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MAE HWN YN GYFARFOD Y MAE GAN Y CYHOEDD HAWL EI FYNYCHU

Dydd Iau, 6 Chwefror 2020

Annwyl Syr/Madam

PWYLLGOR TRWYDDEDU STATUDOL

Cynhelir cyfarfod o'r Pwyllgor Trwyddedu Statudol yn Siambr y Cyngor, Canolfan Ddinesig on Dydd Mawrth, 11eg Chwefror, 2020 am 9.30 am.

Yn gywir

Michelle Morris
Rheolwr Gyfarwyddwr

AGENDA

1. CYFIEITHU AR Y PRYD

Mae croeso i chi ddefnyddio'r Gymraeg yn y cyfarfod, mae angen o leiaf 3 diwrnod gwaith o hysbysiad ymlaen llaw os dymunwch wneud hynny. Darperir gwasanaeth cyfieithu ar y pryd os gwneir cais.

2. YMDDIHEURIADAU

3. DATGANIADAU BUDDIANT A GODDEFEBAU

Derbyn Datganiadau Buddiant a Goddefebau.

We welcome correspondence in the medium of Welsh or English. / Croesawn ohebiaith trwy gyfrwng y Gymraeg neu'r Saesneg.

Ystyried adroddiad y Rheolwr Tîm Trwyddedu a Masnachol.

At: Cynghorwyr B. Summers (Cadeirydd)
M. Moore (Is-gadeirydd)
D. Bevan
G. L. Davies
D. Hancock
W. Hodgins
J. P. Morgan
K. Pritchard
K. Rowson
T. Smith
B. Thomas
G. Thomas
D. Wilkshire
B. Willis
L. Winnett

Pob Aelod arall (er gwybodaeth)
Rheolwr Gyfarwyddwr
Prif Swyddogion

Agenda Item 4

Executive Committee and Council only

Date signed off by the Monitoring Officer:

Date signed off by the Section 151 Officer:

Committee: Statutory Licensing Committee

Date of meeting: 11th February 2020

Report Subject: Activities Report for Quarter 3 of 2019/20

Portfolio Holder: Statutory Licensing Committee

Report Submitted by: Lisa Griffin, Team Manager Licensing & Commercial

Report Written by: Lisa Griffin, Team Manager Licensing & Commercial

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Statutory Licensing Committee
21/01/20								11/2/2020

1. Purpose of the Report

To update the Licensing Committee on the work of the Licensing Team for the third quarter of 2019/20, i.e. 1st October – 31st December 2019 in respect of statutory licensing matters.

2. Scope and Background

- 2.1 This report outlines the work of the Licensing team from 1st October – 31st December 2019, including work such as applications, inspections and reactive complaints in respect of statutory licensing matters, so that Members are aware of what licensing activities are taking place and why.

Operational Report

2.2 Alcohol and Entertainment

- 2.2.1 80 applications were received this quarter in accordance with the Licensing Act 2003. Applications included two new premises licence applications, one new club premises certificate and 48 temporary event notices (TENs). The remainder of the applications were to transfer licences and vary the designated premises supervisor (DPS). The high

volume of TENs received was due to the early televised screening of the Rugby World Cup games.

2.2.2 One application was received for a new premises licence and during the consultation period, representations were received from interested parties. Therefore, the application was referred to the Statutory Licensing Sub-Committee for determination. All parties were invited to attend, i.e. the applicant and interested parties, however only the applicant and her representative attended. The committee considered the application in the absence of the interested parties and decided to grant the licence in accordance with the application.

2.2.3 No complaints were received.

2.3 **Gambling, Gaming and Lotteries**

2.3.1 No applications were received in respect of gambling premises licences. Five small society lottery registrations were received and three gaming machines permits were issued to public houses. No complaints were received.

2.4 **Inspection and Enforcement Activities**

2.4.1 During this third quarter, 29 premises that are licensed in accordance with the Licensing Act 2003 were inspected to ensure that licence holders are complying with the conditions of their licence. A summary of the main findings from the inspections and any actions taken is provided below:

- a) 7 of the premises visited were unable to either produce Part A of their premises licence as required, failed to display Part B/summary of the licence or both. 3 premises were re-visited during this quarter for re inspection after issues identified at the initial visit;
- b) Gaming machines at all premises where an Alcohol Licence Notification (ALN) is in place were inspected and issues were identified with the required markings on two machines at two of the licensed premises;
- c) One premises inspected identified one gaming machines available for use without the required notification and one condition of the premises licence not being complied with. Action was taken to address any areas of concern that were identified as a result of the inspection;
- d) One premises inspected where a breach of conditions was identified in that CCTV was not working. 14 days was given to rectify this issue.

- 2.4.2 No multi-agency operations with any other agencies were carried out this quarter, however officers continue to work very closely with the Police Licensing Officer for the area and joint visits have been made to premises. Officers also continue supporting the active pub watch groups in the area by attending meetings when possible.
- 2.4.3 One Licensing Act 2003 premises licence was suspended due to non-payment of the annual fee and the licence currently remains suspended. Action was taken in respect of eight other premises to successfully recover annual fees.

