

CYNGOR SIR POWYS COUNTY COUNCIL

LICENSING COMMITTEE

9th NOVEMBER 2021

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REPORT TITLE: IMPACT OF COVID ON LICENSING

REPORT FOR: Information

1. Purpose

- 1.1 To update the Licensing Committee on the impact of the pandemic on the work of the licensing team in Powys County Council

2. Background

- 2.1 On 23rd March 2020 the UK was put under lock down due to the emerging Covid Pandemic. Most businesses and public places were closed, and Council Staff were all required to work from home.
- 2.2 The councils' Public Protection section including the Licensing Team were conferred new powers to enforce the closure of premises under The Health Protection (Coronavirus restrictions) (Wales) Regulations. This legislation has been updated no less than 70 times over the last 18 months and includes enforcing provisions to ensure premises are complying with current covid restrictions.
- 2.3 The Licensing Act 2003 that regulates premises that supply alcohol was also temporarily amended to enable any premises with a licence for 'on sales' of alcohol to make 'off sales'. This facilitated licensed premises that were otherwise closed to sell alcohol alongside takeaway services of food that many were offering. It also facilitated open drinks to be sold from premises to takeaway. This relaxation is still in place, although many premises in Powys already had authorisation for both on and off sales in any case.
- 2.4 As premises re-opened initially outside in summer 2020 licensed premises were able to utilise outside areas for their customers. Outside areas included marquees and gazebos where at least 50% of the sides of the sides were open. Licensed premises put into use their outside areas and car parks for customers and we see that many of these have remained in use.
- 2.5 Our colleagues in Highways started operating a pavement licence regime to enable business to utilise outside furniture on some pavements and town centre areas. We have seen town centre spaces being used for hospitality businesses who otherwise had limited indoor space or no outdoor space at all

for customers. These initiatives have been a lifeline for the licensed trade to enable them to operate whilst social distancing measures were in place.

2.6 These extraordinary circumstances have led to new ways of working and a substantial role for officers in Public Protection (Licensing and Trading Standards teams) in enforcing Covid restrictions. The existing teams were supplemented by the appointment of dedicated Public Protection Officers in November 2020. Throughout all the different opening stages the Licensing team have been advising the licensed trade in Powys of the latest Welsh Government requirements. Various versions of the Welsh Government approved hospitality guidance have been issued and shared with the trade by regular email updates.

2.7 The approach taken has been to educate and advise in the first instance followed by warning letters where appropriate for non-compliance. It is only as a last resort that the authority issued improvement notices and closure notices

The number of covid visit to premises carried out 1986

The number of Improvement Notices served in Powys 23

The number of Closure Notices served in Powys 2

These figures are not limited to hospitality venues but also include shops and other business premises e.g. barbers/hairdressers

Figures taken from 25/03/2020 – 10/09/2021 data return made to Welsh Government

2.8 Up until Wales went into Alert Level Zero on 7th August 2021 premises were required to comply with a prescribed set of rules laid out in the Hospitality Guidance. These rules have been replaced by a requirement for businesses to each have their own risk assessment and put into place reasonable covid prevention measures and we are seeing most of the measures that were in place have dropped away.

2.9 On 11th October 2021 the requirement for a Covid Pass for various venues was introduced in Wales. The requirement to check Covid passes applies to Nightclub type premises and include any premises that sells alcohol, provides music for dancing and is open beyond midnight. Messaging about this has been shared with the licensed trade and applicable premises have been receiving education visits about applying the Covid Pass.

2.10 All staff within the council have adapted remarkably quickly to new ways of working and many of the practices adopted since the pandemic are here to stay

Some examples of the way we have adapted:

- Changing the way we receive applications and interact with our customers. Requiring on-line applications or submitted by email.

- Issuing electronic licences to applicants in the first instance followed up by hard copies as and when officers were able to attend an office to print and post licences
- In turn this has advanced the move to operating paperless. The Licensing section no longer create new paper files and existing historical files are in the process of being scanned enabling officers to access all the information they need from their home office.
- TEAMs meetings for applications referred to a sub-committee
- Twice weekly virtual meetings with the Licensing Team no longer seeing each other in person to keep in touch and close collaboration with the police and Trading Standards colleagues also working on covid enforcement.
- More regular virtual meetings with other Wales authorities and agencies as a forum for good practice in enforcing the new regulations and sharing good practice on emerging issues (pressures on local tourism etc.)
- Keeping in touch with our licensees – regular group email updates to our licensees on upcoming changes.
- Ensuring our webpages are kept up to date, special Covid pages for Alcohol Licensed premises and Taxis were created for the latest advice and regulations

2.11 Additional Pressures

- Enforcing the Coronavirus Regulations
- Having different rules for England and Wales
- Keeping up to date with the Regulations
- Ensuring timely communication and dissemination of information and guidance to the trade on the regulations and guidance
- Dealing with enquiries from the trade
- Dealing with complaints from the public/ businesses about standards at premises
- Undertaking pro-active education visits to businesses in relation to Covid
- Undertaking reactive enforcement visits to businesses in relation to Covid
- Where necessary issuing of premises Improvement notices and Closure Notices
- Dealing with a resumption of events in 2021 with extra consideration of covid restrictions and risks
- Carrying out the above whilst at the same time still providing a service for our taxi customers. Taxi and Private Hire services were never prohibited from operating throughout the pandemic, and the licensing section has continued to administer the taxi licensing regime throughout.

2.12 All this work is ongoing, although as restrictions have been relaxed and there is a return to something more near normal the licensing section have seen an upturn in the number of new premises licences being applied for, with 6 monthly figures exceeding what we normally get in a year:

	Temporary Event Notices	New Premises Applications	Premises licence Closed / Surrendered
2018/19	681	31	30

2019/20	671	27	34
2020/21	70	25	17
2021 to date	142 (6 month figs)	29 (6-month figs)	23*

*In addition, there are in the region of 80 licensed premises with annual fees that are > 3months overdue, we have given a lot of leeway in issuing suspension notices on these premises forcing them to close. A number of these premises are not open and trading, further licences are likely to be surrendered or suspended over the course of the next quarter.