

Document Pack



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WEDNESDAY, 9TH DECEMBER, 2015

TO: ALL MEMBERS OF THE LICENSING COMMITTEE

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE LICENSING COMMITTEE WHICH WILL BE HELD IN THE CHAMBER, COUNTY HALL, CARMARTHEN AT 10.00 A.M. ON WEDNESDAY, 16TH DECEMBER, 2015 FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

Mark James

CHIEF EXECUTIVE



PLEASE RECYCLE

| | |
|---------------------------------|---|
| Democratic Officer: | Michelle Evans Thomas |
| Telephone (direct line): | (01267) 224470 |
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| E-Mail: | MEEvansThomas@carmarthenshire.gov.uk |
| Ref: | AD016-001 |

**LICENSING COMMITTEE
15 MEMBERS**

PLAID CYMRU GROUP 7 MEMBERS

1. Councillor A. Davies
2. Councillor J.M. Charles
3. Councillor J.K. Howell
4. Councillor D.J.R. Llewellyn
5. Councillor J. Thomas
6. Councillor D.E. Williams [Vice-Chair]
7. Councillor J.S. Williams

INDEPENDENT GROUP 4 MEMBERS

1. Councillor T. Bowen
2. Councillor I.J. Jackson
3. Councillor H.I. Jones
4. Councillor T. Theophilus [Chair]

LABOUR GROUP 4 MEMBERS

1. Councillor T. Davies
2. Councillor P.M. Edwards
3. Councillor P.E.M. Jones
4. Councillor M.K. Thomas

**MEMBERS SHOULD BE AWARE THAT THEY ARE NOT ABLE TO ASK MEMBERS FROM
WITHIN THEIR OWN GROUPS TO SUBSTITUTE FOR THEM AT MEETINGS OF THIS
COMMITTEE**

AGENDA

1. APOLOGIES FOR ABSENCE.
2. DECLARATIONS OF PERSONAL INTERESTS.
3. GAMBLING ACT 2005 - GAMBLING COMMISSION TRAINING SESSION. 5 - 8
4. REVIEW OF GAMBLING POLICY. 9 - 64
5. REVIEW OF STATEMENT OF LICENSING POLICY (LICENSING ACT 2003). 65 - 168
6. REVIEW OF LOCALLY SET FEES IN ENVIRONMENTAL HEALTH AND LICENSING SECTION. 169 - 180
7. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD ON THE 26TH NOVEMBER, 2015. 181 - 184

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**EXECUTIVE SUMMARY
LICENSING COMMITTEE
DATE: 16TH DECEMBER, 2015**

**GAMBLING ACT 2005
GAMBLING COMMISSION TRAINING SESSION**

The Gambling Act 2005 came into force in 2007 and brought in a new comprehensive system for gambling regulation in Great Britain. The Act established a dedicated regulator at national level, in the form of the Gambling Commission. It also gave responsibility to local authorities for regulating gambling at a local level.

Licensing Authorities have responsibility for licensing gambling premises within their area, as well as undertaking functions in relation to lower stake gaming machines and processing temporary and occasional use notices.

The Gambling Commission has responsibility for granting operating and personal licences for commercial gambling operators. The legislation also provides scope for the Commission to set an overall direction at national level, which includes producing The Guidance to Licensing Authorities, to which licensing authorities must have regard.

This guidance document as well as the Licence Conditions and Codes of Practice have both recently been updated by the Commission. This training session will provide an update regarding the Gambling Act and the recent changes to guidance documents.

DETAILED REPORT ATTACHED ?

NO

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 and Public Protection

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

1. Scrutiny Committee

N/A

2. Local Member(s)

N/A

3. Community / Town Council

N/A

4. Relevant Partners

N/A

5. 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 |
|----------------------------------|-------------------|---|
| Gambling Commission Presentation | Gambling Act 2005 | 3, Spilman Street, Carmarthen |

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LICENSING COMMITTEE

DATE: 16TH DECEMBER, 2015

| | | |
|---|--|---|
| SUBJECT: REVIEW OF GAMBLING POLICY | | |
| Recommendations / key decisions required: A summary of the consultation responses is attached. It is recommended that :- <ul style="list-style-type: none"> The amended Gambling Policy be approved. | | |
| Reasons: <ul style="list-style-type: none"> The attached revised Gambling Policy document reflects the results of the consultation and review process and complies with relevant legislation and guidance | | |
| Relevant scrutiny committee to be consulted : YES - Environmental & Public Protection 11 th December, 2015 | | |
| EXECUTIVE BOARD / COUNCIL / COMMITTEE: Scrutiny Committee recommendations / comments: | | |
| Exec Board Decision Required | YES – 4 th January, 2016 | |
| Council Decision Required | YES - 10 th February, 2016 | |
| EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- | | |
| Cllr. Jim Jones (Environmental & Public Protection Portfolio Holder) | | |
| Directorate Department for Communities | Designations: Head of Housing and Public Protection | Tel. 01267 228960 rstaines@cararthenshire.gov.uk |
| Name of Head of Service: Robin Staines | | |
| Report Author: Emyr Jones | Principal Licensing Officer | Tel 01267 228717 eorjones@sirgar.gov.uk |

EXECUTIVE SUMMARY
LICENSING COMMITTEE
DATE: 16TH 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 department have 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 |
|----------------------------|-----|

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 and 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 are 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 and Public Protection

1. Scrutiny Committee

Environmental & Public Protection Scrutiny Committee will be consulted on the 11th of December 2015.

2. Local Member(s)

Local Members were consulted through correspondence.

3. Community / Town Council

Town and Community Councils were consulted through correspondence.

4. Relevant Partners

Relevant partners were consulted through correspondence and consultation meetings.

