

Meeting of:	Statutory Licensing Committee
Date of Meeting:	Tuesday, 16 June 2026
Relevant Scrutiny Committee:	Live Well Scrutiny Committee
Item which the Chair has decided is urgent (Part I) (If yes, why)	Not applicable
Urgent Decision Procedure Used (15.14 of the Constitution) (If yes, why)	Not applicable
Item Type	Part I
Report Title:	Review of the Statement of Licensing Policy 2026-2031
Portfolio Holder:	Cabinet Member for Community Engagement, Equalities and Regulatory Services
Strategic Leadership Team:	Director of Environment and Housing
Lead Officer:	Licensing Team Manager

1.0 What is this report about?

- 1.1 This report is to provide Members with a proposed draft Statement of Licensing Policy for consideration and noting before proceeding to Cabinet and Full Council for approval.
- 1.2 The report also seeks to report back on the consultation responses to the draft Statement of Licensing Policy and subsequent amendments to the policy and seek approval to refer the policy to Cabinet and Full Council for approval and adoption.

2.0 What is the Recommendation?

	Recommendation – What and How?	Reason for Recommendation – Why?
2.1	That Committee approves the draft Statement of Licensing Policy and refers the	To ensure that the Licensing Authority fulfils its duty under the Licensing Act 2003.

	Recommendation – What and How?	Reason for Recommendation – Why?
	Policy to Cabinet and Full Council for final approval.	

3.0 What is the background to this report?

- 3.1 Under Section 5 of the Licensing Act 2003 each Licensing Authority must produce a Statement of Licensing Policy (SLP) with respect to the exercise of its licensing functions. This policy should outline the Licensing Authority's approach to licence applications and the processes used to address any issues associated with such applications.
- 3.2 The Statement of Licensing Policy (SLP) is required to be reviewed on a 5-yearly basis in consultation with:
- Chief Officer of Police for the area
 - Fire and Rescue Authority for the area
 - Local Health Board
 - 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 the area
- 3.3 The Statement of Licensing Policy was last revised in 2021 and is now due for renewal.

4.0 What issues are there to be considered?

- 4.1 A review has been undertaken of the Statement of Licensing Policy and other than administrative amendments one change was made.
- 4.2 The change is the inclusion of the following paragraph in the purpose and scope section of the policy:
- “When making licensing decisions, the Licensing Authority will consider the need to promote growth and deliver economic benefits.*
- In coming to a decision on individual licensing applications, the licensing committee will have regard to relevant local plans and strategies such as The Vale of Glamorgan's Corporate Plan 2025-2030 and The Vale of Glamorgan Replacement Local Development Plan 2021-2036 provided these considerations are consistent with the licensing objectives and this licensing policy.”*
- 4.3 This change is to reflect an update to the statutory Section 182 guidance where the Home Office have highlighted the need to have regard to the local economy when making decisions.

- 4.4 A consultation on the draft Statement of Licensing Policy was undertaken with those detailed in paragraph 3.2 between 31st March 2026 and 1st May 2026.
- 4.5 Two consultation responses were received from the following organisations:
- Alcohol Change UK
 - Cardiff and Vale University Health Board
- 4.6 Summaries of these representations, alongside officer responses are detailed below. The full consultation responses are detailed in Appendix A.

5.0 How has evidence been used to inform the report, including the views of others?

Response from Alcohol Change UK

- 5.1 Alcohol Change UK noted that the draft policy did not address alcohol deliveries and strongly suggested the inclusion of a section that addressed this issue. They highlighted the recent growth of this sector and the associated risks regarding weak age verification and delivery to intoxicated persons. Their specific recommendations included the introduction of training for delivery staff, a requirement for age verification checks at the point of delivery (regardless of online verification), and the maintenance of robust audit trails and refusal logs. They also cautioned against deliveries to high-risk public locations such as parks.

Officer Response

Accepted.

A new sub-section on alcohol deliveries has been created which outlines the specific factors the Authority will consider when determining applications for alcohol delivery, including requirements for robust age verification at the point of handover and measures to mitigate risks associated with deliveries to open-air spaces.

Response from Cardiff and Vale University Health Board

- 5.2 Cardiff and Vale University Health Board (UHB) suggested that incorporating a section on the relationship between alcohol and health inequalities would further frame the licensing process toward the prevention of harm.

They also suggested that the policy could highlight best practice schemes in relation to safeguarding such as Ask for Angela.

Specific amendments were requested on what type of evidence the Health Board could submit when making representations for example, patterns seen in hospital admissions and consumption trends can help identify issues relevant to the existing licensing objectives.

Officer Response

Accepted.

A Section 4 (Wider Regulatory Context) of the draft policy has been created to acknowledge the way that licensing sits within a wider regulatory context which includes public health. This section

now details that alcohol consumption is linked to a range of health harms and whilst public health is not a licensing objective, the health board may have evidence to support and assist representations and decision making within the current statutory framework.

Further information on best practice schemes and initiatives has been included where the policy now highlights that schemes such as Ask Angela, demonstrate a commitment to staff and customer welfare, and the promotion of the licensing objectives. The policy details that the Licensing Authority will look favourably upon applicants and licence holders who actively engage in such initiatives.

Suggested amendments to the Local Health Board section have been updated with examples of types of evidence that could be submitted in support of representations.

5.3 In addition to changes arising from the formal consultation, Section 1 has been updated to incorporate reference to the UK Government's newly published National Licensing Policy Framework.

5.4 The draft policy, including all amendments is contained in Appendix B. For ease of reference, the updates made are detailed in red.

6.0 What are the next steps if the recommendations are approved?

6.1 The adoption of a Statement of Licensing Policy is a Council function.

6.2 If Committee approves the draft Statement of Licensing Policy, the Policy can be referred to Cabinet and Full Council for final approval.

7.0 How does this report support Vale 2030 and Reshaping?

7.1 The report will enable Members of the Public Protection Licensing Committee to have regard to the report and to make a determination considering approval the draft Statement of Licensing Policy and referral of the Policy to Cabinet and Full Council for final approval.

8.0 How does this demonstrate the Five Ways of Working?

8.1 This report has been screened for evidence of the Five Ways of Working and how it may contribute to our Well-being Objectives.

8.2 The proposals support the following well-being objective: Objective 2: Providing decent homes and safe communities.

Resources

9.0 Finance

9.1 There are no financial implications as a result of the report.

10.0 Workforce

10.1 There are no workforce implications as a result of the report.

11.0 Legal and Equalities

11.1 Section 5 of the Licensing Act 2003 places a statutory requirement on Licensing Authorities to issue a Statement of Licensing Policy every 5 years. Adopting the reviewed policy ensures the Council continues to operate within a valid legal framework.

