

# Statement of Licensing Policy

## 2020 - 2025

### Appendix 1

DRAFT

#### Licensing

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## **1. Purpose Statement**

- 1.1 BCP Council is the licensing authority under the Licensing Act 2003 and is responsible for premises licences, club premises certificates, temporary events notices and personal licences in its administrative area in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late night refreshment.
- 1.2 This policy is prepared under Section 5 of the Licensing Act 2003 and was approved by BCP Council on XX Month 2020. It will be kept under review and as a minimum will be reviewed no later than 2024.
- 1.3 Unless otherwise stated any references to the council are to the BCP Licensing Authority.
- 1.4 This policy covers the licensable activities as defined by the Licensing Act 2003. These are:
  - The sale of alcohol by retail
  - Supply of alcohol by or on behalf of a club, or to the order of a member of the club
  - The provision of regulated entertainment
  - The provision of late night entertainment
- 1.5 This policy has regard to the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
- 1.6 The council will carry out its functions under the Licensing Act 2003 with a view to promoting the licensing objectives namely:
  - The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance
  - The protection of children from harmEach objective is of equal importance.
- 1.7 This policy is concerned with the regulation of licensable activities on licensed premises, by qualifying clubs and at temporary events. The conditions that the council attaches to the various licences will focus on matters that are relevant to the four licensing objectives and will centre upon the premises that are being used for licensable activities.
- 1.8 With regards to this policy the council adopts the overall approach of encouraging the responsible promotion of licensed activities. In the interests of its residents and visitors, it will not tolerate irresponsible licensed activity.

## **2. Who the policy applies to**

- 2.1 This Statement of Licensing Policy will assist applicants, members of the Licensing Committee, and persons making representations, in the consideration of the relevant issues regarding applications, and ensuring they are dealt with fairly in line with the law.
- 2.2 This Policy also affords members of the Licensing Committee and officers alike, to consider the concerns of the public and other recognised bodies, and to take appropriate measures where the objectives of the Licensing Act 2003 are put in jeopardy after licences have been issued.

### **3. This policy replaces**

- 3.1 This policy replaces the three previous Licensing Act 2003 Statement of Licensing Policies that covered Bournemouth Borough Council, Christchurch Borough Council and The Borough of Poole

### **4. Approval process**

- 4.1 Section 5 of the Licensing 2003 Act requires a Licensing Authority to prepare and publish a statement of its licensing policy every five years. Such a policy must be published before the authority carries out any function in respect of individual applications and notices made under the terms of the Act.
- 4.2 During the five-year period, the policy must be kept under review and the Licensing Authority may make any revisions to it as it considers appropriate, for instance in the light of feedback from the local community on whether the statutory objectives are being met.
- 4.3 Where revisions are made to the section 182 Statutory Guidance by the Secretary of State, it will be for the Licensing Authority to determine whether revisions to its own licensing policy statement are appropriate.
- 4.4 BCP Council as the Licensing Authority has delegated the Licensing Committee to oversee the development and review of its Statement of Licensing Policy. Once finalised the policy is presented to the Full Council for ratification.

### **5. Links to Council Strategies**

- 5.1 This policy supports the BCP Council Core Strategy.
- 5.2 During the preparation of this policy document due consideration has been given to the following Key Council Strategies:
- Corporate Plan
  - Health & Wellbeing Strategy
  - Safeguarding Strategy
  - Communities Engagement Strategy
  - Crime & Disorder Reduction Strategy
  - Equality & Diversity

### **6. Background information**

- 6.1 Bournemouth Christchurch and Poole Council (BCP Council) is located in Dorset on the Jurassic Coast and covers an area of 161km<sup>2</sup> with 15 miles of coastline. It is the 12<sup>th</sup> largest council in England with a population of 395,800 residents. It is predominantly urban with associated suburban areas and 6,200 acres of open spaces parks and gardens.
- 6.2 It has long established road and rail links to London, the Midlands and the South West and benefits from an international airport. It has two Universities, an innovative and business focused college and business strengths in the creative, digital, finance, aerospace, marine and environmental technology sectors.

- 6.3 It is one of the countries main holiday destinations and benefits from 15 miles of coastline with world recognised blue flag beaches. It is renowned for its water sports, music and arts festivals and its annual air festival which attracts over a million people a year to the event.
- 6.4 The area offers a vibrant mix of entertainment facilities for residents and visitors alike with two established theatres, restaurants, cinemas, concert venues, museums and historic sites. The entertainment economy is well served with a wide variety of restaurants, pubs, bars and clubs.
- 6.5 Further information and statistics relating to BCP Council can be found via the following link: <https://www.bcpCouncil.gov.uk/Council-and-Democratic/Consultation-And-Research/Local-Data/Local-Data.aspx>

## 7. Policy consultation

- 7.1 Section 5 of the Licensing Act 2003 (<http://www.legislation.gov.uk/ukpga/2003/17/contents>) requires a Licensing Authority to prepare and publish a statement of its licensing policy every five years. Such a policy must be published before the authority carries out any function in respect of individual applications and notices made under the terms of the 2003 Act. A glossary of terms used within this document and within the Act and guidance can be found in Appendix A.
- 7.2 During the five-year period, the policy must be kept under review and the Licensing Authority may make any revisions to it as it considers appropriate, for instance in the light of feedback from the local community on whether the statutory objectives are being met. If the Licensing Authority determines and publishes its policy in this way, a new five year period commences on the date it is published. Where revisions are made to the Section 182 Statutory Guidance by the Secretary of State, it will be for the Licensing Authority to determine whether revisions to its own licensing policy statement are appropriate.
- 7.3 This policy will commence on **XXXX 2020** and remain in force for five years but will be kept under review subject to further consultation as referred to above.
- 7.4 Before determining its policy, the Licensing Authority consulted with the persons listed in section 5(3) of the 2003 Act. These are:
- The chief officer of police for the area;
  - The fire and rescue authority for the area;
  - Each local authority's Director of Public Health in England (DPH) or Local Health Board in Wales for an area any part of which is in the Licensing Authority's area;
  - 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; and
  - Persons/bodies representative of businesses and residents in its area.
- 7.5 The views of all these persons or bodies were given appropriate weight when the policy was determined. It is recognised that in some areas, it may be difficult to identify persons or bodies that represent all parts of industry affected by the provisions of the 2003 Act, but licensing authorities must make reasonable efforts to do so. The Licensing Authority notes that the terms of the 2003 Act do not prevent them consulting other bodies or persons.
- 7.6 Subject to the statutory requirements, it is for each Licensing Authority to determine the extent of the consultation it should undertake, and whether any particular person or body is representative of the groups described in the 2003 Act. A full list of consultees can be found in Appendix B.