5. 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 | 3, Spilman Street, Carmarthen |
| Gambling Commission Guidance | Review of Gambling Policy 2015 | 3, Spilman Street, Carmarthen |

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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, licence 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, licence 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**)

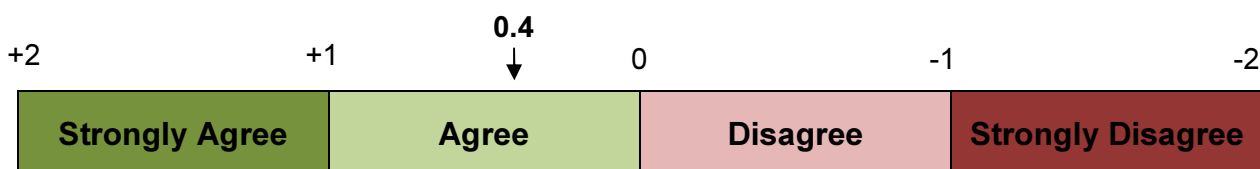
3 agree (each response worth 1, so=**3**)

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**)

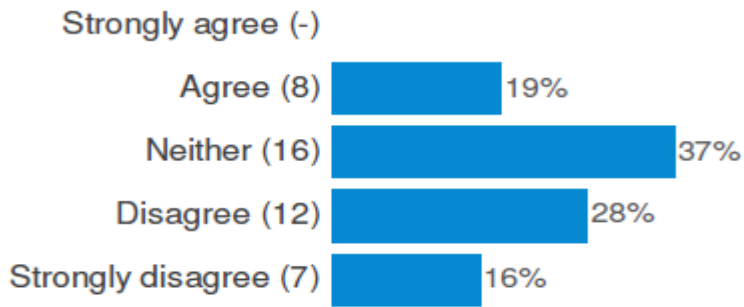
The AIS is calculated by adding all the numbers in bold: So, $6+3+0-1-4=4$; Then dividing by the number of responses (10 in this case). The average index score is: $4 \div 10 = \mathbf{0.4}$



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

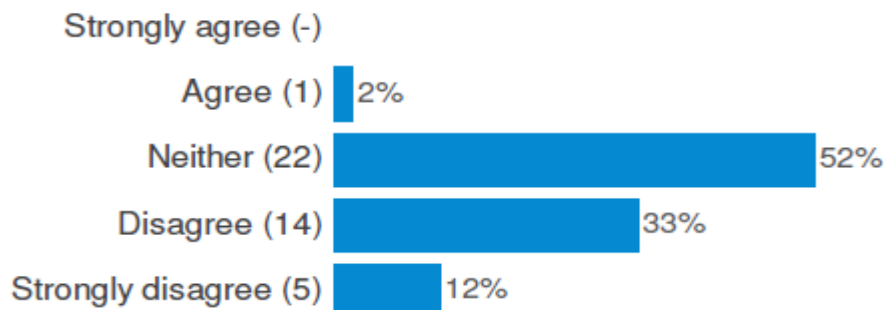


That the majority do not consider gambling-related problems to be an issue in their area is borne out by a negative Average Index Score (AIS) of **-0.42** (plotted below).

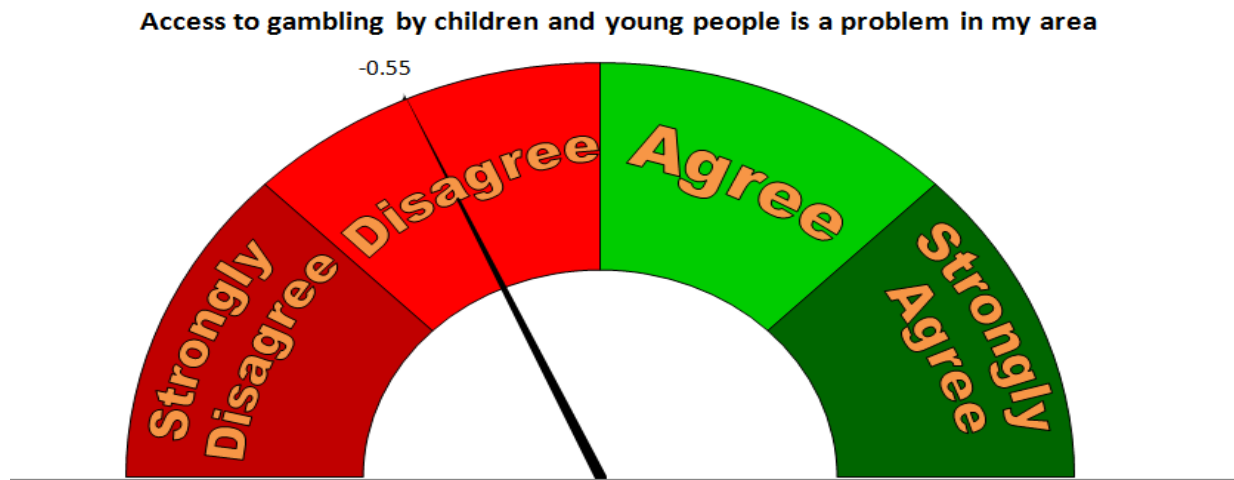


Next, 45% of respondents disagreed that **access to gambling by children and young people was a problem in their area**. As with the preceding question, 'neither' attracted the most responses (52%). Only one respondent (2%) agreed.

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

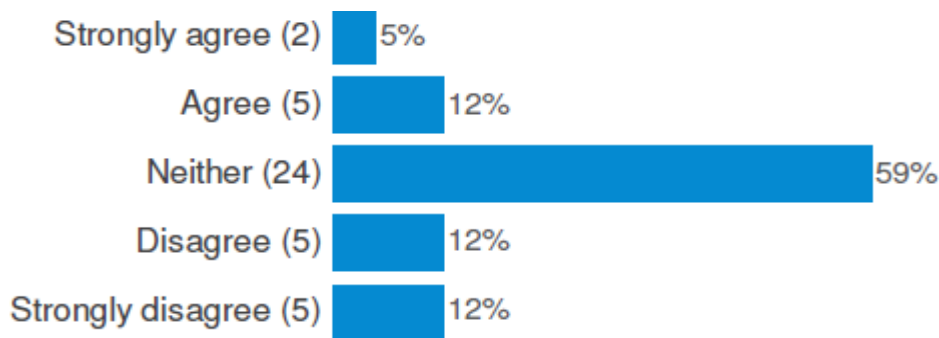


An Average Index Score of -0.55 confirms this result, with a score in the 0 – -1 range indicating disagreement.



