

CEREDIGION COUNTY COUNCIL

Report to:	Licensing Committee (Statutory Committee)
Date of meeting:	14 th July 2022
Title:	General Update
Purpose of the report:	To update Members on relevant matters, with regard to the Licensing Act 2003 and the Gambling Act 2005.

Background

Members will be aware that this meeting is convened to review and discuss the implementation and progress of the Licensing Act 2003, together with any ancillary matters arising from responsibilities with which this particular Committee is charged. Such ancillary matters include the Gambling Act 2005.

Licensing Act 2003 Associated Matters

Eisteddfod Tregaron 2022

This year's national eisteddfod is being held in Tregaron between 30 July and 6 August. Officers from the licensing team have received a premises licence application for the event which includes the activities of the sale of alcohol, late night refreshments, playing of live and recorded music and other associated activities. The application has been circulated for public consultation and to the responsible authorities.

The applicants have produced a detailed events management plan and operating schedule which has been consulted on with the responsible authorities. A number of multi-agency Event Safety Advisory Group (ESAG) meetings have been held with the event organisers and these will continue until the Eisteddfod commences. A number of on-site checks and compliance visits are also planned to take place prior and during the event.

Contested Applications (Reviews/Appeals)

Since the last Licensing Committee, there has been no premises licence hearings held.

However, the Licensing Team received a premises licence application in July 2021. During the consultation period of this application, a large number of local objections were received, and the Team became aware that the premises did not have the relevant planning class of use for the proposed business.

A hearing date was arranged but as the majority of the objections related to planning and parking issues rather than Licensing Act issues, at the request of the applicant, a decision was made to extend the hearing date under Section 11(1) Licensing Act Hearing Regs 2005 until the change of use planning application had been determined.

On 21 December 2021, the planning application to change the use of the building was refused and to date, this planning situation remains unresolved. It was therefore

decided that if the applicant wishes to apply for the sale of alcohol from the premises, a new premises application will be required. As a consequence, no Licensing Sub-Committee hearing was necessary.

Premises Inspection & Infringements

On 25 May 2022, officers from the Licensing Team and the Police Licensing Officer visited a licensed premises in Aberystwyth town. During the visit the premises was inspected and the licence holder was informed of a series of complaints which had been received following incidents being reported which had reportedly occurred both inside and outside the premises. The licence holder was provided with guidance on how to improve the situation and was advised to monitor the behaviour of customers inside the premises, to conduct his business in accordance with his licence and licence conditions and to brief and provide relevant training to his staff.

The licence holder said he welcomed the advice provided and said he intended working with the Police and licensing Authority to ensure matters improved.

The statutory licensing guidance recommends that the licensing authority engages with licence holders in the first instance before progressing to reviewing the premises licence, if required.

Temporary Event Notices

During 2020-2022 as a result of the various restrictions that existed at different points throughout the pandemic, the Licensing Team received a significant decrease in the number of Temporary Event Notices (TEN). Following a gradual easing and lifting of the Covid-19 restrictions, the number of TENS enquiries being processed by the Licensing Team has returned to pre-pandemic levels.

Table 1: TENS received by Cyngor Sir Ceredigion

Period	No. of Event Notices
1 March 2019 – 5 June 2019	85
1 March 2020 – 5 June 2020	7
1 March 2021 – 5 June 2021	17
1 March 2022 – 5 June 2022	81

The Team has seen an increase in the number of wedding celebrations taking place in rural locations due to many having been postponed for two years as a result of Covid-19. The number of small shows, concerts and various Queen's Jubilee festivities have also contributed to recent temporary event notices received by the Licensing Team.

Extension of Alcohol Off Sales - The Alcohol Licensing (Coronavirus)(Regulatory Easements)(Amendment) Regulations 2021

The Home Office has announced that the current extension of off-sales of alcohol will cease on 30 September 2022. This extension has allowed premises licences, which normally only permitted the sale of alcohol for consumption on the premises, to sell alcohol for consumption off the premises.

