

LICENSING COMMITTEE

25 OCTOBER 2023

Present: Councillor Michael(Chairperson)
Councillors Kaaba, Driscoll, Ferguson-Thorne, Gunter,
Lancaster, Palmer and Shimmin

7 : APOLOGIES FOR ABSENCE

Apologies were received from Cllr. Jenkins.

8 : DECLARATIONS OF INTEREST

There were none.

9 : MINUTES

The minutes of the 30th November 2021 meeting were approved by the Committee as a correct record and signed by the Chair.

10 : LICENSING ACT 2003 - REVIEW OF CARDIFF COUNCIL'S CUMULATIVE IMPACT ASSESSMENT

The Committee received a report asking it to approve the draft Cumulative Impact Assessment (CIA) for a 12-week consultation period.

The Chair requested Kirsty Evans, Licensing Officer, to present the report.

Members were advised that in accordance with Section 5A of the Licensing Act 2003, the Licensing Authority may publish a Cumulative Impact Assessment to help limit the number or types of licence applications granted in areas where there was evidence to show that the number or density of licensed premises in the area was having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs related to applications for new premises licences, new club premises certificates as well as applications to vary existing premises licences and club premises certificates in a specified area.

Once a CIA was introduced it had to be reviewed every three years. If the licensing authority remained of the opinion that a CIA was required then they were required to publish a statement to that effect and set out the evidence why they were of that opinion. Cardiff Council's CIA was last published in 2020 and was due for renewal at the end of 2023.

Members heard that a CIA was required to be reviewed in consultation with the Chief Officer of Police for the area; the Fire and Rescue Authority for the area; the Local Health Board in Wales for an area any part of which was in the licensing authority's area; and persons or bodies representative of: local premises licence holders; local club premises certificate holders; local personal licence holders; and businesses and residents in its area.

An extensive review of the current cumulative impact assessment had been conducted after receiving evidence from relevant Responsible Authorities and other agencies. The review concluded that there remained large amounts of crime and disorder throughout the city centre area which was linked to the presence of licensed premises.

The proposed assessment document continued to recognise that not all types of licensed premises contributed to crime and disorder in the city centre and therefore certain types of premises such as hotels, cinemas and restaurants (with restrictions) were proposed to be excluded from the CIA. Evidence continued to suggest that licensable activities at bars/night-clubs, off-licences and fast-food takeaways offering late night refreshment did contribute to the problems in the City Centre.

Following the review of all relevant data, it was proposed that other than administrative amendments, the following changes should be made to the CIA:

- a) Page 4, under the heading "Pubs/bars/nightclubs". The evidence relied upon had been updated and discussed. This evidence included:
 - Report on Community Safety Issues Within Cardiff City Centre During the Night-Time Economy
 - Police Data and Statements
 - Street Pastor Reports
 - Noise Complaints
 - - Local Health Board Data
- b) Page 7, under the heading "Off-Licences/Convenience Stores". The evidence from the Police had been updated and discussed.
- c) Page 8, under the heading "Takeaways/fast food outlets". The evidence from the Police had been updated and discussed.
- d) Page 10, under the heading "Consideration of other initiatives and partnership working". A paragraph detailing the proposals of a Public Space Protection Order had been removed.
- e) Page 14, off sales. Removal of core hours for off sales.

In accordance with the evidence provided in support of the CIA, street drinking was primarily a problem within the city centre during daytime hours.

Currently applications for off licences between 07:00 and 21:00 hours (core hours) wouldn't fall within the CIA, it was clear from the evidence submitted that there was reason to remove these core hours in favour of additional measures to discourage street drinking e.g. no sale of super strength lager/cider or no sale of alcohol in single cans. If applicants were instead able to offer conditions such as these it could be beneficial to their application.

- f) Page 16, Map of the City Centre CIA. Stuttgarter Strasse had been removed from the streets listed within the CIA. There was little evidence within the data received to suggest this street suffered from a high percentage of crime and disorder associated with the cumulative impact of licensed premises within the city centre. This street was also not a thoroughfare to the busiest streets within the centre.

The Committee was asked to approve the draft CIA to go out for consultation. The consultation period on the draft SLP and CIA would take place between 25th October 2023 and 17th January 2023. Responses would be taken into consideration and the final policy would be approved by Licensing Committee and subsequently Full Council.

The Chair invited comments or questions on the report.

Members asked when the new CIA would start to affect applications, and whether it had any impact on those which had already been granted. Officers clarified that there was currently a CIA in place, and in order to keep or amend it this review had to be conducted. The current CIA would remain in place until the consultation period ended, it came back to Licensing Committee and then went to Full Council for approval.

Members discussed the possibility of adding the Cardiff Bay area to the impact assessment, as upcoming developments in the area such as the arena would have an impact on local businesses and residents. Officers responded that the Bay area had not yet come up on the radar in conversations with consultees like the police, but could be included at a later date. At this stage, there was not enough evidence of antisocial behaviour to support including the Bay.

Members queried the removal of the Public Space Protection Order (PSPO) from page 10, as referred to in change d) above. Officers clarified that these could be imposed on specific areas to tackle antisocial behaviour, and there had previously been one in the city centre giving police powers against street drinking. This particular order had been replaced, so the reference had been removed. PSPOs were not part of Licensing, although the council could consider implementing one again in the future.

RESOLVED – That:

The Committee approve the draft Cumulative Impact Assessment for consultation with the following statutory consultees:

- Chief Officer of Police for the area
- Fire and Rescue Authority for the area
- Local Health Board in Wales for an area any part of which is in the licensing authority's area
- Persons/bodies representative of local premises licence holders
- Persons/bodies representative of local club premises certificate holders
- Persons/bodies representative of local personal licence holders
- Persons/bodies representative of businesses and residents in its area

11 : URGENT ITEMS (IF ANY)

There were none.

The meeting terminated at 11:20am.

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