

COMMITTEE:	CENTRAL LICENSING COMMITTEE
DATE:	3 NOVEMBER 2015
TITLE:	APPROVAL TO COMMENCE 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.
- 1.2 During the 5 year period the licensing authority must keep its policy under review and make such revisions to it as it considers appropriate. At the end of the 5 year period, the licensing authority must replace its policy.
- 1.3 The current statement of licensing policy was adopted by the Full Council on 16 December 2010.
- 1.4 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.

2.0 COLLABORATION

- 2.1 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.
- 2.2 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.
- 2.3 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. (A copy of the current statement of licensing policy can be found in Appendix A.)

3.0 REVISIONS TO THE STATEMENT OF LICENSING POLICY

- 3.1 The draft replacement statement of licensing policy can be found in Appendix B. The changes made to the policy are as follows:-
- 3.2 The format and layout of the policy has been updated so that the reader is able to find information quicker and easier.

- 3.3 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.
- 3.4 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.
- 3.5 Despite these changes, the spirit and vision of the draft policy is unchanged.

4.0 CONSULTATION

- 4.1 As required by the Act, the draft Licensing Policy is subject to formal consultation 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.
- 4.2 In addition to the above the licensing service will consult with every Councillor, every Community Council and every responsible authority. The draft replacement policy will be available for inspection at every Siop Gwynedd and will be available to view online.
- 4.3 The duration of the consultation will be 21 days. The response rate to previous consultations has been low. It is not anticipated that the replacement policy will generate many responses because it does not contain any contentious amendments to the existing policy.

5.0 RECOMMENDATION

- 5.1 The Head of Regulatory Department seeks the approval of this committee to commence the statutory consultation on the replacement policy.
- 5.2 At the end of the consultation period, a report will be presented to this committee outlining the responses received. Any concerns raised about the replacement policy will be considered and amendments made to the policy as necessary.
- 5.3 Upon approval by this committee, the replacement policy will then be submitted to the Full Council for consideration in its meeting on 10 December 2015.