

COUNTY COUNCIL
12TH DECEMBER, 2018

REVIEW OF LICENSING POLICY

Executive Board Recommendations:

That the amended Licensing Policy be approved.

Reasons:

- The attached revised Licensing Policy document reflects the results of the consultation and review process.
- Sufficient evidence has been provided to justify adopting a Cumulative Impact Assessment in respect of Lammas Street, Carmarthen.
- The scheme of delegation has been amended to reflect good practice and changes to the legislation.
- To ensure that the Council's constitution reflects the changes in the Licensing Policy.

Relevant scrutiny committee to be consulted : YES - Environmental & Public Protection
1st October 2018

EXECUTIVE BOARD / COUNCIL / COMMITTEE:

Scrutiny Committee recommendations / comments:

UNANIMOUSLY RESOLVED TO RECOMMEND TO EXECUTIVE BOARD that the amended Licensing Policy be approved.

Exec Board Decision Required YES – 19th November, 2018

Council Decision Required YES - 12th December, 2018

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:-

Cllr. P M Hughes (Environmental & Public Protection Portfolio Holder)

Directorate Department for
Communities

Name of Head of Service:
Jonathan Morgan

Report Author:

Emyr Jones

Designations:

Acting Head of Homes and
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**EXECUTIVE SUMMARY
COUNTY COUNCIL
12TH DECEMBER, 2018**

REVIEW OF LICENSING POLICY

Context

When the current Licensing Policy was adopted in February 2016, it was resolved that a further consultation would be undertaken regarding the possible adoption of a Cumulative Impact Policy in relation to Lammas Street, Carmarthen.

The legislation was amended in April 2018 to refer to Cumulative Impact Assessments rather than Cumulative Impact Policies.

Consultation

This consultation exercise was undertaken between the 3rd of April and the 1st of June 2018 and was aimed at responsible authorities, local residents, businesses, existing licence holders and their representatives.

Approximately a 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 survey was undertaken using the 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. Properties within the area highlighted in the consultation document received a hand delivered consultation letter.

The Authority's licensing section in conjunction with the council's legal department have reviewed the policy document in light of the consultation responses, revised government guidance, amendments to the Licensing Act and recent case law.

The Key issues raised as a result of the consultation exercise were:-

- That there is evidence to support the adoption of a Cumulative Impact Assessment for Lammas Street, Carmarthen.

The Key changes to the Policy document include :-

- A Cumulative Impact statement in respect of Lammas Street, Carmarthen. (Page 21)
- An amended schedule of delegations to reflect amendments to the Licensing Act 2003 and to deal with film classification requests. (Page 33)

A revised licensing policy document, incorporating amendments to reflect the review process is attached.

DETAILED REPORT ATTACHED?

YES –

- **Licensing Policy Consultation Report**
- **Licensing Policy Statement – The Licensing Act 2003**

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: Jonathan Morgan

Acting Head of Homes and Safer Communities

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

CONSULTATIONS

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

Signed: Jonathan Morgan

Acting Head of Homes and Safer Communities

1. Scrutiny Committee Environmental & Public Protection Scrutiny Committee was consulted on the 1st of October 2018.

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 2018	3, Spilman Street, Carmarthen
Home Office Guidance	Review of Licensing Policy 2018	3, Spilman Street, Carmarthen