Management Report

2.5 Policies

- 2.5.1 The five Gwent Licensing Authorities have historically, and currently, maintained the same Licensing Act 2003 Statement of Licensing Policy, save for slight variations to account for relevant local information. As the Responsible Authorities named in the Licensing Act 2003, e.g., Police, Fire Service, Health Authority etc. are the same organisations for all five licensing authorities; this decision was made for ease of procedures and practices.

The Policy must be reviewed every five years and the current Blaenau Gwent policy is due for review in October 2021. The review of other Local Authorities policy is due at varying dates. It has been agreed that in order to assist in a consistent review cycle across Gwent the review date will be brought forward into the summer of 2020. The proposed timescales for action were reported into Committee in the Quarter 2 Activity Report, however due to competing work pressures the timeline for delivery of this work has been revised as per the timetable provided in Appendix 1.

2.6 Fees

- 2.6.1 All gambling licence fees were reviewed during quarter 3 and the proposed changes put before Committee for consideration prior to public consultation. The consultation exercise will continue into Quarter 4 with a view to presenting any representations received to Committee prior to final approval of any proposed changes being implemented from the 1st April 2020. Licensing Act 2003 related licence fees are reviewed nationally by the UK government, no known amendment to these fees are planned at present.

2.7 **Complaints**

2.7.1 There have been no formal complaints about the work of the team in this quarter.

2.8 **Freedom of Information Requests (FOI)**

2.8.1 No FOIs were received this quarter.

2.9 **Other Updates**

2.9.1 **Minimum Unit Pricing**

2.9.2 The Public Health (Minimum Price for Alcohol) (Wales) Act 2018 introduces a requirement for the minimum unit pricing of alcohol to be set at 50p per unit. The date for the implementation of this requirement has now been confirmed by Welsh Government and comes into force on the 2nd March 2020. Work is ongoing in collaboration with Welsh Government and other partner agencies to remind those premises that will be affected of the change in the legislation. The new requirement will mean that it will be an offence for alcohol to be supplied below the minimum price in Wales.

The new law supports the Welsh Government's comprehensive work to tackle harmful and hazardous drinking by tackling the availability and affordability of cheap, strong alcohol, which is part of wider efforts to improve and protect the health of the population of Wales.

2.9.3 **Gambling Support Services Project Pilot In Blaenau Gwent**

2.9.4 Representatives from Blaenau Gwent Licensing Team regularly attend the All Wales Licensing Expert Panel. This is a group of all 22 Local Authorities and other partner agencies whom meet regularly to share information regarding key issues such as legislative change and best practice. During a recent meeting of the Panel in December 2019 a presentation was received from two individuals representing Gambling Support Services namely ARA – Recovery for All and the Citizens Advice Bureau (CAB). The presentation outlined a range of support services available to those experiencing or impacted by gambling related addiction and problems.

2.9.5 During the course of the discussions with ARA and CAB at the aforementioned meeting an offer of training was put forward to Local

Authorities in order to improve awareness of the signs of gambling addiction and the support services that are available. Training is available for staff in a range of service areas including, but not limited to, Education, Social Services and Organisational Development. It was agreed that Blaenau Gwent County Borough Council would be one of the first to engage in the exploration of the take-up of this training and would also look to work with ARA and CAB to develop a Social Media Toolkit that could be used to improve general public awareness of the range of gambling related support services available to individuals. The first project meeting is planned to take place in Quarter 4. It is anticipated that ARA and CAB will lead on the delivery of any actions with Blaenau Gwent Licensing and other relevant Officers simply assisting with the generation of ideas to approach and facilitating contact to various parts of the organisation in order to promote the raising of awareness of gambling support services and access to the training available for staff.

3. Options for Recommendation

- 3.1 1. That the committee note and comment on the contents of this report, or;
- 2. That the committee note the activity report for this quarter.

4. Evidence of how does this topic supports the achievement of the Corporate Plan/Statutory Responsibilities/Blaenau Gwent Well-being Plan

- 4.1 This report relates to the statutory duties and responsibilities of the Authority.

Links to the Corporate Plan and the Well-being plan are covered in any reports implementing or varying any area of work delivered by the Licensing Team. There are therefore no direct links to this report which provides a quarterly performance update.

5. Implications Against Each Option

- 5.1 This report reflects work carried out by the Licensing team within existing resources, and there are therefore no financial implications.
- 5.2 The main risk to the Authority is reputational should efficient and effective licensing enforcement not be delivered.
- 5.3 This report relates to the statutory powers and responsibilities of the authority, and there are therefore no significant legal impact is identified.