- 7.7 Fees are set by regulation and are intended to provide full cost recovery of all licensing functions including the preparation and publication of a statement of licensing policy, but this will be based on the statutory requirements. Where a licensing authority exceeds these requirements, they will have to absorb those costs themselves.

Further advice can be obtained from:

**The Licensing Manager**

**Licensing Team**

**BCP Council**

**Town Hall**

**Bourne Ave,**

**Bournemouth BH2 6EB**

**Tel: 01202 451451**

**Email: [Licensing@bcpcouncil.gov.uk](mailto:Licensing@bcpcouncil.gov.uk)**

## **8. Fundamental principles of the policy**

- 8.1 This statement of licensing policy has been prepared in accordance with the provisions of the Licensing Act 2003 and the Statutory Guidance issued under Section 182 of the 2003 Act by the Secretary of State. This policy should be read as a whole and in conjunction with those provisions.
- 8.2 This statement is intended to assist officers and members in determining applications and to set out those factors that will normally be taken into consideration. Equally, it seeks to provide clarity for applicants, residents and other occupiers of property and investors, in order to enable them to plan a move to, remain or invest in the area with some measure of certainty.
- 8.3 This policy sets out a general approach to making licensing decisions; it will not ignore or be inconsistent with provisions of the 2003 Act. For example, a statement of policy must not undermine the right of any person to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its individual merits. Similarly, it will not override the right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act.
- 8.4 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act. Conditions attached to various authorisations will be focused on matters which are within the control of individual licence holders and others with relevant authorisations, i.e. relevant to the premises and its vicinity.
- 8.5 Whether or not incidents can be regarded as being "in the vicinity" of licensed premises is a question of fact and will depend on the particular circumstances of the case. In cases of dispute, the question will ultimately be decided by the courts. In addressing this matter, the Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.
- 8.6 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and

licensing law will always be part of the overall approach to the management of the day time, evening and night-time economy within the conurbation.

- 8.7 Each application will be considered on its own merits and in accordance with this statement of licensing policy. Conditions attached to licences and certificates will be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions will be avoided and the licensing authority acknowledges it may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

## **Licensable activities**

- 8.8 The Licensing Authority is responsible for considering all applications for licensable activities as defined in section 1 of the 2003 Act. Licensable activities are:

- The sale of alcohol by retail;
- The supply of alcohol to club members and their guests;
- The provision of regulated entertainment; and
- The provision of late night refreshment.

- 8.9 Schedule 1 to the 2003 Act sets out what activities are regarded as the provision of regulated entertainment and when they are licensable together with those activities which are not and therefore exempt from the regulated entertainment regime. More details regarding the types of exemption can be found in Chapter 16 of the Section 182 Statutory Guidance by the Secretary of State

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/705588/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_April\\_2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018.pdf).

The descriptions of entertainment activities licensable under the 2003 Act are:

- A performance of a play;
- An exhibition of a film;
- An indoor sporting event;
- A boxing or wrestling entertainment;
- A performance of live music;
- Any playing of recorded music;
- A performance of dance; and
- Entertainment of a similar description to a performance of live music, any playing of recorded music or a performance of dance.

## **Duplication**

- 8.10 The Licensing Authority will actively seek to avoid attaching conditions that duplicate other regulatory regimes as far as possible.
- 8.11 However, these provisions will not always adequately address specific issues that arise on the premises in connection with certain types of licensable activities. Therefore, it may be necessary for the Licensing Authority to consider the imposition of conditions, if not volunteered by the applicant in their operating schedule and following relevant representations, if they are considered appropriate for the promotion of the licensing objectives and are not already provided for in any other legislation

## **Licence conditions**



- 8.12 Conditions on a premises licence or club premises certificates are important in setting the parameters within which premises can lawfully operate. The use of wording such as "must", "shall" and "will" is considered necessary to emphasise their importance.
- 8.13 Licence conditions:
- Must be appropriate for the promotion of the licensing objectives;
  - Must be precise and enforceable;
  - Must be unambiguous and clear in what they intend to achieve;
  - Should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
  - Must be tailored to the individual type, location and characteristics of the premises and events concerned;
  - Should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
  - Should not replicate offences set out in the 2003 Act or other legislation;
  - Should be proportionate, justifiable and be capable of being met;
  - Cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
  - Should be written in a prescriptive format.
- 8.14 Where responsible authorities and other persons do not raise any representations about the application made to the Licensing Authority, it is the statutory duty of the Authority to grant a licence or certificate subject only to conditions that are consistent with the operating schedule and any mandatory conditions prescribed in the 2003 Act.
- 8.15 It is possible that in certain cases, where there are other legislative provisions which are relevant and must be observed by the applicant, no additional conditions at all are needed or considered appropriate to promote the licensing objectives.
- 8.16 The Licensing Authority wishes to work in partnership with all parties to ensure that the licensing objectives are promoted collectively. To support this aim and to minimise disputes and the necessity for hearings, the Licensing Authority considers it sensible for applicants to seek the views of responsible authorities before formally submitting applications, but it acknowledges that there is no legal requirement to do this.

### **Mandatory conditions**

- 8.17 The 2003 Act provides for certain mandatory conditions to be applied to premises licences or club premises certificates. The full list of mandatory conditions that apply at the publication date of this statement of licensing policy can be found at:
- <https://www.legislation.gov.uk/ukdsi/2014/9780111116906>  
<https://www.gov.uk/government/publications/guidance-on-mandatory-licensing-conditions>
- 8.18 The Licensing Authority expects that applicants, licence and certificate holders will familiarise themselves and ensure all staff are familiar with the mandatory conditions and any additional conditions such as those associated with the operating schedule or that may be attached by committee.

## **Enforcement**

- 8.19 The Licensing Authority has established a Memorandum of Understanding (MOU) with Dorset Police and other enforcing authorities. This agreement assists officers to prioritise efforts to tackle 'problem' and 'high-risk' premises and forms the basis of an intelligence led approach. Premises which are shown to be well maintained and managed a 'lighter' approach will be applied.
- 8.20 All inspections and enforcement procedures are carried out in accordance with the MOU to ensure that it is effective, well targeted and contributes to economic progress. The Council uses a graduated approach to enforcement in order to achieve compliance.
- 8.21 The Licensing Authority will process personal information in accordance with the Data Protection Act 2018. The personal details provided by applicants will be held on a database and where the law allows, may be shared with other departments within the Council to update details they hold. The Licensing Authority may also be required to disclose personal information to third parties (such as the Police, Department for Work and Pensions, Immigration Enforcement, or the National Fraud Initiative) for the purposes of preventing or detecting crime or apprehending or prosecuting offenders.
- 8.22 When judged necessary to do so, authorised officers of the Licensing Authority and responsible authorities will undertake unannounced inspections or test purchase visits to licensed premises in order to ensure compliance with the provisions of the 2003 Act and any other associated legislation.
- 8.23 The Licensing Authority will receive, from time to time, reports from its officers on any formal enforcement proceedings instigated against licence holders in relation to offences under the 2003 Act.