11.2 The exercise and delegation of functions are set out in Section 7 of the Licensing Act 2003 and establishes that the publication of a Statement of Licensing Policy is a function that cannot be delegated and must therefore be determined by Full Council.

11.3 In accordance with the Equality Act 2010 and the Public Sector Equality Duty, an Equality Impact Assessment has been undertaken. The assessment concluded that the revised Policy does not have an adverse impact on any protected characteristics and supports the Council's duty to foster good community relations.

12.0 Key Contacts

12.1 **Who are the primary officers to contact with any comments and/or queries on the report?**

Lead Officer: Kirsty Evans, Licensing Team Manager (Vale and Bridgend) kjevas@valeofglamorgan.gov.uk	Democratic Services Officer Matt Swindell Cabinet and Committee Services Officer. mlswindell@valeofglamorgan.gov.uk
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Appendices

Appendix A – Full consultation responses.

Appendix B – Draft Policy, including all amendments.

Background Documents

[Section 182 Guidance Licensing Act 2003](#)

[National Licensing Policy Framework for the hospitality and leisure sectors](#)

Consultation on Review of Statement of Licensing Policy: Alcohol Change UK response, January 2026



Thank you for allowing us the opportunity to comment on Vale of Glamorgan Council's new draft Statement of Licensing Policy (SLP).

We observe that the draft SLP does not address alcohol deliveries, and we strongly suggest that a section addressing this issue be included.

The delivery of alcohol to our homes, workplaces and elsewhere has experienced considerable growth in the UK, especially following the COVID-19 pandemic, marked by a rise in online alcohol sales and the introduction of rapid delivery services. However, there are risks associated with this growth, which we have highlighted in two recently published research reports, "Delivering a Problem?"ⁱ and "Handle with Care".ⁱⁱ

The "Delivering a Problem?" report shows that online age verification systems are often weak or bypassed, with test purchases revealing that 72% of deliveries were made without checking ID, in breach of published retailer commitments to operate a Challenge 25 policy. Delivery drivers were frequently found to lack training, face pressure to complete jobs quickly, and reported confusion over their responsibilities, including whether to refuse delivery to intoxicated persons.

The "Handle with Care" report includes findings from a nationally representative survey, showing that 30% of users of alcohol delivery services had ordered alcohol while drunk, and that delivery services encourage prolonged drinking, especially among those already drinking at higher-than-average levels. Less than a quarter of 18–25-year-olds reported consistent ID checks on delivery, and marketing promotions often prompt impulsive purchases, particularly in younger users.

Both reports advocate for revised licensing laws, compulsory doorstep ID checks, enhanced driver training, and stricter regulation of alcohol marketing via delivery platforms.

We recommend that the Vale of Glamorgan Council's SLP include a requirement that, to satisfy the licensing objective of protecting children from harm, staff should be trained in proof-of-age measures and in awareness of proxy sales of alcohol at licensed premises. We would suggest this include staff involved in delivering alcohol to locations away from the licensed premises, such as residential addresses, ensuring they are fully aware of their responsibilities to ensure that no alcohol is sold to persons under age. We also recommend adding to the SLP that delivery staff should receive appropriate training on this matter.

We would also suggest including a specific reference to a Challenge 25 policy implemented at the delivery stage i.e. that if the delivery driver considers the recipient of alcohol to appear under 25 years old, then recognised photographic identification must be requested before handing over any alcohol. Trading Standards Wales recommends that all businesses with an alcohol license should adopt such a

policyⁱⁱⁱ and whilst evidence of its effectiveness in curtailing underage purchases is limited to 'bricks and mortar' establishments like pubs and supermarkets,^{iv} operating the policy on the doorstep would be a prudent extension of this.

Sunderland^v and Durham^{vi} Councils have both clearly indicated in their new SLPs that orders containing alcohol must be received by an adult, and we would advise the same in this context. Although the purchase may have been conducted by an adult through an app, telephone, or online, the individual receiving the goods may not be the same person; thus, it is crucial to implement suitable checks to ensure that the recipient of the order is also an adult and that the SLP makes this clear, in order to help guard against underage drinking.

It would also be beneficial to include the issue of deliveries to intoxicated customers in the SLP. Our research mentioned above has found that alcohol being handed over to drunk recipients is common, and recent case studies cited in the media reveal that alcohol has been delivered without regard to or checks on whether the recipient is under the influence, sometimes with tragic outcomes.^{vii} Delivery drivers have voiced confusion and a lack of training on identifying if someone appears intoxicated. Inserting a requirement for operators to implement steps to prevent supplying alcohol on the doorstep to persons who seem intoxicated, including providing relevant training to delivery staff, would be welcome.

We would also suggest, as has been included in SLPs from other Councils in England and Wales,^{viii} noting that an applicant seeking a licence that will enable them to provide alcohol as part of an alcohol delivery service should include, in their operating schedule, how they intend to maintain a clear document trail from the point of order, despatch from the licensed premises, and delivery to the customer, including times and signatures, plus a refusals log, and make these available for inspection by an authorised officer.

As an example of good practice, one major retailer (namely, Asda) has in place, since April 2022, a policy requiring all orders containing alcohol to be manually checked by the driver, including recording if the customer in question can provide age identification and what type of ID is presented. A clearly maintained audit trail will help retailers to keep note of, and address when appropriate, failings in their delivery processes to minimise the risk of alcohol being delivered to minors and/or intoxicated recipients.

There are other specific risks associated with alcohol deliveries, including the following noted in Manchester Council's SLP:^{ix}

- The deliveries will typically be to residential addresses where there is a risk of noise or public nuisance at the delivery point, particularly for evening/night-time deliveries. Residents in the past have expressed concerns about the loud sounds of "clinking bottles" and "slamming car doors" associated with alcohol deliveries in other local authority areas, both at the licensed premises and at the end destination.^x
- Alcohol for immediate consumption delivered in the early hours of the morning is likely to be consumed by someone who has already been drinking.

- Where alcohol is served by a delivery, the items have already been paid for before the courier arrives at the delivery location. Typically, couriers will wish to finish the job as soon as possible and there are challenges concerning whether a courier, eager for the next job, would robustly carry out the necessary checks, e.g. wait for a customer to produce ID documents or to show that the recipient is the same person who placed the original order, associated with refusing the sale of alcohol and then having to deal with the added workload of returning the goods. One respondent during our interviews with delivery drivers described this process as: “It’s simply a case of pitch up, drop it off.”^{xi}

Manchester Council's SLP explicitly states the following, given the above issues:

“Although home delivery reduces footfall in night-life areas, it carries the risks outlined, and applications for delivery services will be considered on their respective merits, having regard to how effectively such risks are identified and addressed through any specific measures and processes the applicant or third party has put forward to mitigate them.”^{xii}

Finally, it is worth noting that deliveries may be made to locations other than residential addresses, and potentially riskier locations, such as public spaces and parks, and it may be helpful to state in the SLP that these should be treated with particular caution. There have been recent media reports of alcohol being delivered to public locations, including a train station,^{xiii} and, anecdotally, at hospital reception areas, which enabled the recipients to commence or continue drinking when they would otherwise have been unable to.

