

COMMITTEE:	CENTRAL LICENSING COMMITTEE
DATE:	1 DECEMBER 2015
TITLE:	OUTCOME OF THE CONSULTATION ON DRAFT 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 In its previous meeting held 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. A copy of the draft policy is available as Appendix I.

2.0 STATUTORY PUBLIC CONSULTATION

- 2.1 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.
- 2.2 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.
- 2.3 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.
- 2.4 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.
- 2.5 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 Childrens 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.

- 2.6 A copy of the information sheet 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. A copy of the officer's response is available as Appendix 3.

- i. **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.

Response – The Licensing Unit believe that the introduction of the document is appropriate however there is possibility to amend paragraph 2.14 of the Scope and Extent section if this committee feel that it should make reference to health promotion in its policy statement.

2.14 The licensing authority will carry out its licensing functions in a way that ensures public safety, supports well managed premises where licence holders show sensitivity to the potential impact of licensable activities on local residents and other businesses, and protects residents from detrimental effects.

Option to amend this paragraph to read as follows:

- 2.14 The licensing authority will carry out its licensing functions in a way that
- i. ensures public safety,
 - ii. supports well managed premises where licence holders show sensitivity to the potential impact of licensable activities on local residents and other businesses,
 - iii. supports premises that promote healthier lifestyles and responsible alcohol consumption, and
 - iv. protects residents from detrimental effects.

- ii. **Conditions** – The respondent believes that the statement of policy should include an annex listing the tough conditions that could be imposed on a premises to deter irresponsible promotions and displays of alcohol.

Response – The Licensing Unit believes that paragraphs 10.3.5 and 10.3.6 explain the situation regarding the imposing of conditions quite clearly. In accordance with the Act, a Licensing Authority should not use standardised conditions.

- iii. **Appendix 3** – The respondent welcomes the inclusion of Appendix 3 in the document however believes it should include more statistics.

Response – Appendix 3 was prepared jointly by the six North Wales Licensing Authorities. The contents is as approved by the six authorities.

4.0 OPTIONS

- 4.1 The committee is required to decide if paragraph 2.14 should be amended as proposed and if the Licensing Unit response to the observations regarding the Conditions and Appendix 3 are acceptable.

5.0 RECOMMENDATION

- 5.1 The Head of Regulatory Department seeks the approval of this committee to submit the Statement of Licensing Policy to the Full Council for consideration in its meeting on 10 December 2015.