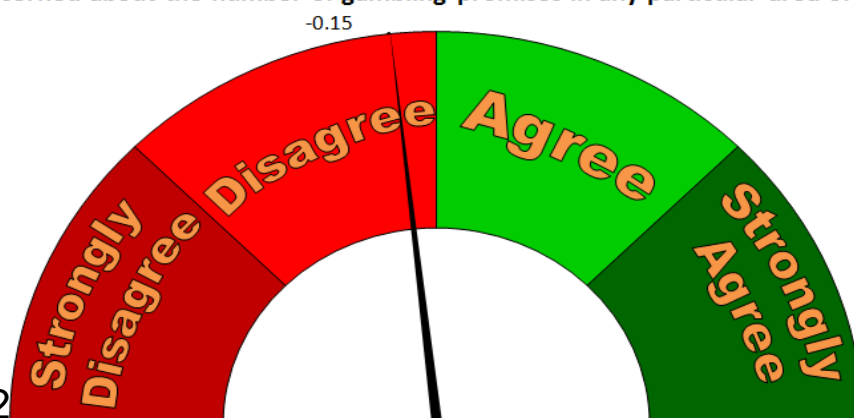
Lastly, around six in ten (59%) respondents neither agreed or disagreed that they were **concerned about the number of gambling premises in any particular area of the County**. Again, this suggests most respondents are neutral/undecided on the matter or have insufficient knowledge or experience to form 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

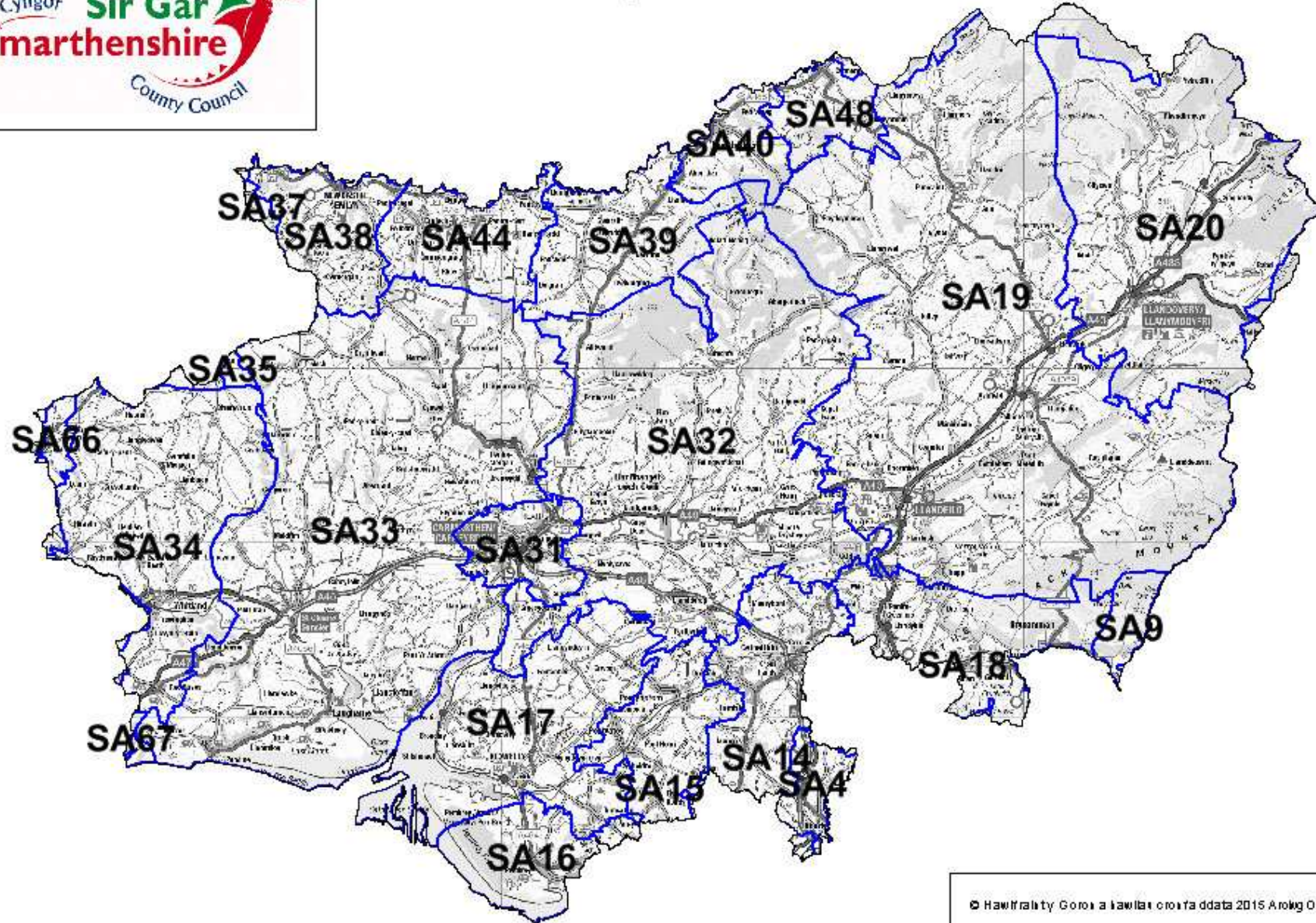
The information contained in this form will be held and processed by Carmarthenshire County Council in accordance with the Data Protection Act 1998.

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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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
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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
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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
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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.

LICENSING COMMITTEE DATE: 16TH DECEMBER, 2015

SUBJECT: REVIEW OF STATEMENT OF LICENSING POLICY (Licensing Act 2003)

Recommendations / key decisions required:

A summary of the consultation responses is attached.

It is recommended 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.

Relevant scrutiny committee to be consulted : YES - Environmental & Public Protection
11th December, 2015

EXECUTIVE BOARD / COUNCIL / COMMITTEE:

Scrutiny Committee recommendations / comments:

Exec Board Decision Required YES – 4th January, 2016

Council Decision Required YES - 10th February, 2016

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:-

Cllr. Jim Jones (Environmental & Public Protection Portfolio Holder)

Directorate Department for
Communities

Name of Head of Service:
Robin Staines

Report Author: Emyr Jones

Designations:

Head of Housing and Public
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EXECUTIVE SUMMARY
LICENSING COMMITTEE
DATE: 16TH DECEMBER, 2015

REVIEW OF STATEMENT OF LICENSING POLICY

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 department have 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 and 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 are 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 Llamas 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 and Public Protection

1. Scrutiny Committee

Environmental & Public Protection Scrutiny Committee will be consulted on the 11th of December 2015.