Any premises licence holder who wishes to continue to benefit from the changes that the easements allowed will need to apply for an off-sales licence. It has been

recommended that whilst they are not obliged, licensing committees might decide to consider whether any such applications could be decided via the minor variations process, in particular for premises licence holders who are currently taking advantage of the easements.

National Licensing Week 2022

This year's National Licensing Week (NLW) took place between 13 June and 17 June 2022. It was an opportunity to celebrate the role and importance of licensing in the UK to keep people safe when enjoying a variety of hospitality and pleasure activities.

During the course of the week, activities were arranged which saw officers conducting various regulatory licensing activities, which included activities in partnership with our external partners Dyfed-Powys Police. Each day has a particular licensing theme:

- Positive Partnerships
- Tourism and Leisure
- Home and family
- Night Time
- Business and Licensing

A verbal update will be provided to members of the Committee on the activities undertaken by officers from the Authority in support of National Licensing Week.

Part B Gambling Act 2005 Associated Matters

Welsh Government – Gambling Related Harm

In December 2020 the Minister for Mental Health, Wellbeing and Welsh Language established a Task and Finish Group on Gambling Related Harm to look into the issues around problem gambling and provide advice to the Chief Medical Officer and Welsh Ministers on the actions that could be taken to address the harms from gambling and support those affected in Wales.

In March 2021, the Minister set out the Government's view that gambling should be addressed as a public health issue and provided their position on a number of areas that require strengthening to better protect people from gambling related harm. These include the need for a robust regulator, greater restrictions on advertising, safer products and the introduction of a statutory levy to support harm minimisation, prevention, evidence-based treatment options and research into gambling related harm.

On 30 March 2022, the Task and Finish Group provided four recommendations for further work. The recommendations are:

Recommendation 1: Welsh Government to continue to advocate for reform of the Gambling Act 2005 and support a future system that takes a population-level public health approach, with a focus on preventing and minimising gambling related harm, particularly for children, young people and vulnerable people.

Recommendation 2: Welsh Government to continue to implement the recommendations made by the Chief Medical Officer in his 2016/17 annual report 'Gambling with our Health'.

Recommendation 3: Welsh Government should develop educational resources and programmes for Wales, particularly for children and young people, for inclusion in the new Welsh curriculum that aim to increase awareness of the risks associated with gambling, reduce stigma and supports the view that gambling is an addictive and harmful product. In developing materials and public health messages, a denormalisation approach to gambling should be taken.

Recommendation 4: Based on the gambling health needs assessment, Welsh Government should look to develop a clear referral pathway and continue to work with the Welsh Health Specialised Services Committee and NHS Wales to develop and deliver a specialist gambling treatment service for Wales.

Work to deliver the Group's recommendations is already underway and continue to take a cross government approach to the work on gambling related harm and to implementing the recommendations made by the Chief Medical Officer in his 2016/17 annual report 'Gambling with our Health'. They will continue to engage with stakeholders and look to make progress in relation to these.

In relation to recommendations 3 and 4, reducing stigma and increasing awareness of the risks associated with gambling is essential as is supporting teachers with the appropriate materials they can use to inform learners of the issues around gambling. Officials are therefore working with stakeholders on appropriate education approaches.

The health needs assessment is currently being undertaken by Public Health Wales and is due to complete in the summer. This work will then inform the development of specialist treatment services in Wales.

Recommendation(s):

Members receive this report for information.

Reason for recommendation

Members are requested to:

- note the contents of the report in respect of the Licensing Act 2003 which has been provided for information;
- note the contents of the report in respect of the Gambling Act 2005, which has been provided for information.

Policy Framework:

The statutory functions delivered by the Licensing Team is a fundamental element of Public Protection policy framework.

Corporate Priorities

- Investing in People's Future
- Promoting Environmental and Community Resilience

Finance and procurement implications:

Within budget

Service Area

Policy, Performance and Public Protection

Statutory Powers:

Licensing Act 2003, Gambling Act 2005 and any Regulations made under the Acts.

Background Papers

None

Corporate Lead Officer:

Alun Williams (Policy, Performance and Public Protection)

Reporting Officer:

Anne-Louise Davies (Trading Standards & Licensing Manager)

Date:

12 June 2022