

Licensing Objective Policies

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Policy with regard to the Prevention of Crime and Disorder

The Licensing Authority will not grant applications that do not promote the prevention of crime and disorder licensing objective. When considering the extent to which applicants have demonstrated that they will promote the crime and disorder objective, the Licensing Authority will take into account the factors set out below:

1. Whether the premises make or will make a contribution to levels of crime and disorder, and whether the Operating Schedule is based on an adequate risk assessment, undertaken by the applicant, which takes account of all the relevant considerations below to reduce the likelihood of crime and disorder occurring as a result of the grant of the application.
2. The levels of crime and disorder in and around the venue; the proposals contained in the operating schedule; the level of compliance to conditions on existing licences. This provides an illustrative but not exhaustive list of considerations, not all of which will be applicable to all premises.
3. Whether the layout, lighting and fittings of the premises have been designed so as to minimise conflict and opportunities for crime and disorder.
4. Whether the Operating Schedule includes appropriate management measures to prevent crime and disorder.
5. Whether the Operating Schedules for pubs and bars or for the provision of facilities for music and dancing have taken into account the possibility of crowding the areas set aside for drinking while standing..
6. Whether the premises has a sufficient CCTV system in place that will adequately support the recording of incidents and assist in the identification and prosecution of offenders.
7. Whether the Applicant has undertaken a terrorism threat risk assessment that ensures that any security-related vulnerabilities have been identified, and reasonable, and proportionate steps (in keeping with the size and nature of the operation), have been taken to reduce the risk from a terrorist attack.
8. Whether the applicant has provided an ACT security plan, including an outline of the proactive steps taken.

Policy with regard to Public Safety

The Licensing Authority will not grant applications that do not promote the public safety licensing objective. When considering the extent to which applicants have demonstrated that they will promote the public safety licensing objective, the Licensing Authority will take into account the factors set out below:

1. Whether appropriate and satisfactory general and technical risk assessments, management procedures and certificates have been made available to the relevant responsible authority and to the Licensing Authority that show the relevant considerations have been fully considered to demonstrate that the public will be safe within and in the vicinity of the premises.
2. Whether the premises already has a specified maximum capacity of people that can attend or be present and, if not, whether a risk assessment has been undertaken as to the maximum number of people who can be present in various parts of the premises so that it can be operated safely, and they can be evacuated safely in the event of an emergency.
3. Whether there are procedures proposed to record and limit the number of people on the premises with opportunities for “pass outs” and readmission.
4. Whether patrons can arrive at and depart from the premises safely.
5. Whether there may be overcrowding in particular parts of the premises.
6. Whether music and dance venues and performance venues will use equipment or special effects that may affect public safety (e.g. moving equipment, vehicles, pyrotechnics, strobe lights, smoke machines).
7. Whether due account has been given to:
 - Prevention of overcrowding.
 - Air conditioning and ventilation.
 - Availability of drinking water.
 - Affordable cloakrooms.
 - Further measures to combat dancers and others overheating.
 - Overall safety.
8. Whether there are defined responsibilities and procedures for medical and other emergencies and for calling the emergency services, e.g. terrorist threat or incident, fire, serious medical (e.g. heart attack) or trauma.
9. The levels of compliance with conditions on existing licences relating to public safety.

Policy with regard to the Public Nuisance Licensing Objective

The Licensing Authority will not grant applications that do not promote the public nuisance licensing objective. When considering the extent to which applicants have demonstrated that they will promote the public nuisance licensing objective, the Licensing Authority will take into account the factors set out below:

1. The potential for nuisance associated with the style, characteristics and activities of the business to be carried out at the premises and the potential steps which would be taken to reduce the risk of nuisance occurring.
2. This will particularly apply in areas of residential accommodation and where there is residential accommodation in proximity of the premises.
3. Whether Operating Schedules contain adequate measures to prevent noise and vibration, whether airborne or structure borne, generated from within the premises, outside it, or from an open site, that may cause disturbance to people in the vicinity. Regard will be had to disturbance of people whether at home, at work, staying in, or visiting the vicinity. However, stricter conditions will be imposed on premises licences in areas that have denser residential accommodation or have residential accommodation close to them. See Appendix 11.
4. Applicants will be expected to have included measures in their Operating Schedules that make adequate provision to limit noise and vibration, eating, drinking and smoking outside their premises and other environmental impacts by:
 - Restricting the generation of noise within the premises and from activities associated with the premises in the vicinity, or from an open-air site.
 - Limiting the escape of noise from the premises or open-air site.
 - Restrict noise emissions to below levels that could affect people in the vicinity going about their business, at work and when at home both while relaxing and while sleeping.
 - Minimising and controlling noise from customers arriving at the premises, or open-air site outside it and departing from it including noise and other nuisance caused by customers' transportation and how dispersal is managed.
 - Minimising and controlling noise from staff, contractors and suppliers and their activities.
 - Minimising and controlling noise from vehicles associated with and providing services to the premises or open-air site and their customers (including delivery companies).
 - Identifying whether people standing or sitting outside premises are likely to cause obstruction or other nuisance.
 - Identifying whether the premises are under or near to residential accommodation.