2. Local Member(s)

Local Members were consulted through correspondence.

3. Community / Town Council

Town and Community Councils were consulted through correspondence.

4. Relevant Partners

Relevant partners were consulted through correspondence and consultation meetings.

5. 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 | 3, Spilman Street, Carmarthen |
| Home Office Guidance | Review of Licensing Policy 2015 | 3, Spilman Street, Carmarthen |

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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.

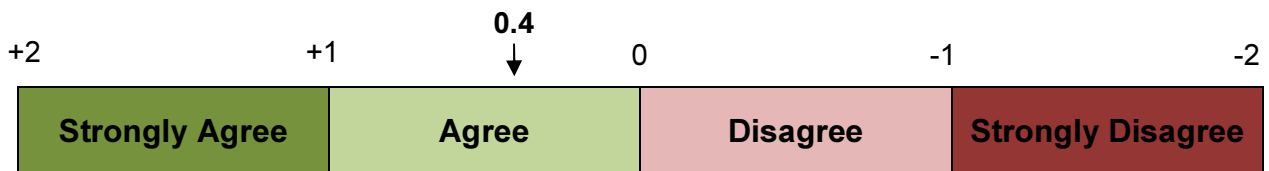
Example

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

Results...

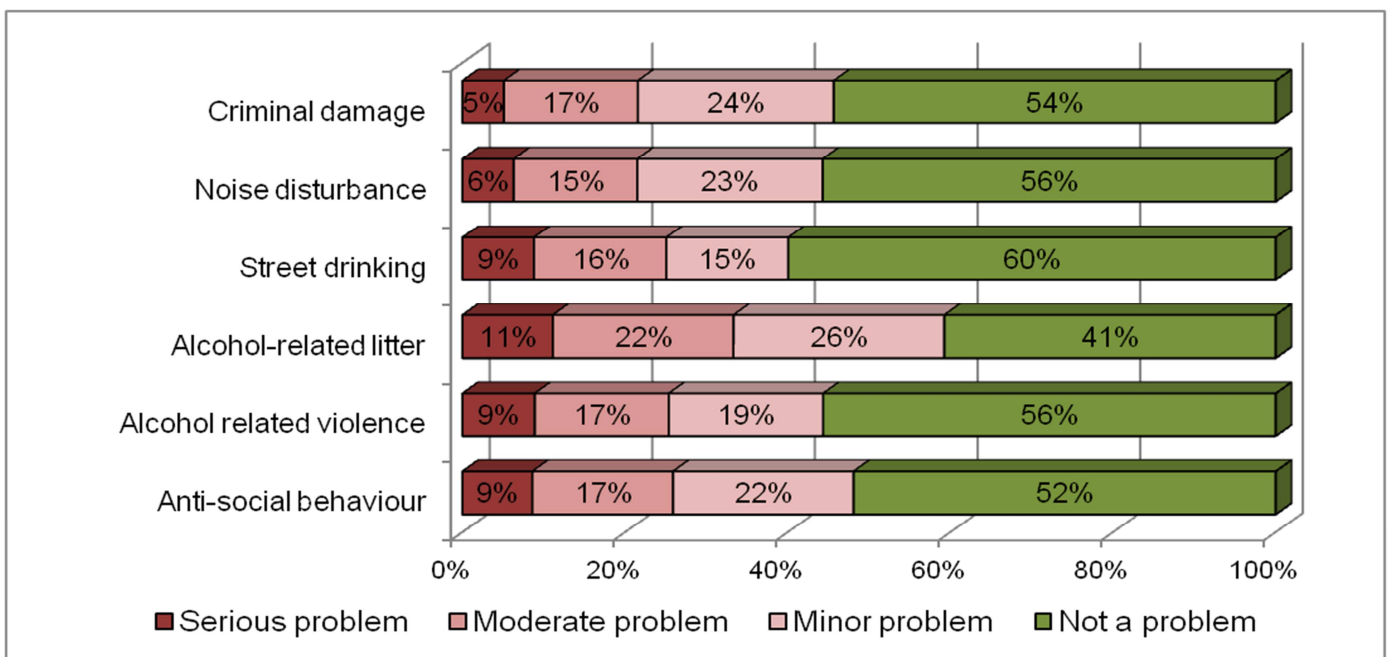
- 3 strongly agree (each response worth 2, so=**6**)
- 3 agree (each response worth 1, so=**3**)
- 1 no opinion (each response worth 0, so=**0**)
- 1 disagree (each response worth -1, so=**-1**)
- 2 strongly disagree (each response worth -2, so=**-4**)

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: $4 \div 10 = \mathbf{0.4}$



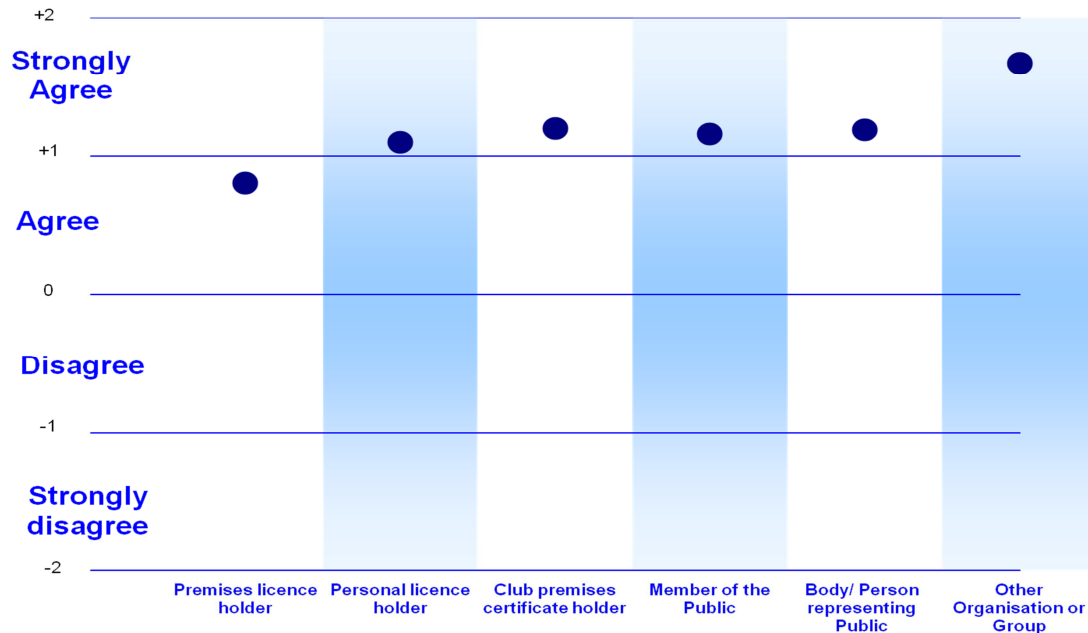
Following a series of demographic profiling questions, respondents were given a list of common alcohol-related issues and asked to indicate the extent to which they were a problem in their area using a likert scale, with 'serious problem' and 'not a problem' as scale anchors. As depicted below, over 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?

