p>The capital programme is still in development and will not be completed until after the Welsh Government announces the Revenue Support Grant on the 9th of December.</p> <p>It is therefore proposed to hold an all member seminar later this month to consult on the draft programme. A report will be subsequently submitted to the Policy & Resources Scrutiny Committee on the 6th of January 2016.</p>	N/A

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