ⁱ Alcohol Change UK (2022). [Delivering a problem? Online sales and deliveries of alcohol](#).

ⁱⁱ Alcohol Change UK (2024). [Handle with care? The need for responsible alcohol delivery](#).

ⁱⁱⁱ See [Trading Standards Wales](#)

^{iv} Retail of Alcohol Standards Group. (2014). Rising to the Challenge: A report into the application and impact of Challenge 25. WSTA. <https://wsta.co.uk/wp-content/uploads/2019/11/Challenge25Report2014.pdf>

^v See https://www.sunderland.gov.uk/media/22955/Licensing-Act-2003-statement-of-licensing-policy-2021-2026/pdf/LA03_Policy_2024-2029.pdf?m=1728642970810

^{vi} See <https://www.durham.gov.uk/media/31295/Statement-of-Licensing-Policy-2019-to-2024/pdf/StatementOfLicensingPolicy2019To2024.pdf?m=637085626813000000>

^{vii} The Argus (29 April 2024). [Uber Eats, Deliveroo alcohol delivery concerns in Sussex](#).

^{viii} For example, [Rushcliffe Borough Council](#) SLP s7.52; [Middlesbrough Council](#) SLP s9.6

^{ix} [Manchester Council](#) SLP pg30.

^x See West Leeds Dispatch (April 26, 2022) [Alcohol delivery service from Kirkstall home is approved, despite noise concerns](#) & Camden Citizen (6 June 2019) [Residents in battle with Deliveroo decry restaurant’s plan to sell alcohol online](#).

^{xi} Op. cit. Alcohol Change UK (2022).

^{xii} Op. cit Manchester Council SLP, pg31.

^{xiii} Metro (6 March 2023). [West Ham fans get Uber Eats delivery of beer mid-train journey to Brighton away day](#).

Cardiff and Vale Public Health Board Response

In general, we feel that the proposed policy provides clarity on the processes of both applying for licences and making representations. However, we also noted that the policy could provide a valuable opportunity to highlight best practice, including in relation to safeguarding, for example considerations for schemes such as Ask for Angela, Licencing SAVI (or equivalent where available), and training for Violence Against Women, Domestic Abuse & Sexual Violence. There is also an opportunity to highlight the relationship between alcohol, health and health inequalities in this policy, and to recognise the important role that licensing can play in supporting prevention of alcohol-related harms. We would suggest that including a short section on this could further positively frame the licencing process.

Beyond alcohol, we are also encouraged to see the inclusion of “*Premises offering late night refreshment*” in the policy. Whilst we recognise that the absence of a specific public health objective currently limits a public health focused argument on this, inclusion does allow for representation against the current objectives around food premises to be put forward and considered (e.g. crime and disorder / public nuisance associated with the potential congregation of crowds). This would indirectly support our shared vision and goals for the [Cardiff and the Vale of Glamorgan Good Food and Movement Framework \(2024-2030\)](#) to create a healthier balance of food outlets, and also aligns to national ambitions through Welsh Government’s *Healthy Weight: Healthy Wales Strategy* and current [Delivery Plan \(2025-2027\)](#).

Specific areas for amendments

We would request amendments please on the following areas of the policy, which relate to the University Health Board specifically.

1. Re. pages 9-10, *an update to the information about how we operate as a Responsible Authority (suggested updated text in blue, in keeping with information recently developed by Cardiff Council):*

In the Vale of Glamorgan, the Local Health Board function is undertaken by Cardiff and Vale University Health Board (UHB). [Evidence on alcohol-related harm, including patterns seen in hospital admissions and consumption trends, can help identify issues relevant to the existing licensing objectives.](#) The Vale of Glamorgan Council as Licencing Authority recognises that although public health is not a licensing objective, [such evidence can appropriately inform representations and decision-making within the current statutory framework and highlights licensing's complementary role in supporting harm prevention through partnership working.](#) The UHB may use the following information to inform representations:.

- Emergency Unit attendances
- Hospital admissions
- Last Drink Data

The UHB uses this data to contribute to the understanding of the effects, levels and patterns of alcohol consumption within the UHB area.

The UHB has advised the Vale of Glamorgan Council that examples of circumstances in which they may wish to make representations include:-

- New applications

- Applications for review or variation when:-

- An existing licensed premise is perceived not to be promoting the licensing objectives, or,
- When there is information to suggest non-compliance with an existing Premises Licence
- Proposed changes to licensable activities that could have a detrimental effect on one or more of the licensing objectives

Please remove as now covered by above text: The UHB has advised the Vale of Glamorgan Council that they will use information from the Alcohol Treatment Centre and Emergency Department to inform the Licensing Authority of any activity that is causing concern and use the information to make representations where appropriate.

2. Please note the updated contact details for the University Local Health Board, including a new inbox for correspondence:

Executive Director of Public Health
2nd Floor, Woodland House
Maes-Y-Coed Road
Cardiff
CF14 4HH
Email: phw.cavlicencing@wales.nhs.uk

Thanks again for your time in meeting with us and for your understanding in allowing us an extension in returning this response to you. If helpful, we would be happy to meet to discuss any of the above or wider work on alcohol licensing further.

With best wishes,

Anna

Dr Anna Schwappach
Ymgynghorydd mewn Meddygaeth Iechyd y Cyhoedd / Consultant in Public Health Medicine
Rhif GMC/GMC No: 6156894

Tim Iechyd y Cyhoedd Caerdydd a'r Fro / Cardiff and Vale Public Health Team
Bwrdd Iechyd Prifysgol Caerdydd a'r Fro / Cardiff and Vale University Health Board
Ty Coetir / Woodland House
Ffordd Maes y Coed / Maes y Coed Road
Caerdydd / Cardiff
CF14 4HH



The Vale of Glamorgan Statement of Licensing Policy 2026-2031

Approved: XX/XX/XXXX

A Welsh Language version of this policy is available

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1. Introduction

Residents, businesses and visitors to the Vale of Glamorgan Council area deserve to have a wide choice of high quality and well managed entertainment and cultural venues operating within a safe, orderly and attractive environment. The Council also wishes to support responsibly operated businesses and the local economy. This policy sets out the framework which supports the themes within the Vale of Glamorgan Council Corporate Plan for **2026-2031**.