- Limiting the hours of the sale of alcohol in open containers or food for consumption outside the premises.
- Introducing measures to make sure that customers move away from outside premises when such sales cease.
- Implementing measures to collect drinking vessels and crockery, cutlery and litter.
- Limiting the extent and location of areas proposed to be set aside for the consumption of food, alcoholic drink and for smoking.
- Identify the measures proposed for the management of people leaving the premises to smoke and for their readmission; including managing readmissions in relation to any queuing for admission and to measures to ensure that security procedures apply equally to admissions and readmissions.
- Identifying whether there is a need for door supervisors to prevent or to control customers congregating in outdoor areas to smoke, consume food or drink (whether supplied from the premises or not), between certain hours or at all times. In addition, there may be particular issues of crime and disorder with regard to outside activities.
- Identify whether queuing is likely, and the steps proposed to prevent queuing or, if some queuing is inevitable, to divert queues away from residential properties and entrances of neighbouring premises, and to manage the queue to prevent disturbance or obstruction.
- Identify whether there are adequate measures to prevent:
 - Litter, smells, fumes, dust, tobacco or other smoke, or other emissions.
 - Street fouling.
 - Light pollution.
- Arising from the proposed licensable activity that may cause disturbance to people in the vicinity.
- Identify whether the proposed licensable activities will be likely to cause nuisance by congesting the pavement or the roadway, and so impeding reasonable access (including the access required to provide essential services such as refuse collection and street cleaning).
- Whether other measures to prevent nuisance such as the use of CCTV or the employment of registered door supervisors are appropriate.
- Whether the proposals would lead to the need for increased refuse storage or waste collection.
- Whether measures would be undertaken to prevent nuisance caused by the storage, handling and collection of refuse and recyclable materials.
- Whether the sale of take-away food is proposed, and the measures planned to prevent littering in the vicinity and to clear up any litter that occurs.

- Whether late night premises are likely to generate litter. Premises may need to make provision for patrols to clear up litter, taking into consideration the hours of street sweeping.

5. The measures proposed in the Operating Schedule should have regard to the impact of noise on the local area, and provide mitigating measures to reduce this impact.

Note: Both planning permission and an appropriate licence / permit may be required for providing seating for the use of customers on the public highway.

Policy with regard to the Protection of Children from Harm Licensing Objective

The Licensing Authority will not grant applications that do not promote the protection of children from harm licensing objective. When considering the extent to which applicants have demonstrated that they will promote the protection of children from harm licensing objective, the Licensing Authority will take into account the factors set out below:

1. Whether there are appropriate measures in place to protect children from harm.
2. Whether there are effective measures to check the age of young people who appear under 18 to ensure that:
 - Alcohol is not sold to a person under the age of 18.
 - Access is not permitted to a person under 18 years of age to a premises, a performance of entertainment or an exhibition of a film intended for adults only.
 - Those under 16, if permitted to enter the premises are accompanied by an adult.
3. Whether the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
4. Whether accompanied children under 16 on the premises of which the primary purpose is supply of alcohol for consumption on the premises, are taking a table meal or are being entertained by a live performance.
5. The hour to which accompanied children under 16 are proposed to be on the premises where the exclusive or primary purpose of the services provided at the premises is the supply of alcohol for consumption on the premises.
6. Whether due regard is paid to industry codes of good practice on the labelling and display of alcoholic drinks.
7. Whether there are adequate procedures for identifying unaccompanied or lost children and ensuring that they are kept safe and adequately supervised until they can be handed over to a responsible adult.
8. The likelihood of children being attracted to the premises; e.g. by the nature of activities or facilities provided whether or not these are licensed.
9. Whether there is evidence of heavy, binge or underage drinking, use of drugs or other intoxicating substances on the premises.

10. Whether the premises commonly provide entertainment or services of an adult or sexual nature.
11. Whether there is a strong element of gambling on the premises (but not, for example, the presence of a small number of cash prize gaming machines).
12. Whether films are to be shown and the measures to restrict children from viewing age restricted films classified according to the recommendations of the British Board of Film Classification or the council itself.
13. If performances or activities are likely to attract children, the number of adults required for the supervision of children.
14. Where play facilities are provided, if an adequate risk assessment has been made and appropriate measures taken.
15. The measures to be taken to ensure that those supervising or having significant contact with children have been appropriately vetted to ensure that they pose no risk to children.
16. Proposals for the provision or arrangement for safe transport for children.

Safeguarding of children applies to all staff (paid or unpaid) involved in the operation and management of licensed premises and is a key part to protecting children from harm. The Licensing Authority will expect applicants to demonstrate that they will have systems and processes in place to adequately safeguard children as set out within the minimum criteria below.

The applicant should ensure that their staff have a basic awareness of child protection issues. This includes:

- Being alert to the possibility of child abuse and neglect, i.e. the definition, prevalence, identifying features in a child or adult, legal parameters and social consequences.
- Having enough knowledge to recognise an abusive or potentially abusive event or set of circumstances.
- Knowing who in the organisation to raise your concerns with.
- Being competent in taking the appropriate immediate or emergency action.
- Knowing how to make a referral to the Council's Children Services Department and/or the Police.
- The licensee can demonstrate that they understand their responsibilities for ensuring that they and their staff are familiar with, and competent with Safeguarding Children.

In operating and managing a licensed premises the applicant should designate either themselves or a senior staff member to have the following responsibilities in relation to safeguarding children for the licensed premises:

- Ensure safeguarding children training is provided for all staff.
- Monitor and record whether all staff have received the minimum (initial and refresher) safeguarding children training.
- Ensure all staff have read and know where to find this policy and the Government Guidance: "What To Do If You're Worried A Child is Being Abused".
- Provide advice and support to staff when they have a concern about safeguarding a child.
- Have a system in place to record all concerns raised by staff.
- Be the contact person for the council's Children's Services Department and the Police in relation to all incidents or concerns related to the safeguarding of children on or linked to the premises.
- Ensure all staff are made aware that if the person who they suspect may be harming children is senior to them in the licensed premises staff hierarchy they can contact the council's Children's Services Department and the Police directly.