## **Entertainment provisions**

- 8.24 The Licensing Authority is committed to facilitating a broad range of entertainment provision within Bournemouth, Christchurch and Poole for the enjoyment by a wide cross-section of the public.
- 8.25 The Licensing Authority in wishing to offer such facilities recognises that a balance needs to be struck between promoting the provision of entertainment and addressing concerns relevant to the licensing objectives. The Licensing Authority is conscious of the risk that a licensing policy may inadvertently deter live music by imposing indirect costs of a disproportionate nature and will therefore only seek to impose conditions, when representations are received, that will be proportionate, justifiable, capable of being met and appropriate for the promotion of the four licensing objectives.

## **Need for licence premises**

- 8.26 The Licensing Authority recognises that there can be confusion about the difference between the "need" for premises and the "cumulative impact" of premises on the licensing objectives, for example, on crime and disorder. "Need" concerns the commercial demand for other premises and is a matter for the planning authority and for the market. This is not a matter for the Licensing Authority in discharging its licensing functions or for its statement of licensing policy.



## **9. The Cumulative Impact of a concentration of licensed premises**

- 9.1 This Statement of Policy must take into account any Cumulative Impact Assessment (CIA) published under section 5A of the 2003 Act. The aim of a CIA is to limit the growth of licensed premises where the promotion of the licensing objectives is being compromised.
- 9.2 The cumulative impact of premises on the promotion of the licensing objectives of a concentration of licensed premises by number, type or density in an area is therefore a matter that the council will consider. Where there is good evidence that crime and disorder or public nuisance are happening and are caused by customers of licensed premises located in such an area, consideration will be given to adopting a special policy to help address such issues.
- 9.3 Where the Licensing Authority receives a geographic cluster of complaints, the authority will consider whether these issues are the result of the cumulative impact of licensed premises within the area concerned. In such circumstances, the Licensing Authority will also consider whether it would be appropriate to include a special policy relating to cumulative impact within its licensing policy statement.
- 9.4 Such a special policy will be implemented if the authority is satisfied that there is enough evidence to support such a decision, and that it is proportionate and the most effective measure to address the problems identified. It is intended to instigate the necessary evidence gathering exercises in early 2020 to determine if such a special policy is required and the areas it would cover.
- 9.5 Types of evidence the licensing authority will take into consideration when considering whether to implement such a special policy include:
- Local crime and disorder statistics, including statistics on specific types of crime and crime hotspots
  - Statistics on local antisocial behaviour offences
  - Health-related statistics such as alcohol-related emergency attendances and admissions
  - Environmental health complaints, particularly in relation to litter and noise complaints recorded by the local authority, which may include complaints by residents or residents' associations
  - Residents' questionnaires
  - Evidence from local councillors
  - Evidence obtained through local consultation
- 9.6 The licensing authority will consider:
- The number, type and density of licensed premises and the hours and activities they are licensed for Trends in licence applications, particularly trends in applications by types of premises and terminal hours
  - Changes in the terminal hours of premises
  - Premises' capacities at various times of night and the expected concentrations of drinkers who will be expected to be leaving premises at different times
  - Residential density
  - The number of consumers attracted to the area and the availability of public transport

## 10. Other Mechanisms for Controlling the Impact of Licensed Premises

- 10.1 Once away from the licensed premises, a minority of customers will behave badly and unlawfully. Other mechanisms exist both within and outside the licensing regime that are available for addressing such issues. For example:
- Planning control;
  - Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority, including Best Bar None, Pubwatch or BID's;
  - Community Alcohol Partnership Scheme (CAP)
  - Community Protection Notices;
  - The provision of CCTV surveillance in town centres, taxi ranks, street cleaning and litter patrols;
  - Powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
  - A Public Spaces Protection Order
  - The confiscation of alcohol from adults and children in designated areas;
  - Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
  - A prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale);
  - Closure Notices and Closure Orders
  - The power of the police, other responsible authorities or other persons to seek a review of a licence or certificate;
  - Raising a contribution to policing the late night economy through the Late Night Levy;
  - Early Morning Alcohol Restriction Orders.
- 10.2 The Licensing Authority recognises the importance of initiatives to aid public safety such as the Safe Bus Bournemouth which has been running since July 2005 and was set up to provide a one stop shop in the town centre to support vulnerable people and deflect any minor injuries away from the ambulance service, unnecessary attendances at the A&E department and subsequent admissions. The Licensing Authority also uses the street angles schemes, BID's and Public Spaces Protection Orders (PSPO) as well as other alcohol related Anti-Social Behaviour initiatives.
- 10.3 The Licensing Authority has not considered the use of alternative measures such as fixed closing times, staggered closing times or zoning within its area. Should the Licensing Authority intend to use such measures in order to orchestrate closing times so as to manage problems in the night-time economy based upon the promotion of the licensing objectives, then a review of this aspect of the policy will be undertaken and will justify its reasons for doing so within its statement of licensing policy.
- 10.4 The Licensing Authority recognises that, as with the creation of a special policy, the use of such mechanisms would create a rebuttable presumption and would apply in the event of representations being received.

### Best Bar None & Pub watch

- 10.5 The Licensing Authority will support organisations such as Best Bar None, Pub watch which contribute towards providing safer environments for the patrons of premises operating in the evening and night time economy. There are a number of groups covering areas and districts throughout the Bournemouth, Christchurch and Poole that seek to improve the network of real time information that allows them to take proactive action to minimise the

effects on crime and disorder and anti-social behaviour. The Licensing Authority expects licensees to support and be active members of trade led best practice schemes.

## **Preventing Glass Injuries**

- 10.6 Glass-related injuries, whether accidental or due to violent crime, can lead to major injury and be life changing. Customers prefer glasses and bottles and using alternatives for glass can place extra financial burdens on businesses. However glasses and bottles can be used as weapons in the drinking environment and by removing glass from premises, injuries may fall.
- 10.7 Removing glass from premises will be targeted to those that are considered to carry a higher risk for potential crime and disorder or the nature of the activity increases the risk of glass becoming a risk.
- 10.8 The Licensing Authority will expect licensees to consider the need for alternatives to glass as part of their application and to have early discussions with Dorset Police on suitable alternatives.
- It may be appropriate to provide alternatives to glass in the following circumstances:
  - Where the nature of the event or activity prevents the frequent collection of glass from the venue,
  - High volume vertical drinking establishments trading beyond midnight, particularly in any cumulative impact area,
  - Large outdoor events,
  - Areas where children or vulnerable adults are likely to be present, e.g. play areas, children's parties,
  - Where there is a history of glass incidents
- 10.9 Where alternatives to glass bottles are considered they must form part of the operating schedule or supporting information. Licensees will also be expected to maintain an on-going review of the need for alternatives to glass.

