

COUNCIL: 22 OCTOBER 2020

REPORT OF THE HEAD OF SHARED REGULATORY SERVICES

LICENSING: REVIEW OF STATEMENT OF LICENSING POLICY

Reason for this Report

1. To formally authorise the publication of, and use of, the Council's Statement of Licensing Policy (SLP) and Cumulative Impact Assessment (CIA) which have been reviewed and updated in accordance with the statutory requirements of the Licensing Act 2003, following the commencement of the Policing and Crime Act 2017.

Background

2. The Council is the licensing authority for Cardiff for the purposes of the Licensing Act 2003.

Under section 5 of the Licensing Act 2003 each licensing authority must produce a Statement of Licensing Policy every five years. The Council's current Statement of Licensing Policy was last revised in 2016 and was due to be renewed in January 2022.

3. The Policing and Crime Act 2017 introduced 'Cumulative Impact Assessments (CIAs)' into the Licensing Act 2003, with commencement from April 2018. Due to these changes it is necessary to bring forward the review of the Council's current Statement of Licensing Act Policy (SLP) and publish a separate CIA.
4. The Council is asked to approve the publication of the SLP and CIA and adopt its use with effect from 1 December 2020.

Issues

5. The Statement of Licensing Policy outlines the licensing authority's approach to licence applications and deals with the problems and issues surrounding such applications. The previous policy proved to be robust and effective in providing an additional framework for dealing with applications under the Licensing Act 2003.

6. In accordance with legislative requirements, the SLP and CIA have been reviewed and amendments proposed in consultation with responsible authorities, stakeholders and the citizens of Cardiff. The new draft SLP and CIA were further amended as a result of the representations received.
7. The draft SLP and CIA were approved by the Licensing Committee at its meeting of 10 September 2020. A copy of these documents are attached at Appendix A and Appendix B of this Report.

Legal Implications

8. The Licensing Act 2003 places a statutory requirement on licensing authorities to issue a Statement of Licensing Policy with respect to the exercise of their licensing functions. It is a requirement of the Act that the full Council meeting should formally approve the Policy for publication.

Financial Implications

9. This report does not result in any additional financial implications and can be achieved within existing budget provision.

Recommendations

The Council is recommended to:

- 1) Approve the decision taken by the Licensing Committee at its meeting of 10 September 2020 to adopt and publish the Statement of Licensing Policy and Cumulative Impact Assessment for use with effect from 1 December 2020.
- 2) Authorise the Head of Shared Regulatory Services to make administrative amendments to the documents should the need arise.

Dave Holland
Head of Shared Regulatory Services

7 October 2020

The following Appendices are attached:

Appendix A - Statement of Licensing Policy 2020 - 2025
Appendix B - Cumulative Impact Assessment 2020

The following Background Documents have been taken into account:

Statement of Licensing Policy Report - Licensing Committee 10 September 2020