The Vale of Glamorgan Council is the local licensing authority (“the licensing authority”) with responsibility for licensed premises under the Licensing Act 2003. This Statement of Licensing Policy sets out the policies the licensing authority will apply when making decisions on licensing applications and reviews. This policy has been prepared in accordance with the Licensing Act 2003 having regard to the [Statutory Guidance](#) issued under section 182 of the Act, **and the National Licensing Policy Framework published by the UK Government**.

This Statement of Licensing Policy will be kept under review and published in line with Section 5 of the Licensing Act 2003.

To avoid duplication and to ensure that information is up to date, applicants, residents and other persons, members of the public and responsible authorities will be directed to [.GOV.UK](#) for information on the licensing processes.

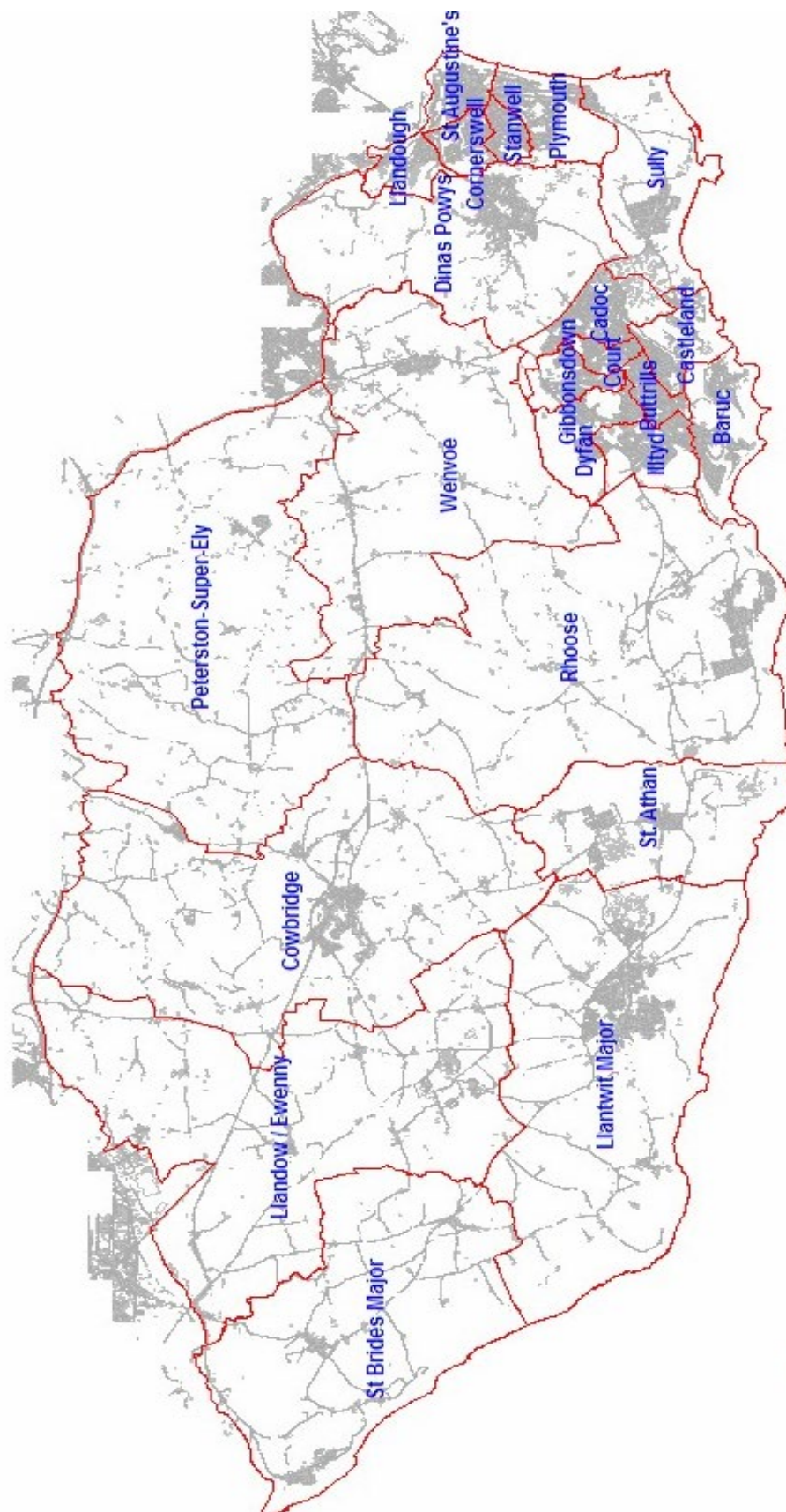
In discharging its licensing functions, the licensing authority will promote the licensing objectives which are as follows:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and,
- The protection of children from harm.

Each of the above objectives has equal importance.

2. AREA PROFILE

The Vale of Glamorgan is Wales' most southern Authority. There are four Town Councils and twenty two Community Councils in the area. It covers 33,097 hectares (331 square miles) with 53 kilometres of coastline. The council area has a population of 131,900* (2021 Census data). The main towns are Barry, Penarth, Llantwit Major, Dinas Powys and Cowbridge. Barry is the Vale's administrative centre, a seaside resort and a port. Cardiff Airport is located three miles west of Barry.



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3. Purpose and Scope of the Licensing Policy

The Licensing Act 2003 requires licensing authorities to publish a 'Statement of Licensing Policy' every five years, which sets out how they intend to exercise their functions under the Act. The policy sets out a general approach to making licensing decisions. Each application will be considered on its own individual merits. The discretion of the licensing authority in relation to applications will only be engaged following the receipt of relevant representations as set out in the Act.

When making licensing decisions, the licensing authority will consider the need to promote growth and deliver economic benefits.

In coming to a decision on individual licensing applications, the licensing committee will have regard to relevant local plans and strategies such as The Vale of Glamorgan's Corporate Plan 2025-2030 and The Vale of Glamorgan Replacement Local Development Plan 2021-2036 provided these considerations are consistent with the licensing objectives and this licensing policy.

The policy covers regulating licensable activities on licensed premises, by qualifying clubs and at temporary events. Nothing in this policy will prevent a person applying for a variety of permissions under the Act.

The policy covers the following licensable activities:

- Retail sale of alcohol
- Supply of alcohol by, or on behalf of, a club
- Provision of regulated entertainment
- Provision of late-night refreshment

The Licensing authority must also have regard to this Statement of Licensing Policy and any revisions to the guidance issued by the Secretary of State. However, this does not mean that decisions and policy will be followed to the letter in every case. The licensing authority may depart from the policy having properly taken into account all the circumstances of a case.