## **Alcohol deliveries**

- 10.10 Premises such as takeaways should make clear on their application if they intend to sell alcohol via a delivery service. Test purchases of alcohol deliveries to an under 18 carried out by the council noted a number of failures to ensure alcohol was not handed directly to those under 18 or if an adult was present on the premises.
- 10.11 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 the procedures they intend to operate to ensure that:
- The person they are selling alcohol to is over the age of 18
  - That alcohol is only delivered to a person over the age of 18
  - That a clear document trail of the order process from order, despatch from the licensed premises and delivery to the customer is maintained (with times and signatures) and available for inspection by an authorised officer
  - The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol.

## **Licensing hours**

- 10.12 With regard to licensing hours the Licensing Authority recognises that the Government acknowledges that different approaches may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the Licensing Authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement.
- 10.13 The Licensing Authority recognises that licensed premises make an important contribution to our local community, and that it has a wide range of tools available to effectively manage the different pressures that licensed premises can bring. In determining any strategies concerning licensing opening hours, the Licensing Authority will not seek to restrict the activities of licensed premises where it is not appropriate for the promotion of the licensing objectives.

## **11. Integration of strategies**

- 11.1 The Licensing Authority will endeavor to promote proper integration of its Statement of Licensing Policy with local crime prevention, planning, transport, tourism, equality schemes and cultural strategies together with any other plans introduced for the management of town centres' and the night-time economy. Whilst many of these strategies are not directly related to the promotion of the four licensing objectives, they indirectly impact upon them. The Licensing Authority recognises the importance of co-ordination and integration of such policies, strategies and initiatives.
- 11.2 Licensing Authority notes that the statement of licensing policy must have regard to an expectation of preventing crime and disorder pursuant to section 17 of the Crime and Disorder Act 1998.
- 11.3 The Licensing Authority also recognises the connection between excessive alcohol consumption, poor health and cost to the Health Authority. As part of a wider package of initiatives, the Council is aiming to deal with the negative effects of alcohol consumption through its Alcohol Strategy.

## **Planning and Building Control**

- 11.5 Planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. Granting of licenses will not relieve applicants of the need to apply for planning permission or building control consent and there is an expectation that these issues will have been explored before licensing applications are submitted. Applicants are recommended to obtain correct planning consents prior to applying for a licence to avoid potentially inoperative licenses.
- 11.6 Matters for consideration in licensing applications will not duplicate matters considered as part of any planning application. Licensing decisions will take into account any relevant planning decisions either by the Planning Committee or following appeals against decisions taken by that committee and as such licensing applications shall not be a re-run of the planning application and will not cut across decisions taken by the Planning Committee or following appeals against decisions taken by that committee.
- 11.7 The Licensing Sub-Committee is not bound by decisions made by the Planning Committee, and vice versa, but, as set out in Chapter 9 of the Statutory Guidance, will consider discussions with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.

- 11.8 The granting by the licensing sub-committee of any variation of a licence which involves a material alteration to a building will not relieve the applicant of the need to apply for planning permission or building control where appropriate.
- 11.9 In circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes and where those hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission will be liable to prosecution under planning law.
- 11.10 The Planning Authority may also make representations as a responsible authority as long as they relate to the licensing objectives. The Licensing Authority recognises that nuisance and crime and disorder are matters that share common ground within the planning and licensing regimes. Concerns relating to the character and function of an area and aspects of amenity that do not constitute a public nuisance are outside the scope of the licensing regime and will be dealt with separately by the Planning Authority. The Licensing Authority therefore recognises that a combination of licensing and planning powers together with effective management of the street environment is required to overcome these problems.

### **Promotion of Equality**

- 11.11 The Licensing Authority recognises that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 11.12 The Council is required to publish information at least annually to demonstrate its compliance with the Equality Duty. These details are published on the Council's website. Further guidance is available from Government Equalities Office and the Equality and Human Rights Commission <https://www.gov.uk/government/organisations/government-equalities-office>; <https://www.equalityhumanrights.com/en>

## **12. The Licence Process and Applications**

- 12.1 Applications must be made to the council in the form prescribed by Regulations. Guidance is available to applicants setting out the detail of the process on the BCP Council website.
- 12.2 The Licensing Committee expects applicants to have regard to this statement of licensing policy when completing their operating schedule. Applicants are expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives that they understand:
- The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
  - Any risk posed to the local area by the applicants' proposed licensable activities; and
  - Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.
- 12.3 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate:
- An understanding of how the policy impacts on their application;

- Any measures they will take to mitigate the impact; and
  - Why they consider the application should be an exception to the policy.
- 12.4 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.
- 12.5 The majority of information which applicants will require will be available within this statement of licensing policy. However, other publicly available sources which may be of use to applicants include:
- The Home Office Police Crime Mapping website;
  - The Dorset Police websites;
  - Websites or publications by local responsible authorities;
  - Websites or publications by local voluntary schemes and initiatives;
  - Online mapping tools; and
  - Any information made publicly available by Public Health Dorset to identify key facts in relation to alcohol related harm.
- 12.6 While 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 Licensing Committee encourages co-operation 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.
- 12.7 Applicants are expected to provide the Licensing Authority with sufficient information in the operating schedule of their application form to clearly demonstrate the extent to which their proposed conditions and actions, are appropriate to promote the licensing objectives. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.
- 12.8 In some circumstances, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.
- 12.9 The Licensing Authority would wish to see all parties working together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule of their application, will very often translate directly into conditions that will be attached to licenses or certificates with the minimum of fuss. At the end of the consultation period of the application if no representations have been received or if agreement has been reached by all parties the licence will be deemed granted as applied for and all proposed and agreed conditions will be attached to the licence.
- 12.10 In cases where applicants and anyone making a representation or objection against the application cannot reach agreement the matter will be referred to the Licensing Committee or Sub Committee for consideration.



## 13. The Licensing Objectives

### Prevention of Crime and Disorder

- 13.1 The Licensing Committee will look to the Dorset Police as the main source of advice on crime and disorder.
- 13.2 Conditions, if imposed, will be targeted on deterrence and preventing crime and disorder. For example, where there is a good reason to suppose that disorder may take place, the presence of CCTV cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may choose to use CCTV for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach to the overall promotion of the prevention of crime and disorder objective. The Licensing Committee would wish to ensure that the precise locations of cameras are identified on plans to ensure that certain areas are properly covered and to avoid any uncertainty/dispute as to the terms of any condition imposed.
- 13.3 The inclusion of radio links and ring-round systems should be considered by applicants for public houses, bars and nightclubs operating in the town centre's and other leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the Police and each other which can facilitate a rapid response to any disorder which may be endangering the customers and staff at premises.

