

COMMITTEE:	FULL COUNCIL
DATE:	10 DECEMBER 2015
CABINET MEMBER:	DAFYDD MEURIG (PLANNING AND REGULATORY)
TITLE:	REVIEW OF STATEMENT OF LICENSING POLICY - LICENSING ACT 2003
PURPOSE:	FOR DECISION
AUTHOR:	HEAD OF REGULATORY DEPARTMENT

1.0 BACKGROUND INFORMATION

- 1.1 In accordance with Section 5 of the Licensing Act 2003, licensing authorities must, for every 5 year period, determine and publish a statement of licensing policy before the beginning of the period. The current 5 year period comes to an end on 6 January 2016. The Council must determine and publish its replacement policy by this date.
- 1.2 The current Statement of Licensing Policy was adopted by the Council in its meeting on 16 December 2010. See Appendix I.

2.0 STATUTORY PUBLIC CONSULTATION

- 2.1 On 3 November 2015, the Central Licensing Committee decided to approve the draft Statement of Licensing Policy and to commence the statutory public consultation on the replacement policy.
- 2.2 The statutory consultation process began on 4 November 2015 and was open for 21 days. The termination date of the consultation was 24 November 2015.
- 2.3 As required by the Licensing Act 2003, the Licensing Unit consulted with
- North Wales Police
 - North Wales Fire & Rescue Service
 - Betsi Cadwaladr Health Board
 - Persons/bodies representative of businesses and residents in the county
 - Persons/bodies representative of current licence/certificate holders.
- 2.4 In respect of “Persons/bodies representative of businesses and residents in the county” the Licensing Unit contacted every Community Council Clerk to inform them of the consultation.
- 2.5 In respect of “Persons/bodies representative of current licence/certificate holders” the Licensing Unit contacted members of “Pubwatch” groups and secretaries of Chambers of Trade from across the county.
- 2.6 In addition to the above statutory requirement, the Licensing Unit
- i. Prepared an item for Rhaeadr in order to inform every Councillor of the consultation
 - ii. Prepared a press release
 - iii. Contacted every other responsible authority under the Licensing Act 2003, i.e. the Council’s Environmental Health, Health & Safety and Trading Standards unit; the Council’s Children’s Services, the Council and Snowdonia National Park’s Planning Authority.

- iv. Prepared information to publish on the Council's 'Have your say' page on the Gwynedd Council website.
 - v. Prepared an information pack for inspection at every Siop Gwynedd.
- 2.7 A copy of the information sheet and initial equality impact assessment provided during the consultation is available as Appendix 2.

3.0 RESPONSE TO THE CONSULTATION

- 3.1 The Licensing Unit received one response to the consultation from the Senior Policy and Research Officer at Alcohol Concern Cymru, Cardiff. His response referred to three parts of the document, namely part 1. Introduction, part 10. Conditions and Appendix 3 – Alcohol and Health in Wales.
- 3.2 Part 1. Introduction – The respondent believes that this is an opportunity for the authority to specify that Public Health, which is not a licensing objective, is important to the authority. It suggests that the wording of the introduction be amended to encourage applicants to show in their Operating Schedules how they will contribute towards the Council's aim of promoting healthier lifestyles.
- 3.3 Part 10. Conditions – The respondent believes that the statement of policy should include an appendix listing the tough conditions that could be imposed on a premises to deter irresponsible promotions and displays of alcohol.
- 3.4 Appendix 3. Alcohol and Health in Wales – The respondent welcomes the inclusion of Appendix 3 in the document however believes it should include more statistics on the effects of alcohol on health.
- 3.5 The Central Licensing Committee considered the response during its meeting on 1 December 2015. The Committee decision was as follows
- To amend paragraph 2.14 of the policy to include a statement that the council "supports premises that promote healthier lifestyles and responsible alcohol consumption".
 - Not to include an appendix listing the tough condition that could be imposed on a premises because it felt that paragraphs 10.3.5 and 10.3.6 clearly explain how conditions will be imposed on a licence. Also, the Licensing Act 2003 specified that Licensing Authorities should not use standardised conditions.
 - Not to amend Appendix 3 because its contents was agreed amongst the other local authorities in North Wales.
- 3.6 A copy of the proposed Statement of Licensing Policy is available as Appendix 3.

4.0 COLLABORATION

- 4.1 This proposed Statement of Licensing Policy was created as a result of collaborating with the other North Wales local authorities.
- 4.2 As part of the North Wales Public Protection collaboration project, a Licensing Task Group was established to work together to create a 'common' statement of licensing policy across North Wales.
- 4.3 The Task Group agreed the 'Contents' structure of the policy document however, because of the different economic and social factors affecting each authority, each

statement of licensing policy is worded differently and remains relevant to its area specifically.

- 4.4 The existing statements of licensing policy adopted by the North Wales were already very similar. This continues to be the case with the new replacement policy.

5.1 REVISIONS TO THE STATEMENT OF LICENSING POLICY

- 5.1 The policy document has been re-written and the format and layout of the policy has been updated so that the reader is able to find information quicker and easier.

- 5.2 The 'Contents' of the policy has been revised to comply with the agreed policy structure. New sections and sub-sections have been created in order to provide additional information on matters and powers that have come into effect since the existing policy was adopted in 2010. For example, Early Morning Restriction Orders and the Late Night Levy.

- 5.3 The wording of the policy has been revised for ease of reading and to make reference to current legislation. For example, the definition of regulated entertainment has changed considerably following the Live Music Act 2012 and the Deregulation Act 2015.

- 5.4 Despite these changes, the spirit and vision of the proposed Statement of Licensing Policy remains unchanged.

6.0 RECOMMENDATION

- 6.1 That the Council adopts the new Statement of Licensing Policy.