

# Y CYNGOR SIR

28 CHWEFROR 2024

## DEDDF TRWYDDEDU 2003 ADOLYGIAD O'R BOLISI TRWYDDEDU AC ASESIADAU EFFAITH GRONNOL

### Y Pwrpas:

Mae rhwymedigaeth statudol i adolygu'r Polisi Trwyddedu bob pum mlynedd ac Aseidiadau Effaith Gronnol bob tair blynedd.

### Yr argymhellion / penderfyniadau allweddol sydd eu hangen:

#### Cabinet yn argymhell i'r Cyngor Sir fod:

- Mai opsiwn tri, fel y nodir yn y Crynodeb Gweithredol, oedd yr opsiwn polisi mwyaf priodol ar gyfer yr Aseidiadau Effaith Gronnol i hyrwyddo'r amcanion trwyddedu yn Sir Gaerfyrddin orau;
- Cymeradwyo Datganiad Polisi Trwyddedu sy'n adlewyrchu'r opsiwn a ddewisir.

### Y rhesymau:

- Rhaid i'r polisi trwyddedu adlewyrchu'r camau gweithredu mwyaf priodol i hyrwyddo'r amcanion trwyddedu, gan ystyried y dystiolaeth a grynhoir yn y ddogfen ymgynghori ac effaith bosibl Aseidiadau Effaith Gronnol ar safleoedd trwyddedig yn yr ardaloedd a nodwyd.

Angen i'r Cabinet wneud penderfyniad

OES - 15 Ionawr 2024

Angen i'r Cyngor wneud penderfyniad

OES - 28 Chwefror 2024

### YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO:-

Y Cyngorydd A. Vaughan Owen (Newid Hinsawdd, Datgarboneiddio a Chynaliadwyedd)

#### Y Gyfarwyddiaeth:

Cymunedau

#### Enw Pennaeth y Gwasanaeth:

Jonathan Morgan

#### Awdur yr Adroddiad:

Emyr Jones

#### Swydd:

Pennaeth Tai a Diogelu'r  
Cyhoedd

Arweinydd Trwyddedu

#### Rhif Ffôn / Cyfeiriad E-bost:

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# EXECUTIVE SUMMARY

## COUNTY COUNCIL

28<sup>TH</sup> FEBRUARY 2024

### LICENSING ACT 2003 REVIEW OF LICENSING POLICY AND CUMULATIVE IMPACT ASSESSMENTS

#### Purpose

Legislation requires the licensing policy to be reviewed every five years and Cumulative Impact Assessments (CIAs) every three years, to ensure that they are still appropriate.

#### Consultation

The review process requires the authority to undertake a consultation exercise which took place between the 30th of May and the 8th of August 2023. In addition to reviewing the existing Cumulative Impact Assessments in force for Station Road, Llanelli and Lammas Street, Carmarthen, the consultation also sought views regarding the adoption of a further Cumulative Impact Assessment for **Nott Square, King Street and Queen Street, Carmarthen**.

Consideration of this additional CIA follows a request made by Carmarthen Town Council because of the levels of Crime and Disorder being reported to them. Nott Square, King Street and Queen Street, Carmarthen are already identified at paragraph 6.12 of the existing Licensing Policy as Hot Spot areas of alcohol related Crime and Disorder.

The outcome of the consultation process is summarised in the attached consultation report. Members are asked to balance the benefits of the additional regulatory controls offered by the CIA's, against the desirability of supporting investment in licensed premises within the identified areas.

In view of this and in light of the evidence submitted the following options are being considered:

#### Options

Options	Pros	Cons
Option 1: <b>Retain the existing CIAs within the updated policy without creating a new CIA for Nott Square, King Street and Queen Street, Carmarthen.</b>	<ul style="list-style-type: none"><li>• Does not increase regulatory controls on licensed premises in Nott Square, King Street and Queen Street, Carmarthen.</li><li>• Aligns with the recently adopted PSPO in Llanelli</li><li>• The retained CIAs will continue to have a positive impact on crime and disorder in those areas.</li><li>• Aligns with the aims of the Transforming Tyisha project and is supported by officers leading that project.</li><li>• Exceptions* in the CIAs permit new licences to be approved where they will not undermine the licensing objectives and will support economic regeneration.</li></ul>	<ul style="list-style-type: none"><li>• Not adopting a CIA for Nott Square, King Street and Queen Street, Carmarthen will result in the concerns expressed by the Police, local businesses, local members and residents not being addressed in the Policy.</li><li>• The existing enforcement powers available to the Licensing Authority and Police are not sufficient to address the cumulative impact of the high</li></ul>