### Public Safety

- 13.4 Licence holders have a responsibility to ensure the safety of those persons using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning.
- 13.5 Conditions relating to public safety may also promote the crime and disorder objective as noted above.
- 13.6 Applicants should give consideration to a number of matters in relation to public safety which may include:
- Fire safety;
  - Ensuring appropriate access for emergency services such as ambulances;
  - Good communication with local authorities and emergency services, for example communications networks with the Dorset Police and signing up for local incident alerts;
  - Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
  - Ensuring the safety of people when leaving the premises (for example, through the provision of information on late night transportation);
  - Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
  - Ensuring appropriate limits on the maximum capacity of the premises; and
  - Consider the use of CCTV in and around the premises (which may also assist with promoting the crime and disorder objective).

- 13.7 It is recognised that measures that are appropriate to promote public safety will vary between premises and the examples listed above may not be applicable in all cases. Applicants should give due consideration when making their application which steps are appropriate to promote the public safety objective and demonstrate how they intend to achieve that.
- 13.8 Applicants should make provision to ensure that premises users safely leave their premises. Measures that may assist include:
- Providing information on the premises of local taxi companies who can provide safe transportation home; and
  - Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.
- 13.9 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment.

### **Prevention of Public Nuisance**

- 13.10 The Licensing Authority and responsible authorities will focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern nuisance from noise, light, odour and litter.
- 13.11 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated design measures to mitigate sound escape from the premises may be appropriate where individual circumstances dictate. Any conditions appropriate to promote the prevention of public nuisance will be tailored to the type, nature and characteristics of the specific premises and its licensable activities.
- 13.12 Where applications have given rise to representations, any appropriate conditions shall normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a licensing requirement for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 13.13 Measures to control light nuisance will also be given careful consideration. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light nuisance for some neighbours. Applicants, the Licensing Authority and responsible authorities will need to balance these issues.
- 13.14 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour are accountable for their own actions. However, it is considered perfectly reasonable for the Licensing Committee to impose a condition, that require the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

## Protection of Children from Harm

- 13.15 The 2003 Act sets out a number of offences designed to protect children in licensed premises and the Licensing Authority will work closely with the police and other relevant agencies to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children.
- 13.16 It is an offence under the 2003 Act to:
- Permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a TEN; and
  - To permit the presence of children under 16 who are not accompanied by an adult between midnight and 5 am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate or TEN.
- 13.17 Outside of these hours, the offence does not prevent the admission of unaccompanied children under 16 to the wide variety of premises where the consumption of alcohol is not the exclusive or primary activity. This does not mean that children should automatically be admitted to such premises.
- 13.18 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films, music and music videos or adult entertainment). The Licensing Committee will also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 13.19 The Licensing Committee will give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers.
- 13.20 Where a responsible authority, or other person, presents evidence to the Licensing Committee linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the Licensing Committee will also consider taking appropriate action.
- 13.21 In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, the Licensing Committee will consider imposing conditions ensure that this objective is promoted effectively.
- 13.22 The Licensing Authority notes the Home Office guidance to Health Authorities to enable them to carry out their role as a responsible authority and the non-statutory guidance can be found at the link below:  
<https://www.gov.uk/government/publications/additional-guidance-for-health-bodies-on-exercising-functions> .

- 13.23 The Licensing Authority will expect an applicant to be precise and clear about the measures proposed to be taken in relation to the protection of children from harm. Consideration should be given to the following matters:
- Applicants shall ensure all frontline staff undertakes training with regard to age restricted sales and the Licensing Act 2003 and that this has been properly documented. It is also expected that licence holders will ensure that all frontline staff receive refresher training every six months or where there is an identified need to do so;
  - It is recommended that no member of staff should be permitted to sell alcohol until such time as they have successfully completed this training;
  - It is further recommended that training should cover the topics below as a minimum:
  - Sale of alcohol to persons under 18 (penalties);
  - Age verification policies and acceptable forms of identification;
  - Signs of drunkenness and intoxication;
  - Recording refusals;
  - The Licensing Objectives.
  - Applicants and premises licence holders will be expected to take reasonable steps to prevent underage drinking and proxy sales of alcohol to children, both within the licensed premises itself and in the vicinity.
- 13.24 In the case of premises giving film exhibitions, the Licensing Authority expects licence holders or clubs to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification ("BBFC") or the Licensing Authority itself.
- 13.25 The 2003 Act provides that it is mandatory for a condition to be included in all premises licenses and club premises certificates authorising the exhibition of films for the admission of children to the exhibition of any film to be restricted in accordance with the recommendations given to films either by a body designated under section 4 of the Video Recordings Act 1984. The BBFC is the only body which has been so designated or by the Licensing Authority itself.

## 14. Public Health

- 14.1 Whilst public health is not a licensing objective, health bodies are deemed to be responsible authorities under the 2003 Act. They may now make representations in respect of applications and call for the review of a premises licence or club premises certificate where they have appropriate evidence to do so and can demonstrate how an applicant's proposals at the specific premises will undermine one or more of the licensing objectives.
- 14.2 The Licensing Authority recognises that the health and wellbeing of communities can be adversely affected by drinking excess alcohol. National evidence shows that whilst there is little difference in alcohol consumption between people living in more or less deprived areas, people living in the most deprived areas has an almost two-fold greater risk of an alcohol-related death than people living in the least deprived areas (see <https://bmcpublichealth.biomedcentral.com> ).
- 14.3 Public Health Dorset works closely with the other responsible authorities and plays an active part in contributing to the licensing policy and assisting applicants promote the licensing objectives. Health bodies may hold information which other responsible authorities do not, but which would assist the Licensing Authority in exercising its functions. This information may be used by the health body to make representations in its own right or to support representations.

