



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

COUNCIL

27th NOVEMBER 2024

LICENSING ACT 2003 – PROPOSED STATEMENT OF LICENSING POLICY 2025-2030

REPORT OF DIRECTOR - PUBLIC HEALTH, PROTECTION AND COMMUNITY SERVICES IN DISCUSSIONS WITH THE CABINET MEMBER FOR PUBLIC HEALTH AND COMMUNITIES.

**Author(s): Rhian Hope, Head of Public Protection and Regulatory
Services and Martyn Owen, Assistant Licensing Manager**

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to seek approval of the Council's Statement of Licensing Policy (Alcohol, Entertainment and Late Night Refreshment) for the period 2025-2030

2. RECOMMENDATIONS

It is recommended that Council:

- 2.1 Approve the Statement to Licensing Policy (Alcohol, Entertainment and Late Night Refreshment) 2025-2030 as set out in appendix 1.

3. REASONS FOR RECOMMENDATIONS

- 3.1 Section 5 of the Licensing Act 2003 (as amended) places a requirement on each Licensing Authority to prepare and publish a Statement of Licensing Policy to outline how the Authority will exercise its licensing functions under the Act in respect of licences for the sale of alcohol, provision of entertainment and provision of late-night refreshment. The Statement of Licensing Policy must be renewed every 5-year period.
- 3.2 The attached recommendations are to ensure Rhondda Cynon Taf County Borough Council delivers its obligations under the said Act.

4. BACKGROUND

- 4.1 The current Statement of Licensing Policy took effect 7th January 2020 for a period of 5 years, which reflected the statutory period that the policy could be in force without review.

- 4.2 Whilst the policy has been subject to informal review throughout its currency with changing legislation and guidelines, no substantial amendments have been made and the policy is considered to be 'fit for purpose'.
- 4.3 The date for statutory formal review and publication of revisions is now approaching and it is necessary for the policy to be adopted by Full Council.
- 4.4 This Statement of Licensing Policy is intended to provide clear guidance on licensing matters to applicants, licensees and the public, promoting economic growth for local businesses whilst enabling the community to make constructive representations should the need arise.
- 4.5 The draft policy was presented to Licensing Committee on 10th September 2024 for consideration and recommendation that they accept the draft version and agree to the amendments made following consultation. Members duly scrutinised and accepted the proposals for consideration by Council. A copy of the draft document is attached as **Appendix (i)**.

5. EQUALITY AND DIVERSITY IMPLICATIONS / SOCIO-ECONOMIC DUTY

- 5.1 An Equality Impact Assessment (EqIA) screening form has been prepared for the purpose of this report. It has been found that a full EqIA is not required.
- 5.2 The report does not impact on any one group more than others, except for in a positive nature towards children. The safeguarding of children is one of the four licensing objectives as well as prevention of crime and disorder, prevention of public nuisance and public safety. This report is compiled with the intention of promoting each of these objectives including keeping children safe and minimising the risk of them coming to harm through access to alcohol related activities.

6. WELSH LANGUAGE IMPLICATIONS

- 6.1 A Welsh Language Impact assessment has been completed. It is deemed that the amendments proposed are demographic neutral and will not negatively impact on Welsh language. All applications and consents and web pages will be available in English and Welsh.

7. CONSULTATION / INVOLVEMENT

- 7.1 Following acceptance at Licensing Committee on 4th June 2024 to engage in consultation, the draft licensing policy was open to comment between 10th June and 21st July 2024. The consultation was publicised

in local newspapers, on the RCT consultation page, on RCT social media and direct to Responsible Authorities.

- 7.2 Two Responsible Authorities commented, these being South Wales Police and Cwm Taf Morgannwg University Health Board. There were also 79 respondents to the general questionnaire online.
- 7.3 Consideration has been given to comments and some minor amendments have been made to the draft policy.

Key Changes:-

Section	Comment
12.11	Noting documents must be available on premises for inspection by an officer.
12.30	Addition of 'will expect'.
12.34	Change of wording from 'should to must'.
12.35	Change of wording from 'will to shall'.
12.36	Removal of words 'especially where they appear to be directed at the younger persons.
14.2	Addition of 'Knowledge of customer capacity is important to ensure public safety, this must be available to relevant officers upon request'.
16	Updated Statistics from Public Health Authority.
17.7	Addition of police email.
17.9	Addition of new paragraph.
29.11	Amendments to wording.
29.12	Addition of 'similarly this will be required for events on private land'.
29.14	Addition of 'Adequate advanced notice of the event will be required to ensure the authorities can consider and advise on the event. Where limited notice is provided the event may be refused.'
29.19	Amendment to wording. Removal of 'it will be highly anticipated that'.
30.6	Wording has been changed following police request.
33.10	Addition of new paragraph.
33.11	Addition of new paragraph.

8. FINANCIAL IMPLICATION(S)

- 8.1 There are no financial implications associated with this report.

9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 9.1 Section 5 of the Licensing Act 2003 (as amended) places a requirement on each Licensing Authority to prepare and publish a Statement of Licensing Policy to outline how the authority will exercise its licensing functions under the Act in respect of licences for the sale of

alcohol, provision of entertainment and provision of late-night refreshment. The Statement of Licensing Policy must be renewed every 5-year period.

- 9.2 The process for the adoption of the Statement of Licensing Policy is subject to statutory control. It must be approved by Full Council and published in the final format at least 4 weeks prior to it taking effect
- 9.3 Failure to publish a statement of licensing policy by 7th January 2025 will result in Rhondda Cynon Taf County Borough Council failing to exercise its statutory functions.

10. LINKS TO THE CORPORATE PLAN, NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT

- 10.1 This report has been considered for evidence of the Five Ways of Working and how it may contribute to our Well-being Objectives, as well as the Corporate Plan 2024-30:

- Prevention and collaboration: the purpose of the policy is to protect the public by improving standards across the borough and provide clear vision to all of the Council's practices and decision making.
- Involvement: This policy is subject to public consultation before the Council may consider any changes.

For the Wellbeing and Future Generations Act the extension of the Scheme will link with:

- A healthier Wales.
- A prosperous Wales.
- A Wales of Cohesive Communities.
- People and Communities – supporting and empowering Rhondda Cynon Taf residents and communities to live safe, healthy, and fulfilling lives.
- Work and Business – helping to strengthen and grow Rhondda Cynon Taf's economy.

- 10.2 Consideration has also been given the RCT Corporate Plan 2024-2030 in particular - People and Communities – supporting and empowering Rhondda Cynon Taf residents and communities to live safe, healthy and fulfilling lives. This policy will contribute to assisting this aspect.

11. CONCLUSION

- 11.1 The new proposed Statement of Licensing Policy 2025-2030 reflects the current nature of the licensing trade within RCT. A new Policy must be in place by 7th January 2025 and the Policy will remain a live document and can be revised further during the next 5 year period as circumstances dictate.
- 11.2 It is recommended the Statement of Policy be approved by Council.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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FOR PUBLIC HEALTH AND COMMUNITIES, CLLR. BOB HARRIS**

Officer to Contact

Martyn Owen – Assistant Licensing Manager

Background Papers

None

Relevant Scrutiny Committee

Community Services Scrutiny Committee