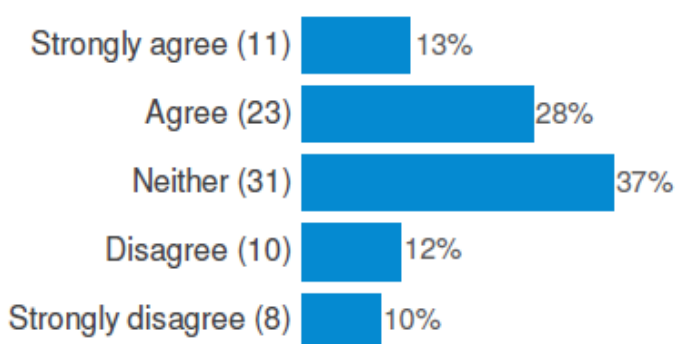


result, with a score in the range of 1–2 indicting strong agreement. An AIS graph by category of respondent is plotted below.

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

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. |

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| | <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> |

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| | <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 |

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| 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 |

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|--------------|---|---------------------------|---|--|
| | <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> |

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| | <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> |

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| | <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 |

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| | <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> |

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| | 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 |

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| | <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> |

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| | 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 |

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| | <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> |

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| | <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> |

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| 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 | |

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| | 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 |

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| 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 |

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| | 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 |

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| | 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 |

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| 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> |

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| | 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 |

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| | 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 |

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| | <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> |

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| | <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> |

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| | 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 | |
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| 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 |

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| | <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> |

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| | | | | 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 |

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| | <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> |

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| | <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> |

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| | <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 | <p>Questions 10-13 Problems in Lammas Street and Nott Square, Carmarthen</p> <p>Questions 17-19 CIP should be imposed in Lammas Street and Nott square</p> <p>Questions 29 & 30 Should encourage restaurants in areas where no problems</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>Nott Square added as a hot spot.</p> <p>No change at this stage further public consultation recommended</p> <p>Policy to encourage activities that do not undermine the licensing objectives</p> |
| 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 | Further consultation recommended in order to accurately define the hot spot area |
| | <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 | Policy to encourage activities that do not undermine the licensing objectives |
| Respondent 86 | <p>Questions 29 & 30 Should encourage festivals and restaurants</p> | Noted | This will be taken into account when reviewing the policy | Policy to encourage activities that do not undermine the licensing objectives |

| | | | | |
|---------------|---|---|--|---|
| 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 - Station Road | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ammanford - Quay Street | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Llanelli - Stepney Street | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ammanford - Wind Street | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | |
| Carmarthen - Coracle Way | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | |
| Carmarthen - Lamma 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"/> | | | | |
| Llanelli - Murray Street | <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

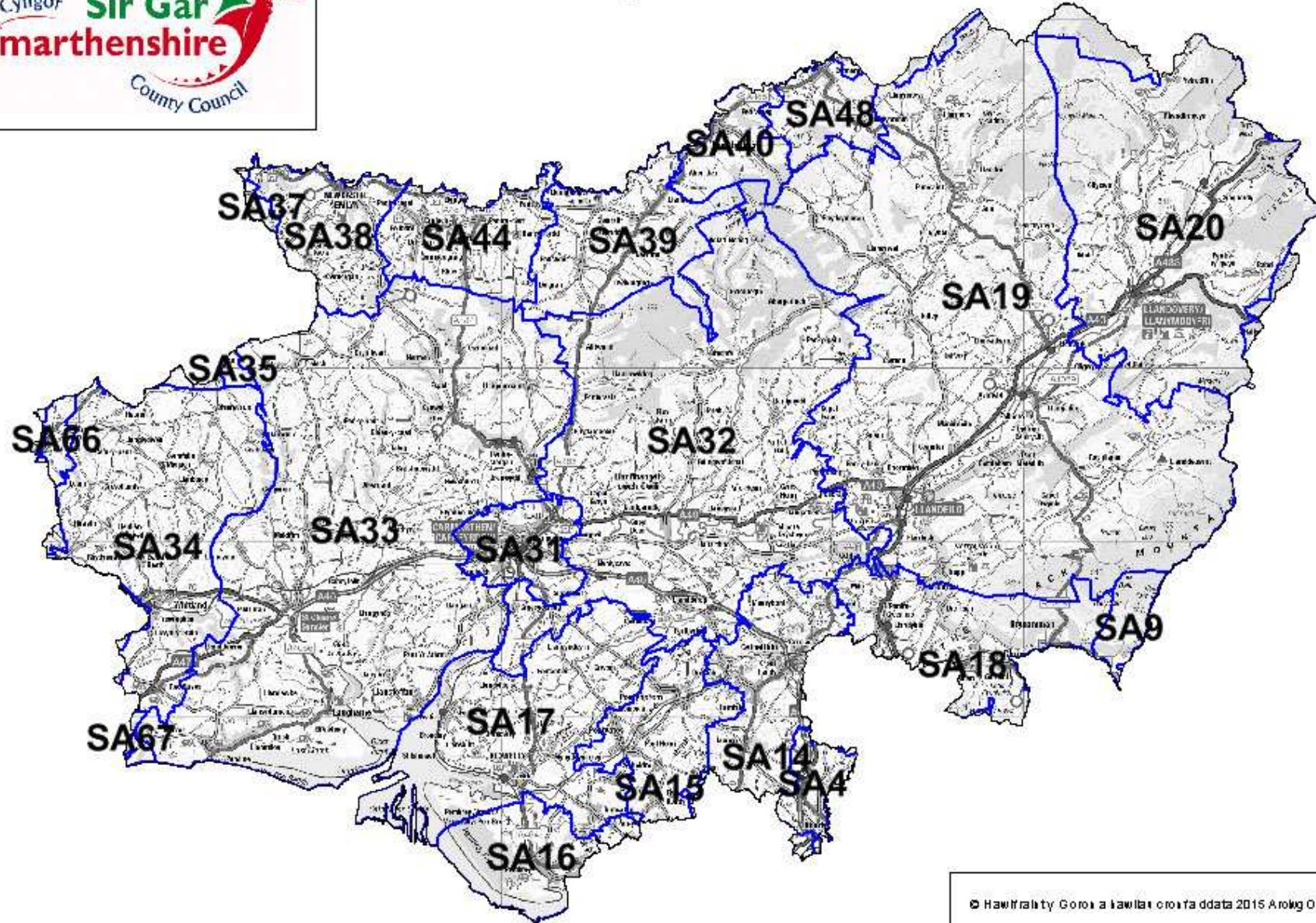
The information contained in this form will be held and processed by Carmarthenshire County Council in accordance with the Data Protection Act 1998.