The Licensing Act 2003 also supports a number of other key aims and purposes which are vitally important and should be principal aims for everyone involved in licensing work and will therefore be integral to the Policy. They include;

- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises.
- Giving the Police and Licensing Authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems.
- Recognising the important role that pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises.

- Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon them.

4. Wider Regulatory Context

The Licensing Authority recognises that the regulation of licensed premises is situated within a broader context of public safety and the management of the night-time economy. While this policy relates specifically to the Licensing Act 2003, it is acknowledged that other regulatory regimes - such as Taxi and Private Hire Licensing, Planning, and Environmental Health also contribute to these objectives.

These functions operate under distinct legal frameworks and separate remits. While the Licensing Authority and other council services may collaborate on matters, each remains responsible for exercising its own independent statutory duties.

Alcohol and Public Health

The Licensing Authority recognise that alcohol consumption is linked to a range of health harms and contributes to health inequalities within the Vale of Glamorgan. Evidence on alcohol-related harm, including patterns seen in hospital admissions and consumption trends, can help identify issues relevant to the existing licensing objectives. While public health is not a licensing objective under the Licensing Act 2003, such evidence can appropriately inform representations and decision-making within the current statutory framework and highlights licensing's complementary role in supporting harm prevention through partnership working.

5. Consultation

In accordance with Section 5 of the Act and prior to the publication of this policy the licensing authority consulted with;

Chief Officer of Police for the area
Fire Authority
Responsible Authorities
Representatives of local licence holders
Representatives of clubs
Representatives of Personal Licence Holders
Representatives of businesses
Town and Community Councils
Vale of Glamorgan Councillors
Public Consultation via the Vale of Glamorgan website

6. Duration and Review of Policy

This Policy takes effect on **XXXX** and will remain in force for a period of not more than five years.

This Statement of Licensing Policy was prepared by the Team Manager Licensing Shared Regulatory Services on behalf of the Vale of Glamorgan Council and was approved by the Vale of Glamorgan Council at their meeting held on XX/XX/XXXX.

7. Licensing Process

Applications

There are four types of authorisations issued under the Licensing Act 2003, they are;

Premises Licences
Club Premises Certificates
Temporary Event Notices
Personal Licences

The procedure and documentation required for the various applications is prescribed by the Act and Regulations, and further advice on how to make an application, can be found on the Council's [website](#).

An application or notice for licensing purposes will be accepted as being lawfully made only where it contains all of the required details specified by the Act and/or regulations. The licensing authority will, however, exercise appropriate discretion and not reject applications where they contain minor or factual errors which can easily be rectified.

To avoid unnecessary representations being made in respect of an application, applicants are advised to complete all relevant parts of an application form. Some parts of the form are mandatory and where matters have been considered, but are deemed not to be relevant to the application, it is suggested that, for the avoidance of doubt, the particular section is marked “not applicable”.

The grant of an application does not obviate the need for the applicant to satisfy the requirements of any other regulatory regime or statutory requirement.

8. Premises Licences and Club Premises Certificates

It is recognised that licensed premises vary considerably in terms of character, size, occupancy, location, clientele etc. Venues may offer alcohol, regulated entertainment or late-night refreshment or any combination of these activities. There is, therefore, no definitive list of control measures that should be introduced by all premises. Licensed premises will be assessed according to the activities they provide and the individual risks of each premises' activities. Applicants should therefore not cut and paste from previous applications.

In accordance with the statutory guidance, whilst applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. The authority encourages liaison between applicants, responsible authorities and, where relevant, local

residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.

It is for the applicant to explain within their application how the Licensing Objectives will be promoted and how any potential negative impact from the operation of the premises will be reduced. Any proposals should be included in the Operating Schedule and should be clear, meaningful, achievable and enforceable.

The operating schedule should focus on the direct impact of the activities taking place on the licensed premises.

Applicants should avoid the inclusion of conditions that are already regulated by other legislation, e.g. Fire Regulations, Health and Safety at Work etc.

9. Representations

There is a prescribed period during which the licensing authority can receive a written representation. The authority will accept representations submitted in an electronic format providing it is possible to identify the person submitting the representations.

In the interests of transparency and fairness, the licensing authority will normally make the details of persons making representations available as part of the hearing process unless the person expressly withholds permission to do so, or, there are exceptional and compelling reasons why this is necessary.

The licensing authority will only consider representations that relate to the impact of licensable activities carried on from premises on the licensing objectives.

The licensing authority will require a responsible authority or other person to produce evidence to support their representations.

Further details on how the licensing authority uses information gathered during the licensing process can be found in the Licensing Privacy Notice available at www.valeofglamorgan.gov.uk

‘Relevant representations’ can include positive, supportive representations. Advice for anyone wishing to make representations is available on the Vale of Glamorgan website and can be provided in hard copy upon request.

Individuals or groups may request a representative to make representations on their behalf, for example a legal representative, friend, Member of Parliament, **Member of the Senedd** or Town and Community Councillor. Licensing authority Members are bound by the Member Code of Conduct when participating in the licensing process.

Responsible Authorities are advised that in order to be considered relevant, representations to impose conditions on licences must not duplicate existing legislation, and should be tailored to the size, style, characteristics and activities taking place at the premises concerned. Standard conditions will not be imposed

and therefore all representations should be proportionate and properly recognise the difference between venues.

The authority encourages and supports mediation between parties but reminds applicants that they are under no obligation to agree to representations made by a responsible authority and may ask for a Licensing Sub-Committee to determine the application. In accordance with the statutory guidance, the licensing authority will be alert to any attempts to impose conditions where there is no evidence of a problem at the premises and, if there is any doubt, will discuss this with the relevant parties.

Local Health Board Responsible Authority

In the Vale of Glamorgan, the Local Health Board function is undertaken by Cardiff and Vale University Health Board (UHB). **Evidence on alcohol-related harm, including patterns seen in hospital admissions and consumption trends, can help identify issues relevant to the existing licensing objectives.** The Vale of Glamorgan Council as Licensing Authority recognises that although public health is not a licensing objective, **such evidence can appropriately inform representations and decision-making within the current statutory framework and highlights licensing's complementary role in supporting harm prevention through partnership working.** The UHB may use the following information to inform representations:

- Emergency Unit attendances
- Hospital admissions
- Last Drink Data

The UHB uses this data to contribute to the understanding of the effects, levels and patterns of alcohol consumption within the UHB area.