		concentration of licensed premises in Nott Square, King Street and Queen Street, Carmarthen.
<p><b>Option 2: Remove all CIAs from the updated policy.</b></p>	<ul style="list-style-type: none"> <li>• Reduces regulatory control in affected areas.</li> <li>• Reduces barriers to new licensed premises in affected areas.</li> <li>• Reduced costs / resources needed for CIA policy review and consultation.</li> </ul>	<ul style="list-style-type: none"> <li>• Likely to result in an increase in licensed premises, outside of the exceptions policy*. Experience suggests this is likely to increase crime and disorder in the area.</li> <li>• Doesn't reflect the evidence provided by the Police, local residents and businesses during the consultation.</li> <li>• Would be contrary to the aims and objectives of the Tyisha project.</li> </ul>
<p><b>Option 3: Adopt a new CIA for Nott Square, King Street, Queen Street, Carmarthen and retain the existing assessments within the updated Policy, to include an 'exceptions' policy as per current Statement of Licensing Policy.</b></p>	<ul style="list-style-type: none"> <li>• Retaining the existing CIA for station Road Llanelli aligns with the aims of the Transforming Tyisha project and also the new PSPO in addressing ongoing alcohol related ASB in that part of Llanelli.</li> <li>• Retaining the existing CIA for Lammas Street, Carmarthen will address the ongoing issues of alcohol related ASB in that part of Carmarthen and aligns with the views of the Police, local members, Carmarthen Town Council and residents.</li> <li>• Adopting a CIA for Nott Square would help address the increase in alcohol related ASB in that part of the town and aligns with the views of the Police, local members, Carmarthen Town Council, businesses and residents.</li> <li>• Exceptions policy* would permit the approval of licenses where applicants can demonstrate that the proposed licensed premises would not contribute to the alcohol related disorder and support economic regeneration in the CIA.</li> </ul>	<ul style="list-style-type: none"> <li>• Increase regulatory controls in those areas.</li> <li>• Creates barriers to new licensed premises and changes to existing licenses in affected areas.</li> </ul>

**\*Exceptions Policy**

**Example exceptions paragraph from Licensing Policy**

An exception might arise where an application proposes:

- (a) To effect a real reduction in capacity
- (b) To replace vertical drinking with seated consumption and waiter service.
- (c) To transfer an operation from one premises to another, where the size and location of the second premises is likely to cause less detrimental Impact and will promote the licensing objectives.
- (d) The substitution of existing licensable activity at a premises with licensable activities which would have less impact on the area and would be more likely to further the licensing objectives.

**DETAILED REPORT ATTACHED?**

**YES**

- **Licensing Policy Consultation Report**
- **Licensing Policy Statement – Licensing Act 2003**
- **Matrix report of consultation responses**



# CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Jonathan Morgan

Head of Housing and Public protection

<b>1. Scrutiny Committee request for pre-determination</b>	N/A
<b>Scrutiny Committee</b>	
<b>Date the report was considered:-</b>	
<b>Scrutiny Committee Outcome/Recommendations:-</b>	

## 2. Local Member(s)

Local Members were consulted through correspondence.

## 3. Community / Town Council

Town and Community Councils were consulted through correspondence.

## 4. Relevant Partners

Relevant partners were consulted through correspondence and consultation meetings.

## 5. Staff Side Representatives and other Organisations

N/A

<b>CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED</b>	YES
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**Section 100D Local Government Act, 1972 – Access to Information  
List of Background Papers used in the preparation of this report:**

**THESE ARE DETAILED BELOW**

<b>Title of Document</b>	<b>File Ref No.</b>	<b>Locations that the papers are available for public inspection</b>
<b>Consultation Responses</b>	<b>Review of Licensing Policy 2023</b>	<b>3, Spilman Street , Carmarthen</b>
<b>Home Office Guidance</b>	<b>Review of Licensing Policy 2023</b>	<b>3, Spilman Street , Carmarthen</b>