

COUNTY COUNCIL
10th MARCH, 2021

SUBJECT:
REVIEW OF STATEMENT OF LICENSING POLICY
(LICENSING ACT 2003)

Executive Board Recommendation

- The amended Statement of Licensing Policy be approved; and
- The existing Cumulative Impact Assessment be retained for Station Road Llanelli and Lammas Street Carmarthen as detailed in section 10 of the attached policy.

Reasons:

- There is a statutory obligation to review the Licensing Policy every five years;
- The attached revised Licensing Policy document reflects the results of the consultation and review process; and
- Sufficient evidence has been provided to justify retaining the Cumulative Impact Assessments in respect of Station Road Llanelli and Lammas Street Carmarthen.

Relevant scrutiny committee to be consulted: N/A

Exec Board Decision Required YES - 1st March 2021

Council Decision Required YES - 10th March 2021

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:-

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

Directorate:	Designations:	
Communities		Tel 01554 899285
Name of Head of Service:	Head of Homes and Safer Communities	jmorgan@carmarthenshire.gov.uk
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Emyr Jones		

EXECUTIVE SUMMARY

COUNTY COUNCIL

10TH MARCH, 2021

REVIEW OF LICENSING POLICY

Purpose

The current Licensing Policy was adopted by the authority in January 2019 following a consultation regarding adopting a Cumulative Impact Assessment (CIA) in respect of Lammas Street, Carmarthen. 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, this full review was last undertaken in 2015. The Licensing Policy relates to all licensed premises, including those which form part of the daytime economy.

The policy review consultation was originally planned to commence in March 2020, however as a consequence of the Coronavirus pandemic, it was paused until a more appropriate time and to see if the statutory review period would be extended. As the 5 year review period has not been extended, the consultation was amended to focus on the main statutory areas for consultation and was open for a limited period.

It is proposed that a furthermore detailed consultation will be undertaken once the Coronavirus emergency period has ended.

Consultation

This consultation exercise took place between the 14th of December and the 10th of January 2021. 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 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, reducing the risks posed by the COVID-19 pandemic whilst increasing the accessibility of the consultation.

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.

Conclusion:-

- That there is evidence to support retaining the Cumulative Impact Assessments currently in place for Station Road, Llanelli and Lammas Street, Carmarthen; and
- As a result it is proposed that we retain the cumulative impact assessments in the policy in their current form save for updating the evidence that supports them.

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 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 not been undertaken at the moment, as the report is recommending very limited changes to the existing Policy document and a much more detailed review of the policy once the coronavirus emergency period has finished at which time an equalities impact assessment will be completed.

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.

Failure to approve the policy would bring the cumulative impact assessments in Station Road and Lammas Street to an end and undermine the council's promotion of the crime prevention objective in the Licensing Act 2003.

CONSULTATIONS

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

Signed: Jonathan Morgan Head of Homes and Safer Communities

1. Scrutiny Committee N/A

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

**EXECUTIVE BOARD PORTFOLIO
HOLDER(S) AWARE/CONSULTED:**

YES

Include any observations Here

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 2020	3, Spilman Street, Carmarthen
Home Office Guidance	Review of Licensing Policy 2020	3, Spilman Street, Carmarthen