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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Licensing Policy Statement

The Licensing Act 2003



January 2016

LICENSING ACT 2003

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

LICENSING ACT 2003

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.

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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.

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- 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:

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- 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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STATEMENT OF LICENSING POLICY

- 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

LICENSING ACT 2003

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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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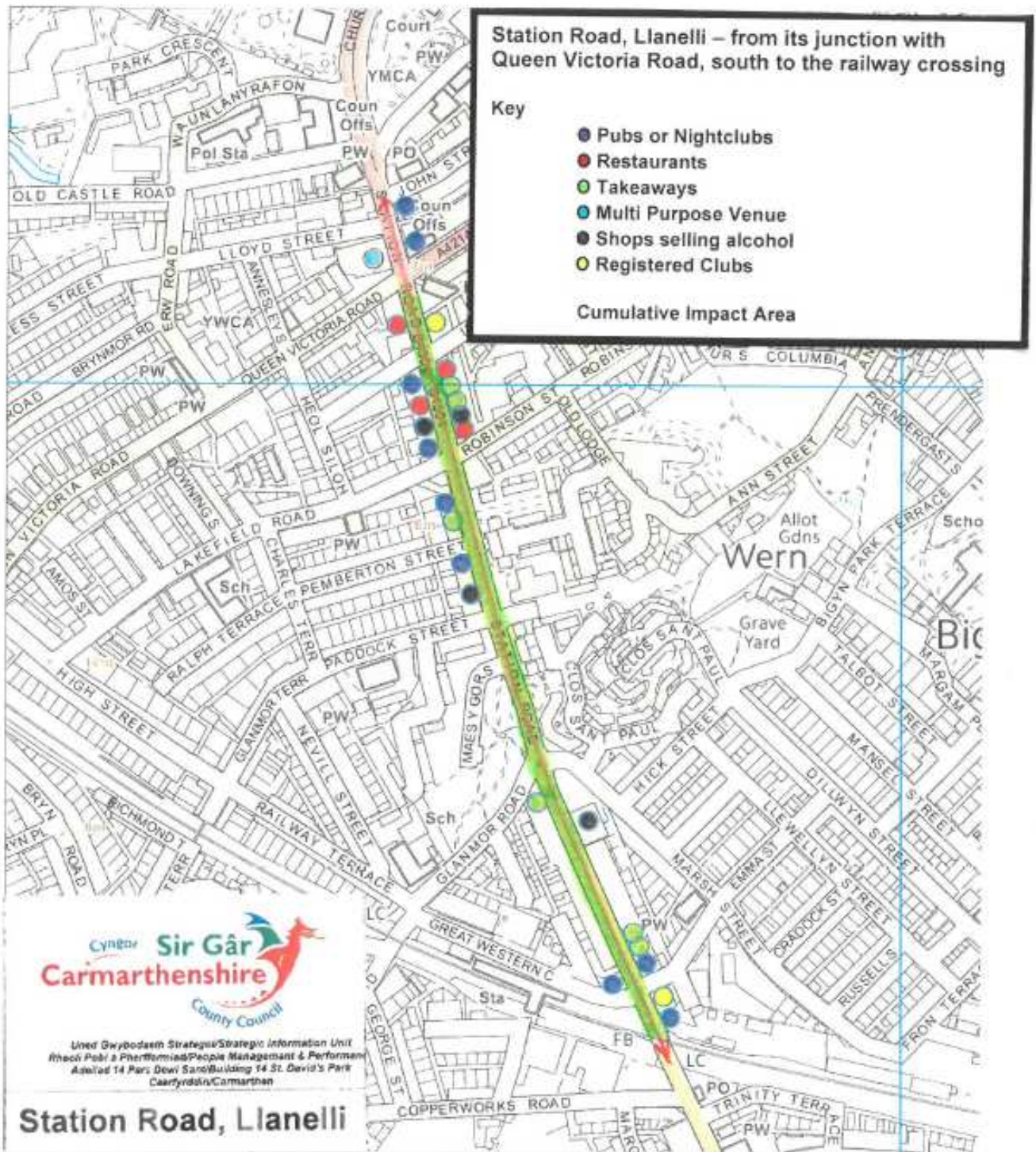
STATEMENT OF LICENSING POLICY