5.4 This report reflects work carried out by the Licensing team within existing resources, and there are therefore no staffing/workforce implications

6. **Supporting Evidence**

6.1 Details of activities completed in this quarter are attached as Appendix 2.

7. **Monitoring Arrangements**

7.1 The Licensing team will continue to monitor workloads and report to future committees.

Background Documents /Electronic Links

None

**Licensing Act 2003
Proposed Policy Review Timetable***

25 th Jan 2020	Finalise draft policy and model pool of conditions at Gwent Licensing Forum meeting
April 2020	Report to Statutory Licensing Committee – approval of draft policy for consultation
May/July 2020	Consultation period
Sept 2020	Report to Statutory Licensing committee – responses to consultation and approval of final draft version of policy
Sept 2020	Final amendments to draft version of policy
Oct 2020	Full Council for ratification of decision to approve final draft version of policy
Nov 2020	Publication of Licensing Act Policy
Dec 2020	Commencement of Licensing Act Policy 2021

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APPENDIX 2 - LICENSING TEAM ACTIVITY REPORT 2019/20

Licence Applications Processed									
Licensing Act 2003 Applications									
Type	Q 1		Q 2		Q 3		Q 4		Annual total
	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	
Financial Year	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	
New premises	<i>1</i>	3	<i>5</i>	5	<i>4</i>	2			10
New club	<i>0</i>	1	<i>0</i>	1	<i>0</i>	0			2
Transfer premises	<i>9</i>	6	<i>5</i>	6	<i>3</i>	5			17
Vary DPS	<i>18</i>	8	<i>12</i>	13	<i>10</i>	16			37
Variation premises	<i>2</i>	0	<i>0</i>	0	<i>1</i>	0			0
Variation club	<i>0</i>	0	<i>0</i>	0	<i>0</i>	0			0
Minor variation	<i>1</i>	2	<i>3</i>	2	<i>1</i>	0			4
Personal licence	<i>7</i>	8	<i>10</i>	13	<i>15</i>	9			30
TEN	<i>26</i>	13	<i>19</i>	40	<i>0</i>	48			101
Review of licence/certificate	<i>0</i>	0	<i>1</i>	0	<i>1</i>	0			0
Totals	<i>64</i>	41	<i>55</i>	80	<i>65</i>	80			201
Gambling Act 2005 Applications									
Type	Q 1		Q 2		Q 3		Q 4		Annual total
	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	
Financial Year	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	
Premises licence	<i>0</i>	0	<i>0</i>	0	<i>0</i>	0			0
Club gaming permits	<i>0</i>	0	<i>0</i>	0	<i>0</i>	0			0
Gaming machines - clubs	<i>0</i>	0	<i>0</i>	0	<i>0</i>	0			0
Gaming machines - pubs	<i>1</i>	1	<i>2</i>	3	<i>0</i>	3			7
Small society lottery registrations	<i>1</i>	2	<i>1</i>	0	<i>1</i>	5			7
Totals	<i>2</i>	3	<i>3</i>	3	<i>1</i>	8			14

Complaints									
Type	Q 1		Q 2		Q 3		Q 4		Annual total
Financial Year	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	
Licensing Act 2003	5	6	7	5	5	0			11
Gambling Act 2005	0	0	0	0	0	0			0
Totals	5	6	7	5	5	0			11

Inspection Activities									
Visits, Inspections and Interventions									
Type	Q 1		Q 2		Q 3		Q 4		Annual total
Financial Year	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	
Licensing Act 2003	28	28	38	40	23	29			97
Gambling Act 2005	0	0	0	0	6	3			3
Totals	28	28	38	40	29	32			100
Other compliance checks, visits and inspections									
Type	Q 1		Q 2		Q 3		Q 4		Annual total
Financial Year	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	
Multi Agency Visits - LA 2003	3	3	4	0	7	1			4
Multi Agency Visits – GA 2005	0	0	0	0	0	0			0
Totals	3	3	4	0	7	1			4

Enforcement Activities									
Suspensions, revocations, prosecutions, cautions and appeals									
Type	Q 1		Q 2		Q 3		Q 4		Annual total
Financial Year	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	
LA 2003 – annual fee suspensions	<i>2</i>	1	<i>0</i>	7	<i>0</i>	1			9
LA 2003 – annual fee – action prior to suspension	<i>15</i>	6	<i>20</i>	16	<i>5</i>	8			30
Prosecutions	<i>0</i>	0	<i>0</i>	0	<i>0</i>	0			0
Cautions & Fixed Penalties	<i>0</i>	0	<i>0</i>	0	<i>0</i>	0			0
Appeals	<i>0</i>	0	<i>0</i>	0	<i>0</i>	0			0
Totals	<i>17</i>	7	<i>20</i>	23	<i>5</i>	9			39

Licensing Committee Hearings									
Type	Q 1		Q 2		Q 3		Q 4		Annual total
Financial Year	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	<i>2018/19</i>	2019/20	
Licensing Act 2003	<i>1</i>	0	<i>1</i>	0	<i>0</i>	1			1
Gambling Act 2005	<i>0</i>	0	<i>0</i>	0	<i>0</i>	0			0
Totals	<i>1</i>	0	<i>1</i>	0	<i>0</i>	0			0

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