

# **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

## **Licensing and Gambling Acts Committee**

25 August 2020

### **Report of the Head of Legal Services – Craig Griffiths**

#### **Matter for Decision**

**Wards Affected:** All

### **Licensing Act 2003 - Review of Licensing Policy**

#### **Purpose of the Report**

1. To consider the draft revised Licensing Policy prior to submission to Council and subsequent issue for consultation.

#### **Executive Summary**

2. The Council, as the Licensing Authority under the provisions of the Licensing Act 2003 are required to review its Licensing Policy every 5 years.
3. Prior to adopting a new Licensing Policy, the Licensing Authority must undertake a mandatory consultation exercise.
4. The Licensing and Gambling Acts Committee is being asked to consider whether any amendments are required to be made to the revised draft Licensing Policy prior to its submission to Council, for approval to begin the consultation exercise.

## **Background**

5. The Council, as the Licensing Authority under the provisions of the Licensing Act 2003 is required to review its Licensing Policy every 5 years.
6. The current Licensing Policy was adopted at Council on the 25th November 2015.
7. The revised Licensing Policy must be issued for consultation and adopted by Council before publication. The Policy must be published at least 4 weeks before it comes into effect on the 31st January 2021.

## **Officer Report**

8. A copy of the draft revised Licensing Policy is attached at Appendix 1 to this report.
9. The structure of the policy has been amended significantly to reflect a template policy which has been shared across Wales, however fundamentally, the content has only been updated to reflect changes to guidance and various references to other policies.
10. Before a revised Licensing Policy can take effect, the Licensing Authority must carry out a mandatory consultation exercise. The Licensing Act 2003 specifies statutory consultees, however it is proposed that in addition to these, the consultation be as wide reaching as possible to include a range of interested parties, trade bodies, disability groups, drug and alcohol misuse groups and the general public.
11. It is considered that the consultation process be a minimum of 6 weeks to allow time for responses to be submitted, following which comments will be brought back to a meeting of Council in December 2020 for consideration.
12. An informal consultation with various partner agencies is currently in progress and as such the draft Licensing Policy attached at Appendix 1, may change slightly prior to submission to Council.
13. The Licensing and Gambling Acts Committee are being asked to consider whether any amendments should be made to the revised draft policy before being submitted to Council for approval to begin the consultation exercise.

## **Financial Impact**

14. Not applicable

## **Integrated Impact Assessment**

15. An assessment will be carried out prior to a report being submitted to Council

## **Legal Impacts**

16. Not applicable

## **Risk Management**

17. Not applicable

## **Consultation**

18. Approval to commence the consultation process is required from Council

## **Recommendation**

19. That members consider whether any amendments are required to the revised draft Licensing Policy before it is submitted to Council for approval to begin the consultation exercise.

## **Reasons for Proposed Decision**

20. In order to comply with the legal requirements as set out in the Licensing Act 2003

## **Implementation of Decision**

21. The decision is for immediate implementation.

## **Appendices**

22. Appendix 1 - revised Licensing Act Policy 2021.

## **List of Background Papers**

23. Section 182 Licensing Act 2003 guidance
24. Neath Port Talbot Licensing Policy 2016

## **Officer Contact**

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