- 14.4 There is also potential for health bodies to participate in the licensing process in relation to the protection of children from harm. This objective not only concerns the physical safety of children, but also their moral and psychological well being.
- 14.5 Evidence relating to under-18 alcohol-related emergency department attendance, hospital admissions and underage sales of alcohol could potentially have implications for both the protection of children from harm and the crime and disorder objectives. Health bodies can provide evidence to lead or support representations in relation to this objective. In relation to proxy purchases, data collected by health bodies could be used to inform other responsible authorities, including the police and the licensing authority, about a prevalence of proxy purchasing in a particular area.
- 14.6 Although less obvious, health bodies may also have a role to play in the prevention of public nuisance where its effect is prejudicial to health and where they hold relevant data.
- 14.7 The Licensing Authority seeks to encourage and support any voluntary initiatives that premises may wish to adopt to help reduce alcohol harm within our communities. Such initiatives may include:
- Avoiding the sale of beers, lagers and ciders over 6.5% ABV which are sold in plastic bottles or metallic cans, (Note: this does not include premium, craft or specialist products as these are not a target for problem drinkers);
  - Taking steps to consider the display of alcohol in such a manner that will not unduly encourage people to drink irresponsibly and equally limit the exposure children have to alcohol advertising;
  - Refraining from placing alcohol products amongst, near or next to confectionary that would usually be consumed by children or young people (which would include till point toys or stickers);
  - The use of breathalysers as a means of determining intoxication and supporting door staff decisions not to admit, or serve customers who are already intoxicated;

## 15. Temporary Event Notices

- 15.1 The system of permitted temporary activities is intended as a light touch process, and as such, the carrying on of licensable activities does not have to be authorised by the Licensing Authority on an application. Instead a person wishing to hold an event at which such activities are proposed to be carried on (the “premises user”) gives notice to the Licensing Authority of the event (a “temporary event notice” or TEN).
- 15.2 Temporary event notices are subject to various rules which are set out in the home office guidance using this link [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/118375/tens.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/118375/tens.pdf)
- 15.3 The most important aspect of the system of temporary event notices is that no permission is required for these events from the council. Once notification is received only the Police or Environmental Health (EH) may intervene to prevent such an event or modify the arrangements for such an event. The Licensing Authority will only intervene itself if the limits on the number of notices that may be given in various circumstances would be exceeded.
- 15.4 It is recognised that many applicants submitting a Temporary Event Notice will not have a commercial background or ready access to legal advice. They will include, for example, people acting on behalf of charities, community and voluntary groups, all of which may stage public events to raise funds, and usually the event will include licensable activities.



The Licensing Authority will ensure that applicants are guided and supported through the process.

- 15.5 In exceptional circumstances, the Police or Environmental Health may issue an objection notice because they believe the event would undermine the one or more of the four licensing objectives set out in the 2003 Act.
- 15.6 The Police or Environmental Health must issue an objection notice within three working days of being notified, they can subsequently withdraw the notice if the applicants can provide robust assurances. The issuing of such an objection notice requires the consideration of the objection by the Licensing Committee or Sub Committee. If an objection notice is issued in relation to a late notification (between 9 – 5 working days) before the event the notification is cancelled and licensable activities are not authorised.
- 15.7 The ability of police and Environmental Health to serve such a notice is a further reason why event organisers are strongly encouraged by the Licensing Authority not to rely on giving the minimum amount of notice and to contact the local police and Environmental Health at the earliest possible opportunity about their proposals.

## **16. Outside Events**

- 16.1 The Licensing Authority advises applicants for outside events to plan well in advance and contact a licensing officer to discuss the need for a premises licence or other permission.
- 16.2 Where events may be of large, diverse or contentious in nature, the Licensing Authority advise that the organisers discuss the event with the responsible authorities to consider potential issues relating to the licensing objectives that could result in representations being made. The event may be referred to a Safety Advisory Group which is made up of the responsible authorities, emergency services and other relevant bodies that advise on the safety and local impact of events within BCP Council.
- 16.3 Any advice given by the Safety Advisory Group will not preclude responsible authorities and interested parties from making representations relating to the event.
- 6.4 The Licensing Authority advises any applicant for an outside event to be aware of and take note of the Purple Guide and Managing Crowds Safely (HSG 154) to ensure the safety of the public attending the event.

## **17. The Review Process**

- 17.1 The proceedings set out in the 2003 Act for reviewing premises licenses and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.
- 17.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the Licensing Committee to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.
- 17.3 An application for review may be made electronically as long as it is on the required form.



- 17.4 In addition, the Licensing Authority must review a licence if the premises to which it relates was made the subject of a closure order by the Police based on nuisance or disorder and the Magistrates' Court has sent the Authority the relevant notice of its determination, or if the Police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.
- 17.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the Licensing Authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons. However, it is not expected that Licensing Authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review of a licence in their own right if they have grounds to do so. It is also reasonable for the Licensing Authority to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the Police should take appropriate steps where the basis for the review is concern about crime and disorder or the sexual exploitation of children. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the local authority exercising environmental health functions for the area in which the premises are situated to make the application for review.
- 17.7 Where the Licensing Authority does act as a responsible authority and applies for a review, it is important that a separation of responsibilities is still achieved in this process to ensure procedural fairness and eliminate conflicts of interest. Further information on how the Licensing Authority should achieve this separation of responsibilities can be found in Chapter 9 of the Statutory Guidance (<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>).
- 17.8 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders' early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review.
- 17.9 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the Licensing Authority must first consider whether the complaint being made is relevant, frivolous, vexatious or repetitious. Further guidance on determining whether a representation is frivolous or vexatious can be found in Chapter 11 of the Statutory Guidance (<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>).
- 17.10 When the Licensing Authority receives an application for a review it must arrange a hearing. The arrangements for the hearing must follow the provisions set out in regulations. These regulations are published on the Government's legislation website [www.legislation.gov.uk](http://www.legislation.gov.uk). It is particularly important that the premises licence holder is made fully aware of any representations made in respect of the premises, any evidence supporting the representations and that the holder or the holder's legal representative has therefore been able to prepare a response.

## **Powers of the Licensing Authority on the Determination of a Review**

17.11 Where the Licensing Committee considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours or opening or by requiring door supervisors at particular times;
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

17.12 In deciding which of these powers to invoke, the Licensing Committee will seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken will generally be directed at these causes and will always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

## **18. Responsible Retailing for Off-Sales**

18.1 The Licensing Authority is concerned that the irresponsible consumption of alcohol from off-sales is a significant problem in some council areas and adversely affects the licensing objectives as it gives rise to problems of drunkenness, disorderly behaviour and a higher risk of alcohol sales to children.

18.2 The Licensing Authority therefore wishes to minimise the negative impact on the licensing objectives created by this irresponsible consumption of alcohol from retail alcohol sales. Some parts of Bournemouth, Christchurch and Poole have Public Spaces Protection Orders (PSPOs) in place to help address problems of drinking alcohol in public areas. Drinking in public spaces can be a major source of anti-social behaviour, often involving young persons, and it can lead to crime or the fear of crime.