Old Station Road
Carmarthen
Carmarthenshire
SA31 1LP

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

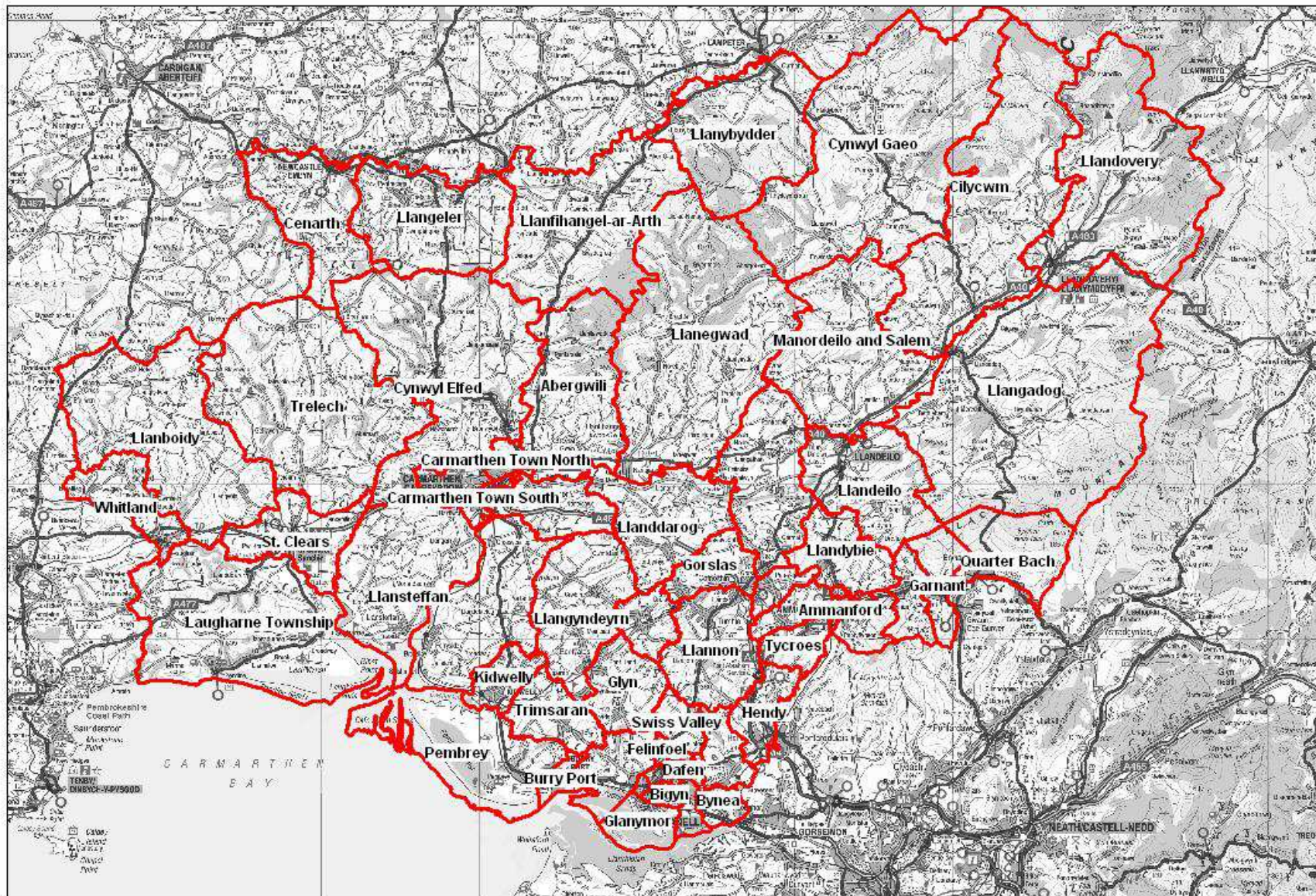
STATEMENT OF LICENSING POLICY

Appendix F



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Appendix G



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LICENSING COMMITTEE 16TH DECEMBER, 2015

REVIEW OF LOCALLY SET FEES IN ENVIRONMENTAL HEALTH AND LICENSING SECTION

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

- 1.1. 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.
- 1.2. 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 formulate views for submission to the Executive Board/Council for consideration.
- To receive stakeholders views on the proposed fees.
- To ensure transparency and good practice in fee setting.

Relevant scrutiny committee to be consulted - **YES - Environmental & Public Protection - 11th December, 2015**

EXECUTIVE BOARD / COUNCIL / COMMITTEE:

Scrutiny Committee recommendations / comments:

| | |
|------------------------------|--------------------------------------|
| Exec Board Decision Required | YES – 4 th January 2016 |
| Council Decision Required | YES - 10 th February 2016 |

Executive Board Member Portfolio Holder:

Cllr. J. Jones (Environment & Public Protection Portfolio Holder)

Directorate: Communities

Name of Head of Service:

Robin Staines

Report Author:

Sue Watts

Designations:

Head of Housing and Public Protection

Environmental Health and Licensing Manager

Tel Nos.

01267 228960

Rstaines@carmarthenshire.gov.uk

01267 228929

sewatts@carmarthenshire.gov.uk

EXECUTIVE SUMMARY
LICENSING COMMITTEE
16TH DECEMBER, 2015

**REVIEW OF LOCALLY SET FEES IN 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 required 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 HMO'S within the County. The Authority has a mandatory duty to license the higher risk HMO's. 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 – *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 and 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 and Public Protection

1. Scrutiny Committee

Members of the Environmental and Public Protection Scrutiny Committee will be consulted on the 11th December, 2015.

2. 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.

3. 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.

4. Relevant Partners

N/A

5. 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 laybys in Licensed Streets No advance payments available | Town Centre Zones | £25.00/day | £25.00/day |
| Street trading in laybys 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 laybys 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:
 $300.29 + 80.09 + (9.73 \times 50) = \underline{\underline{£866.88}}$ for the initial licence
and
 $80.09 + (9.73 \times 50) = \underline{\underline{£566.59}}$ for a re- licence.