The UHB has advised the Vale of Glamorgan Council that examples of circumstances in which they may wish to make representations include:

- New applications
- Applications for review or variation when:
 - An existing licensed premise is perceived not to be promoting the licensing objectives, or,
 - When there is information to suggest non-compliance with an existing Premises Licence
 - Proposed changes to licensable activities that could have a detrimental effect on one or more of the licensing objectives

10. Decision Making

The licensing authority strives to provide an efficient and cost effective service to all parties involved in the licensing process. With the exception of the approval and review of this policy, decisions on Licensing Act 2003 matters will normally be taken in accordance with the approved scheme of delegation and the recommendations for delegation set out in the Section 182 guidance issued to licensing authorities.

11. Granting of Authorisations

If no relevant representations are received then the authorisation will be issued automatically with, in the case of a premises licence or club premises certificate, such conditions as are mandatory or are consistent with the operating schedule accompanying the application.

12. Delegation of Functions to Committee

The powers of the Vale of Glamorgan Council under the Licensing Act 2003 will be carried out by the Statutory Licensing Committee. Most functions will be carried out by a Licensing Act Sub Committee of three Members, or by one or more Licensing Officers acting under delegated authority.

Members will conduct meetings in accordance with the Licensing Act 2003 Procedures for Sub Committee Hearings. The authority may undertake remote hearings and all parties will receive instructions and guidance on how to participate.

After a hearing, having regard to the application and the representations made, the licensing authority may impose or amend conditions as it sees fit, or restrict the hours or the licensable activities permitted on the premises. Conditions will be attached to such an extent as the licensing authority considers appropriate for the promotion of the licensing objectives.

13. Conditions

The licensing authority cannot impose conditions upon its own volition. Conditions will only be attached in three circumstances and these are as follows:

- Mandatory conditions under the Licensing Act 2003 or introduced by regulation under the Act which will have effect in all circumstances regardless of if they appear on the Licence.
- If they are consistent with the applicant's operating schedule.
- When considered appropriate, reasonable, and proportionate after relevant representations have been received and not withdrawn.

Conditions will be worded so that they are clear, meaningful and enforceable. Conditions that appear in the applicant's operating schedule may be re-worded to meet this requirement.

14. Temporary Event Notices

Information regarding the use of Temporary Events Notices can be found on the Vale of Glamorgan Council website.

Applicants are advised to take care to complete the forms properly. Notices will not be rejected on the basis of minor administrative errors.

Applicants are encouraged to serve Temporary Events Notices in good time and the licensing authority's recommendation is a minimum of 21 days but not more than 6 months before the event.

Apart from long established events like the Vale of Glamorgan Show, the use of multiple TENs simultaneously on a single site will be scrutinised closely to ensure there has been no attempt to circumvent the requirement for a Premises Licence.

15. Types of Premises

The licensing authority recognises that types of premises covered by Premises Licences vary hugely. The same licensing regime applies to all these premises, regardless of the licensable activity provided, location, hours of operation and customers. From a licensing authority perspective, however, there are variations in the nature and scale of the risks posed by different types of premises, and their likely impact on the licensing objectives.

Pubs, Bars and Clubs

The licensing authority acknowledges that licensed premises, especially those that are predominantly used for the consumption of alcohol and offering late night/early morning entertainment, can present significant challenges in relation to crime and disorder. The Authority expects the licensing trade to fully co-operate and play its part in minimising crime and disorder.

Licence Holders and Designated Premises Supervisors will be required to demonstrate commitment to manage premises in a safe and responsible manner.

Operators of premises of this type must consider measures to prevent crime and disorder on, or emanating from, their premises. The following are examples of control measures that may need to be addressed;

- Effective and responsible management of the premises
- Training and supervision of staff
- The internal layout and the location of various pieces of equipment within premises, including the position of cash registers, gaming machines etc.
- The provision, location and suitability of any CCTV and the need for the Police and Local Authority to have access to any recordings

- The use of plastic or similar non-glass drinking vessels
- The adequacy of staffing levels to maintain a safe environment
- Management policy and action in relation to people who become intoxicated or disorderly
- Participation in Pubwatch or other similar schemes
- The controls in place to prevent the use or supply of illegal drugs, including entry policies and any search procedures
- The policy/procedure in respect of age verification and preventing sales of alcohol to persons who are under age

Hotels

It is generally accepted that hotels will require permission to make sales of alcohol to residential guests for 24 hours.

Off Licences

In determining applications for shops, stores and supermarkets, the licensing authority will consider the individual merits of the case, but such premises will normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless relevant representations are received that there are good reasons, based on the promotion of the licensing objectives, for restricting these hours.

Some shops and supermarkets selling alcohol have been a focus for anti-social behaviour, disorder and disturbance. This can be caused by street drinkers and underage drinkers who try to obtain, or have obtained, alcohol from such premises. Due to these concerns the licensing authority will consider seriously any representations made by Responsible Authorities and other persons in relation to the effects of granting such licences on the immediate vicinity of the premises.

Community Premises

Many community premises within the Vale of Glamorgan Council hold Premises Licences to allow regulated entertainment. A number also have permission for the sale of alcohol without the mandatory condition requiring a DPS. When considering applications under these provisions the Licensing authority will take into account the following matters;

- Whether the premises constitutes a community premises
- Whether appropriate arrangements are in place for the supervision of the sale of alcohol on the premises by the management committee

Community premises are likely to include, church halls, chapel halls, village halls, parish halls, community centres and other similar buildings. Where it is not clear the Licensing authority will consider whether a premise constitutes a community premises on a case by case basis.

The Council may require additional information to ensure that the management committee is formally constituted and accountable.

It is expected that the management committee will have in place appropriate arrangements to ensure compliance with the requirements of the Licensing Act 2003 when the premises are hired out to a third party, i.e. hiring agreement.

Events on Council Land

The Vale of Glamorgan Council wishes to encourage cultural and community events in the county and is aware of the Guidance around the licensing of public open spaces. In accordance with the provisions of the Licensing Act 2003, the Council has made applications and been granted premises licences for areas of public land.

Persons or organisations wishing to carry on a licensable activity on licensed public land are not required to obtain a Premises Licence or give a Temporary Events Notice themselves, but do need the permission of the Council to put on the event. This can help facilitate events that do require a Premises Licence, but which would be impractical to arrange, and gives the Council a degree of control over the running of the event.

Organisations or individuals wishing to run an event on public land should, in the first instance contact the Events Officer of the Vale of Glamorgan Council.

Premises offering late night refreshment

It is recognised that takeaway premises open late at night and can be associated with disorder as persons under the influence of alcohol having left late night venues congregate there. Operators will be expected to identify steps they can take to reduce nuisance and to include them in their Operating Schedule. The authority has not adopted specific policies in relation to takeaways or the disapplication of the Licensing Act 2003 to such premises.