18.3 When considering an application or review where evidence indicates problems relating to problem drinking from off-sales the Licensing Committee will consider the design and layout of premises wishing off-sales. In such areas all new applications must:

- Specify the area to be used for the sale or exposure for sale of alcohol.
- Displays should conform to the guidance issued by the British Retail Consortium or any other future guidance issued by trade bodies, Government departments or locally adopted standards to provide a 'responsible display' of alcohol.
- Applicants should note that a display will not be considered suitable:
  - At entrance/exit points of premises
  - Where it might interfere with customer flow
  - Near check outs, entrances or exits where shop lifting may become easier
- By using advertising that does not conform to the Portman Group Code or promote irresponsible drinking
- Consisting of significant amounts of high strength alcohol or give undue prominence to high strength alcohol

18.6 In cases where representations are made against applications for off sales of alcohol for premises that are :

- Near to alcohol addiction recovery activities or buildings
- In areas where drinking in public spaces affects any of the licensing objectives

The Licensing Authority may not support such applications and may refuse dependant on the evidence presented to support the representations.

## **19. Late Night Levy**

- 19.1 The Licensing Authority acknowledges that the Police Reform and Social Responsibility Act 2011 enables a Licensing Authority to charge a levy on persons who are licensed to sell alcohol late at night in the conurbation (between midnight and 06:00 hours), as a means of raising a contribution towards the costs of policing the late-night economy. BCP Council has not introduces such a levy but the option of introducing such a levy will be kept under review by the Licensing Committee.

## **20. Early Morning Restriction Orders (EMROs)**

- 20.1 In addition to the provisions contained within the Police Reform and Social Responsibility Act 2011 for the Late Night Levy, there is an additional power for the Licensing Authority to restrict sales of alcohol in the whole or part of their areas for any specified period between midnight and 06:00 hours if it considers it appropriate for the promotion of the licensing objectives. Again, the option of introducing an EMRO will be kept under review by the Licensing Committee.

## **21. Personal Licenses**

- 21.1 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a Personal Licence. The Act does not require the presence of a Personal Licence holder at all times but if any sales are made when a Personal Licence Holder is not present, then they must have been authorised by somebody who holds a Personal Licence. Regardless of whether a Personal Licence holder is present or not he will not be able to escape responsibility for the actions of those he authorises to make such sales.
- 21.2 The Licensing Authority recommends that authorisations for the sale of alcohol be made in writing to ensure that those authorised are clear what their legal responsibilities are. Any premises at which alcohol is sold or supplied may employ one or more Personal Licence holders.
- 21.3 The council recognises it has no discretion regarding the granting of personal licences where:
- the applicant is 18 or over,
  - possesses a licensing qualification,
  - has not had a licence forfeited in the last five years and
  - has not been convicted of a relevant offence.
- 21.4 An application for a personal licence to sell alcohol must be made in the form specified in government guidance or regulations. The application form must be accompanied by the requisite fee. The applicant should also produce evidence of the relevant qualifications and their right to work in the UK.
- 21.5 Applicants should produce a Criminal Record Bureau certificate along with the application form. The certificate must be current (produced within 1 month of application) and comply with the regulations on personal licence applications. Applicants are also expected to make

a clear statement as to whether or not they have been convicted outside England and Wales of a relevant offence or a similar offence.

- 21.6 Where the application discloses relevant unspent convictions the Licensing Authority will notify the police of that application and the convictions. The police may make objection on the grounds of crime and disorder. If an objection is lodged a hearing must be held. The Licensing Authority will, at such a hearing, consider carefully whether the grant of the licence will compromise the promotion of the crime prevention objective. It will consider the seriousness and relevance of the conviction(s), the period that has elapsed since the offence(s) were committed and any mitigating circumstances. The Licensing Authority will normally refuse the application unless there are exceptional and compelling circumstances which justify granting it.

## 22. Suspension of licence

- 22.1 Licensing Authorities are to suspend a Premises Licence, or Club Premises Certificate, if the annual fee is not paid on the renewal date. (this is the anniversary of the date the licence or certificate was first issued)
- 22.2 However, this does not apply immediately in cases where it can be shown that payment was not made because of an administrative error, or because the holder disputed liability for the fee before, or at the time of the due date. In these cases there is a grace period of 21 days. To allow the Licensing Authority, and the licence or certificate holder, an opportunity to resolve the dispute or error. If the dispute or error is not resolved during this 21- day period, the licence will be suspended.
- 22.3 If the Licensing Authority intends to suspend a licence or certificate, it will notify the holder in writing and specify the date on which the suspension will take effect.
- 22.4 A suspension ceases to have effect on the day on which the Licensing Authority receives payment of the outstanding fee.
- 22.5 For premises where the licence has been suspended all licensable activity should cease immediately. Should licensable activities continue on the premises following suspension; then action will be taken against those person or persons responsible.

## 23. How to use this policy

- 23.1 This statement of licensing policy should be used in conjunction with the following documents:
- The Licensing Act 2003 <http://www.legislation.gov.uk/ukpga/2003/17/contents>
  - The revised guidance issued under section 182 of the Licensing Act 2003 <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>
  - The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 <http://www.legislation.gov.uk/uksi/2005/42/contents/made>
  - The Licensing Act 2003 (Hearings) Regulations 2005 <http://www.legislation.gov.uk/uksi/2005/44/contents/made>
  - The Licensing Act 2003 (Fees) Regulations 2005 <http://www.legislation.gov.uk/uksi/2005/79/contents/made>
  - Alcohol Licensing Guidance <https://www.gov.uk/guidance/alcohol-licensing>
  - Live Music Act 2012 <http://www.legislation.gov.uk/ukpga/2012/2/contents/enacted>
  - Entertainment Licensing Reform <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/atta>

## **24. Roles and responsibilities**

24.1 The 2003 Act provides that the functions of the Licensing Authority are to be taken or carried out by its Licensing Committee. Many of the decisions and functions will be purely administrative in nature, and in the interests of speed, efficiency and cost effectiveness, the Licensing Authority shall undertake a process of delegation of its functions.

<https://democracy.bcpccouncil.gov.uk/documents/s12892/Part%203%20-%20Responsibility%20for%20Functions.pdf>

24.2 In accordance with the Licensing Act 2003, BCP Council has established a Licensing Committee consisting of 15 Council members. Where relevant representations are made against an application (and not withdrawn) or review requested, the application shall be determined at either a Licensing Committee or Sub Committee which will constitute three members of the Licensing Committee.

24.3 The list of responsible authorities can be found in Appendix C.

## **25. Enforcement and sanctions**

25.1 This policy is a guidance document for applicants and members to assist the decision process in line with the licensing act 2003. Failure to have reference to this policy could result in an appeal to the magistrate's court and costs being awarded against.

