

Appendix B - Schedule of Responses to review of Statement of Licensing Policy

Reference	Respondent	Comments	Response
001	Chris Renouccie	<p>'I propose the following should be examined:</p> <p>Notice by a DPS to relinquish their responsibilities</p> <p>Should require a minimum of 24 hours notice by DPS to avoid the closure of an outlet e.g. DPS notifies authority they have relinquished their responsibilities at 3pm 7 October – outlet has until 3pm 8 October to appoint DPS.</p> <p>Payment of Licensing Fees</p> <p>These should be online in all instances.</p> <p>Complaints by individuals / neighbours regarding problems from licensed premises</p> <p>The complainant should be identified to the operator of the premises to avoid vexacious</p>	<p>Would require change to primary legislation – not something that can be done locally – no change to policy.</p> <p>Payment methods are not something specific to the Policy and we are introducing credit/debit card payments in the very near future – BACS payments / Cash / Cheque already accepted – no change to policy.</p> <p>Some complainants are vulnerable and can ask to remain anonymous –</p>

		<p>complaints – we have a situation where an individual lodged complaints against a site as they had been excluded for bad behaviour – the authority wasted four visits until the company through its enquiries identified the individual.</p> <p>Complaints from householders / tenants regarding problems from licensed premises</p> <p>When the authority receives a complaint regarding the above it should make the householder/tenant aware that they must declare to a future occupier any complaints they have made. The company has experienced a problem at the Victoria, Horbury, Wakefield where a neighbour constantly complained about noise from the site even when it wasn't open. The complaints ceased when the owner of the house realised it could affect the value of its property.</p> <p>Visits to licensed premises by local authority representatives</p> <p>In Wakefield when these visits take place the individual is accompanied by two police officers – this needs to change as the cost of this outweighs any benefit. The visit should be to check administrative compliance which can be done when the site is closed.</p>	<p>all enforcement agencies working together quickly highlight where a complaint maybe be vexatious / malicious – no change to policy required.</p> <p>As above – no change to policy required.</p> <p>The Licensing Authority and Responsible Authorities in Rotherham all work closely together to avoid duplication and unnecessary burden on business. Problem premises are identified and a joint approach to resolving issues taken. Local authority licensing enforcement</p>
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002	Wickersley Parish Council	We are particularly concerned that applications for changes to licensing conditions do not seem to cross-refer to any similar planning conditions which may be in force. We have dealt with a number of cases recently where a change to a	With regards to Parish Councils as 'interested parties' the guidance issued by Department of Culture Media and Sport does state that a parish council can send in

		<p>licensing or a planning application - for which we have an interest in commenting - has been subsequently granted and yet contradicts the corresponding planning/licensing condition in force. For example, opening/closing times for businesses or changes of use.</p> <p>Further, we feel that the Licensing Committee should be encouraged to take on board the views of the Parish Council during application consultation, rather than just interested individuals - as the Parish Council represent all residents in our area and our view is often formed after discussion with interested residents.</p>	<p>representations to an application on behalf of local residents in relation to an application made under the Licensing Act 2003.</p> <p>With regards to planning conditions/licensing the guidance is quite specific on how the two regimes shall operate, please see extract below:-</p> <p>The statement of licensing policy should indicate that planning, building control and licensing regimes will be properly separated to avoid duplication and inefficiency. Applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned. However, applications for licences may be made before any relevant planning permission has been sought or granted by the planning authority.</p> <p>The planning and licensing regimes involve consideration of different (albeit related) matters. For instance, licensing considers public nuisance whereas planning considers amenity. As such licensing applications should</p>
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