Petrol and Service Stations

Under Section 176 of the Licensing Act 2003, no Premises Licence, Club Premises Certificate or Temporary Event Notice has effect to authorise the sale of alcohol on or from 'excluded premises'. These premises are a motorway or trunk road service area or a premises primarily used as a garage or which form part of premises which are so used.

The licensing authority, however, accepts that many retail outlets attached to petrol or service stations serve a dual purpose acting as a local shop as well as selling fuel. Applications for licences for premises of this type should be accompanied by

trading figures for a minimum period of one month to demonstrate the primary use of the business is not as a garage.

16. Operation of Premises

The Premises Licence Holder will be expected to ensure that the Designated Premises Supervisor (DPS) has experience commensurate with the size, capacity, nature and style of the premises and licensable activities to be provided.

Within all licensed premises, whether or not alcohol is to be sold, the licensing authority will expect there to be proper management arrangements in place which will ensure that there is an appropriate number of responsible, trained persons at the premises to enable compliance with all statutory duties and the terms and conditions of the Premises Licence.

Where licences contain inherited outdated, unachievable or inappropriate conditions it is recommended that Premises Licence Holders submit the appropriate application to vary the licence to remove these conditions.

External Areas

The provision of seating areas outside premises in beer gardens or on the pavement can enhance the attractiveness of a venue, but operators of licensed premises should ensure, so far as possible, that customers do not cause a nuisance or disorder outside the premises and that measures to ensure the safety of customers and prevention of nuisance are in place. Where appropriate, Door Supervisors have an important role in managing customers, not only on the doors but also in the immediate area of their premises.

Licensees should also be aware of the possibility of breakages of drinking glasses and glass bottles in outside areas. Consideration should be given to the use of toughened or 'plastic' drinking vessels and other management controls to avoid or lessen the likelihood of broken glass in these areas.

The Licensing authority will be mindful of the development of external areas to licensed premises, and will consider imposing conditions to improve the management of the outside area or prohibiting or restricting the use of these areas in order to promote the public nuisance objective.

Alcohol Deliveries

The Licensing Authority recognises that particular risks exist in connection with delivery services for alcohol, as these transactions often occur without the direct supervision of a Personal Licence Holder at the point of handover and the person making the delivery may feel pressured to hand over the alcohol without properly checking that the person receiving the alcohol is not intoxicated and at least 18 years of age, particularly if the alcohol has already been paid for and the delivery person is not directly employed by the licensed premises. Deliveries may also be requested to locations other than fixed addresses such as public parks or other 'open-air' venues, which poses a high-risk.

In considering applications for delivery services, in addition to other relevant elements of the policy, the licensing authority will consider how the applicant will ensure that this service is not likely to adversely impact on the licensing objectives. Relevant considerations may include:

- Alignment with the Retail of Alcohol Standards Group (RASG) Best Practice for Rapid Delivery Services.
- Clarification on whether delivery services are carried out by third parties or in-house employees.
- The nature of the vehicles used and the likely local areas of delivery.
- How vehicles and delivery couriers will service the venue, including parking and waiting areas.
- Any contractual arrangements with delivery services, including specific disciplinary procedures.
- History of compliance and any proposed restrictions on service.
- Robust arrangements for age verification and recording Challenge 25 checks.
- Maintenance of a comprehensive refusal log for alcohol deliveries, recording all instances where service was denied due to intoxication or lack of ID.
- Prohibitions on delivering alcohol to open spaces, parks, or landmarks.
- Mitigation of noise nuisance at residential delivery points and during the collection process.
- Measures to ensure delivery riders do not contravene highway regulations, such as illegal parking or pavement cycling.
- Where alcohol is served by a delivery, the items have already been paid for before the courier arrives at the delivery location. Typically, couriers will wish to finish the job as soon as possible and it is questionable whether it can be reasonably expected that a courier, eager for the next job, would robustly carry out the necessary checks, e.g. wait for a customer to produce ID documents or to show that the recipient is the same person who placed the original order associated with refusing the sale of alcohol and then having to deal with the added workload of returning the goods.
- Ensuring alcohol is only left with the named purchaser at a fixed physical address.
- Strategies to prevent delivery to individuals who are already intoxicated, especially during early morning hours.

17. Children and Safeguarding

Applicants will be expected to include in their Operating Schedule a statement of the measures that they will take to protect children from harm which includes moral, psychological and physical harm as well as the protection of children from exposure to strong language, sexual expletives and gambling.

When addressing the issue of protecting children from harm, applicants must demonstrate that those factors that may particularly impact on children have been considered. These include;

- Where entertainment or services of an adult or sexual nature are provided
- Where the premises have a reputation for underage drinking
- Where there has been a known association with illegal drug use
- Where there is a strong element of gambling on the premises
- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided e.g. not food led

The licensing authority recognises the great variety of premises for which licences may be sought. Access by children to all types of premises will not be limited unless it is considered necessary to do so in order to protect them from harm in any way. Access is at the discretion of the premises licence holder and is neither encouraged nor discouraged by the policy except where:-

- There have been convictions for underage drinking or the premises have a reputation for underage drinking.
- The premises have a known association with drug taking or drug dealing
- Gambling takes place on the premises
- Entertainment of an “adult” or “sexual” nature takes place

Following the receipt of relevant representations the licensing authority reserves the right to take all necessary steps to prevent harm to children by: -

- Limiting the hours when children will be permitted in the premises
- Stating a minimum age (below 18)
- Limiting or prohibiting access where certain activities are taking place
- Permitting access only when accompanied by an adult
- Such other conditions or restrictions as may be necessary to achieve the licensing objectives.

A complete ban on children entering licensed premises is rarely likely to be necessary. Nothing within this policy makes it a requirement that children must be admitted to any premises. This is a matter left to the discretion of the management of the premises.

The licensing authority recognises the Vale of Glamorgan Council Director of Social Services Directorate as being competent to advise the Authority on matters relating to the protection of children from harm in relation to this Policy.

Should a premise be giving film exhibitions the applicant may wish to address in their operating schedule arrangements for restricting children from viewing age restricted films. It should also be noted that in relation to such premises a mandatory condition will be applied requiring that access will be restricted to only those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification, or in specific cases, the local authority.

The Licensing Authority supports those premises that choose to participate in any proof of age scheme such as “Challenge 25 or 21” or “No ID, No Sale” as it promotes the licensing objectives.

Best Practice Schemes and Initiatives

The Licensing Authority encourages all licensed premises to participate in recognised best practice schemes and voluntary initiatives that promote safeguarding and responsible operation. Such schemes demonstrate a commitment to staff and customer welfare, and the promotion of the licensing objectives.