1.12 HOUSE IN MULTIPLE OCCUPATION/SELECTIVE LICENSING SCHEME FEES

| Cost Break Down Property Type | Set Up Cost(£) | Administration Cost of Licence(£) | Compliance Checks (£) | Other Costs(£) | Total(£) |
|--|-----------------------|--|----------------------------------|---------------------------|-----------------|
| 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

| Value of Property For Security | Proposed wording change; Loan Value | Land Registry Charge Per Title For Security Of Loan | Administration Fee | |
|---|--|--|----------------------------|--------------|
| 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 | £395.00 |
| | | | £50,001 - £100,000 | £495.00 |
| | | | £100,001-£150,000 | |

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Thursday, 26 November 2015

PRESENT: Councillor T. Theophilus (Chair)

Councillors:

T. Bowen, J.M. Charles, A. Davies, P.M. Edwards, J.K. Howell, D.J.R. Llewellyn, D.E. Williams and J.S. Williams

The following Officers were in attendance:

P Booth, Licensing Officer
M.S. Davies, Democratic Services Officer
R. Edgecombe, Legal Services Manager
M Heath, Licensing Officer
J Power, Senior Licensing Officer

Chamber, County Hall, Carmarthen - 10.00 - 11.00 am

1. APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors T. Davies, I.J. Jackson, H.I. Jones, P.E.M. Jones and M.K. Thomas.

2. DECLARATIONS OF PERSONAL INTERESTS.

| Councillor | Minute No. | Nature of Interest |
|---------------|---|------------------------------|
| D.E. Williams | 5 – Hackney Carriage/Private Hire Dual Drivers Licence – Mrs. Katy Victoria Griffiths | Applicant lives in his ward. |

3. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MR ANDREW STUART MARLING

The Committee was reminded that consideration of this item had been deferred at the meeting held on 21st October, 2015 (minute 10 refers) as Mr. Marling had not attended which, it transpired, had been due to an administrative error on the Authority's behalf. The Committee was advised that this had been addressed but Mr. Marling had informed officers that he would not be able to attend today's hearing.

RESOLVED that consideration of the application by Mr Andrew Stuart Marling for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be deferred to the next meeting of the Committee.

4. APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MRS SARAH JENNA WYNNE

The Committee considered an application from Mrs. Sarah Jenna Wynne of 30 St. Non's Avenue, Carmarthen, to renew her Hackney Carriage/Private Hire Dual Driver's Licence. The Committee interviewed Mrs. Wynne with regard to her application.

The Senior Licensing Officer recommended that Mrs. Wynne's application be

granted with a warning as to her future conduct.

The Committee thereupon

RESOLVED that, in line with the Council's guidelines, the application submitted by Mrs. Sarah Jenna Wynne to renew her Hackney Carriage/Private Hire Dual Driver's Licence be granted and that she be issued with a warning as to her future conduct.

5. HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MRS KATY VICTORIA GRIFFITHS

[NOTE: Councillor D.E. Williams having earlier declared an interest in this item, left the Chamber prior to the consideration and determination thereof.]

The Committee was informed that Mrs. Katy Victoria Griffiths of Cedars, Mount Pleasant, Llangunnor, Carmarthen, was a licensed hackney carriage/private hire dual driver with the authority and the Committee interviewed Mrs. Griffiths with regard to an issue which had arisen in relation to her licence.

The Senior Licensing Officer recommended that Mrs. Griffiths be issued with a warning as to her future conduct.

The Committee thereupon

UNANIMOUSLY RESOLVED that, in line with the Council's guidelines, Mrs. Katy Victoria Griffiths be issued with a warning as to her future conduct.

6. HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MR CERI DAVIES

The Committee was informed that Mr. Ceri Davies of 43 Waterloo Road, Penygroes, Llanelli, was a licensed hackney carriage/private hire dual driver with the authority and the Committee interviewed Mr. Davies with regard to an issue which had arisen in relation to his licence.

The Senior Licensing Officer recommended that Mr. Davies be issued with a warning as to his future conduct.

The Committee thereupon

UNANIMOUSLY RESOLVED that, in line with the Council's guidelines, Mr. Ceri Davies be issued with a warning as to his future conduct.

7. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MR STUART WAYNE WILLIAMS

The Committee considered an application from Mr. Stuart Wayne Williams of 19 School Road, Morfa, Llanelli, for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence.

The Committee interviewed Mr. Williams with regard to his application.

The Senior Licensing Officer recommended that Mr. Williams's application be granted with a warning as to his future conduct.

The Committee thereupon

RESOLVED to retire into private session in order to receive legal advice pursuant to Paragraph 16 of Schedule 12A of the Local Government Act 1972.

Following the adjournment the Committee reconvened to advise of its decision.

RESOLVED that, in line with the Council's guidelines, the application submitted by Mr. Stuart Wayne Williams for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be granted and that he be issued with a warning as to his future conduct.

8. HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MR DAVID WILLIAM SQUIRE

The Committee was informed that Mr. Squire was not present and had not contacted officers to advise them of his intentions.

UNANIMOUSLY RESOLVED that consideration of the issue arising in connection with Mr. David William Squire's Hackney Carriage/Private Hire Dual Driver's Licence be deferred to the next scheduled meeting of the Committee and that he be advised that should he fail to attend then his application may be dealt with in his absence.

9. APPLICATION TO RENEW A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MR BENJAMIN WILLIAM EDWARD COLLINS

The Committee considered an application from Mr. Benjamin William Edward Collins of Ffynnonau-Gleision to renew his Hackney Carriage/Private Hire Dual Driver's Licence. Mr. Collins was accompanied by his father. The Committee interviewed Mr. Collins with regard to his application and received a statement from his father.

The Senior Licensing Officer recommended that Mr. Collins's application be granted with a final warning as to his future conduct.

The Committee thereupon

RESOLVED to retire into private session in order to receive legal advice pursuant to Paragraph 16 of Schedule 12A of the Local Government Act 1972.

Following the adjournment the Committee reconvened to advise of its decision.

RESOLVED that, in line with the Council's guidelines, the application submitted by Mr. Benjamin William Edward Collins to renew his Hackney Carriage/Private Hire Dual Driver's Licence be granted and that he be issued with a final warning as to his future conduct.

10. LICENSING SUB-COMMITTEE MINUTES

UNANIMOUSLY RESOLVED that the minutes of the meeting of Licensing Sub-Committee 'B' held on the 13th October, 2015 be signed as a correct record.

11. MINUTES

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Licensing Committee held on the 21st October, 2015 be signed as a correct record.

CHAIR

DATE