Examples of best practice schemes and initiatives that licensed premises are encouraged to adopt include:

- **Ask for Angela** – a nationally recognised scheme enabling customers to discreetly seek help from staff if they feel unsafe or threatened
- **Operation Makesafe** – developed to empower businesses and organisations to tackle child exploitation through increased awareness and training
- **WAVE (Welfare and Vulnerability Engagement) training** – equipping staff to identify and support vulnerable people
- **Safeguarding Awareness Training** – to ensure staff can recognise and respond to signs of abuse, neglect, and exploitation
- **Group 1 Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) training**
- **Licensing SAVI (Security and Vulnerability Initiative)** and other accreditation schemes that recognise responsible licensing practices and promote high standards of safety and management
- **Lead the Change** – Free Welsh Government supported bystander training, to help empower people to speak up, offer help, and decrease the likelihood of violence occurring.

- **Local campaigns** on preventing drink spiking, harassment, and hate crime reporting

Participation in these schemes provides opportunities for licensed premises to demonstrate their commitment to safeguarding, continuous staff development, and responsible operation.

The Licensing Authority will look favourably upon applicants and licence holders who actively engage with such initiatives and can evidence their implementation through written policies, staff training records, and operational procedures.

Proxy Sales

Adequate procedures must be in place to ensure that all members of staff working at the premises are routinely trained and regularly reminded of their responsibilities in relation to the proxy sale of alcohol, and shall ensure that all reasonable steps are implemented to prevent adults purchasing alcohol for those underage.

18. Other Matters

Enforcement and Compliance

Where enforcement action is taken it will be in accordance with the principles of the authority's enforcement policy. Inspections regimes will be based on a risk assessment of premises in relation to the licensing objectives. Inspections will often be in response to a complaint or the reporting of an issue, but all premises may be subject to inspection at intervals.

The licensing authority considers that it is good practice for Responsible Authorities to give licence holders early warning of problems, with a view to securing improvements informally.

An example of a recognised early warning system is the Traffic Light System operated by South Wales Police. Any information supplied to the licensing authority as part of representations or a review process will be considered in light of the broad principles set out in the Shared Regulatory Services Enforcement Policy of Proportionate, Accountable, Consistent, Transparent, and Targeted. If such an enforcement tool is used, the licensing authority will expect to receive information on how the points system was allocated, the interaction with the licensee, what interventions had already been carried out, and the risk to the licensing objectives which underpin the representations/review submitted.

Where an initial warning fails to secure a resolution to a problem at a licensed premises, the licensing authority and Responsible Authorities will use a stepped approach and may engage the Licence Holder in a voluntarily agreed 'Action Plan' for improvement.

Where there is a failure to respond to such warnings, it is likely that a request for a Review will be submitted. However, where there are very serious issues, Responsible Authorities may submit a Review application without warning.

Cumulative impact /Early Morning Restriction Orders

None of the towns within Vale of Glamorgan Council have an area with an excessive number of licensed premises in close proximity, therefore, it is not envisaged that a cumulative impact policy will be introduced within the authority in the foreseeable future.

19. Reviews

Reviews of premises licences represent a key protection for the local community in respect of problems which may arise during the term of a premises licence. Any person and responsible authority has the right to make representations in respect of an application or seek a review of a licence or certificate within the provisions of the Act. Each case will be dealt with on its merits.

The licensing authority considers that it is good practice for responsible authorities to give licence holders early warning of problems and of the need to improve.

Individuals or groups may request a representative to make representations on their behalf, for example a legal representative, friend, Member of Parliament, **Member of the Senedd** or Town and Community Councillor. Licensing authority Members are bound by the Member Code of Conduct when participating in the licensing process.

In the interests of transparency and fairness, the licensing authority will normally make personal details of residents and other parties available as part of the hearing process unless the person withholds permission or there are exceptional and compelling reasons why this is necessary. Each case will be determined on its merits in consultation with the person concerned.

20. Appeals

In the case of a premises licence, an appeal should be made to the magistrates' court for the area, Cardiff Magistrates' Court.

Entitlements to appeal for parties aggrieved by decisions of the licensing authority are set out in Schedule 5 to the Licensing Act 2003.

Details of other forms of redress can be accessed on the licensing pages at www.valeofglamorgan.gov.uk

Officers of the Licensing Authority will make the decision as to whether a representation or objection is relevant, frivolous, vexatious or repetitious.

Prescribed fees are published on www.homeoffice.gov.uk. Further information is also published on the Council's website at www.valeofglamorgan.gov.uk

21. Integrating Strategies and Equality Statement

The Vale of Glamorgan's Statement of Licensing Policy, so far as is possible, is not intended to duplicate existing legislative and regulatory regimes that already place obligations on employers and operators e.g. The Health and Safety at Work Act 1974, The Environmental Protection Act 1990, Disability Discrimination Legislation, and The Regulatory Reform (Fire Safety) Order 2005.

Where a councillor who is a Member of the Licensing Committee is making or has made a representation regarding a licence on behalf of an interested party, in the interests of good governance they will disqualify themselves from any involvement in the decision-making process affecting the licence in question.

The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way that is incompatible with a Convention right. The licensing authority will have particular regard to the following relevant provisions of the European Convention on Human Rights:

- Article 6 that in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law
- Article 8 that everyone has the right to respect for his/her home and private life
- Article 1 of the First Protocol that every person is entitled to the peaceful enjoyment of his or her possessions.

The licensing authority through this Policy and the Vale of Glamorgan Council's Racial Equality Policy Statement, recognises that the Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000 places a legal obligation on the Licensing Authority to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of differing racial groups.

Under Section 17 of the Crime and Disorder Act 1998 local authorities must have regard to the likely effect of the exercise of their functions on, and do all they can to prevent, crime and disorder in their area. Therefore, the licensing authority will have particular regard to the likely impact of licensing on related crime and disorder in the Council's area particularly when considering the location, impact, operation and management of all proposed licence/certificate applications, renewals and variations of conditions.

Further information on the Vale of Glamorgan Welsh Language standards can be accessed at

https://www.valeofglamorgan.gov.uk/en/our_council/equalities/welsh-language-standards.aspx

This policy is published in Welsh and is available in other formats on request.

Where the licensing authority makes a decision on an application it will provide reasons in writing and in other formats on request.

Accessibility enquiries should be addressed to the Licensing Section in the first instance.

22. Disclaimer

Where extracts from the Licensing Act 2003 are reproduced, they are provided as an information guide only. They are not a full and authoritative statement of the new licensing law. In particular, it must be noted that, although the Council has made every effort to ensure that the information in these pages is correct, changes to the law and the implementation of specific regulations for licensing mean that the supporting information in these pages may be subject to change.