25.2 The enforcement and sanctions open to the Licensing Committee are set out in the Licensing Act 2003 and associated regulation

## **26. Further information and evidence**

26.1 Further information relating to this policy can be found at the following sites:

- <https://www.bcpccouncil.gov.uk/About-BCP-Council/bcp/your-place-bcp-facts.aspx>
- <https://www.bcpccouncil.gov.uk/About-BCP-Council/EIA/Equality-Impact-Assessments.aspx>
- <https://www.bcpccouncil.gov.uk/Council-and-Democratic/Consultation-And-Research/Local-Data/Local-Data.aspx>
- <https://democracy.bcpccouncil.gov.uk/ieListMeetings.aspx?Committeeld=288>

**Appendix A – Glossary**

**Appendix B – Consultee list**

**Appendix C – Responsible Authority contact list**

**Appendix D – Equality Impact Assessment – currently being confirmed by the policy team will be ready for final document**

## Glossary

This section explains the key terms used in the policy statement. These terms are all defined in the Licensing Act 2003 and Guidance. This glossary is only intended to clarify the general meaning of each of the terms. This list is not exhaustive nor are the definitions legally comprehensive.

ACPO	Association of Chief Police Officers (see <a href="http://www.acpo.police.uk">www.acpo.police.uk</a> )
Applicant	A person making an application for a Premises Licence or Club Premises Certificate.
Application to vary a Premises Licence	Where a Premises Licence holder wishes to amend the licence the Act allows, in most cases, for an application to vary to be made rather than requiring an application for a new Premises Licence.
ASB	Antisocial behaviour.
BBFC British Board of Film Classification	the national body responsible for the classification of cinema films and videos.
BBPA British Beer and Pub Association	(see <a href="http://www.beerandpub.com">www.beerandpub.com</a> )
Community Alcohol Partnership Scheme (CAP)	CAP is the national co-ordinating organisation for the establishment of local Community Alcohol Partnerships.
CCTV	Closed Circuit Television.
Club Premises Certificate	Club Premises Certificates are authorisations needed by clubs to carry on certain activities (eg. selling alcohol to members and their guests). They may be granted to clubs that meet the special requirements set out in Part 4 of the 2003 Act (regarding membership, that the club is established and conducted in good faith and special conditions where the club supplies alcohol to its members). The application process is similar to that for a Premises Licence; for example, there are similar provisions about advertising applications and making representations. However, a key difference is that, unlike a Premises Licence, there is no requirement to identify a designated premises supervisor to allow the supply of alcohol under a Club Premises Certificate.
Conditions	Conditions include any limitations or restrictions attached to a licence or certificate and essentially they are the steps or actions the holder of the Premises Licence or the Club Premises Certificate will be required to take or refrain from taking at all times when licensable activities are taking place at the premises in question.
Conditions consistent with the operating schedule	Conditions include any limitations or restrictions attached to a licence or certificate and essentially they are the steps or actions the holder of the Premises Licence or the Club Premises Certificate will be required to take or refrain from taking at all times when licensable activities are taking place at the premises in question.
Councillor	An elected member of the Council.
CSE	Child Sexual Exploitation.



Designated Premises Supervisor	The designated premises supervisor (DPS) is a personal licence holder specified in the Premises Licence. All premises licensed to sell alcohol will have an identified personal licence holder, known as the DPS. The purpose of the DPS is to ensure there is always one specified individual who can be identified as a person in a position of authority on the premises.
DPS	Designated premises supervisor.
Door supervisors	Door supervisors are responsible for the safety and security of customers and staff in venues such as pubs, bars, nightclubs and other licensed premises or at public events.
Guidance	Section 182 of the Licensing Act 2003 provides that the Secretary of State must issue, and from time to time may revise, guidance to licensing authorities on the discharge of their functions under the 2003 Act. The Guidance is provided for licensing authorities carrying out their functions. It also provides information for magistrates hearing appeals against licensing decisions and has been made widely available for the benefit of operators of licensed premises, their legal advisers and the general public. It is a key mechanism for promoting best practice, ensuring consistent application of licensing powers across the country and for promoting fairness, equal treatment and proportionality.
In the vicinity	Whether somebody lives or works 'in the vicinity' of a premises is a matter that will be decided by the relevant licensing authority. The word has no particular technical meaning and in licensing matters should be interpreted as an ordinary English word and in a commonsense fashion. In doing this, licensing authorities might take into account whether the party is likely to be affected by any disorder or disturbance occurring or potentially occurring at those premises.
Irresponsible promotions	An irresponsible promotion is one that encourages the sale or supply of alcohol for consumption on the premises and carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children.
Late-night refreshment	The provision of late-night refreshment means the supply of hot food or hot drink to the public, for consumption on or off the premises, between 11pm and 5am, or the supply of hot food or hot drink to anyone between 11pm and 5am, on or from premises to which the public has access. However, there are a number of exemptions in Schedule 2 of the Licensing Act 2003 (eg. Vending machines in certain circumstances, where the hot food or hot drink is supplied free of charge, or where it is supplied by a registered charity).
Licensable activities	Licensable activities are the sale of alcohol, the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club, the provision of regulated

	entertainment and the provision of late-night refreshment. If you carry on any of these activities, you are likely to need an authorisation (a Premises Licence, a Club Premises Certificate or a temporary event notice).
Licensee	Generally refers to the holder of a Premises Licence but also includes in this policy an applicant for a Premises Licence or applicant for a provisional statement unless otherwise stated.
Licensing Act 2003	The Licensing Act 2003 became law on 24 November 2005. The Licensing Act 2003 introduced a single licence scheme for licensing premises that: <ul style="list-style-type: none"> <li>– Supply alcohol</li> <li>– Provide regulated entertainment</li> <li>– Provide late-night refreshment.</li> </ul>
Licensing authority	This refers to Bournemouth Christchurch and Poole Council as the body responsible for licensing under the Licensing Act 2003.
Licensing objectives	Licensing authorities must carry out their functions with a view to promoting four licensing objectives. These are: <ul style="list-style-type: none"> <li>– The prevention of crime and disorder</li> <li>– Public safety</li> <li>– The prevention of public nuisance</li> <li>– The protection of children from harm.</li> </ul> Licensing authorities must decide applications in connection with Premises Licences and Club Premises Certificates on the basis of the steps it considers appropriate to promote these objectives. Each objective is of equal importance.
Licensing Policy	See Statement of Licensing Policy.
Licensing subcommittee	Full licensing committees delegate a number of their functions to one or more 'licensing subcommittees'. These are made up of three members of the full licensing committee.
Mandatory Conditions	The 2003 Act provides for Mandatory Conditions to be included in every licence and/or Club Premises Certificate. See Mandatory Condition section for conditions.
Minor variation	Small variations that will not impact adversely on the licensing objectives are subject to a simplified 'minor variations' process. Variations to: <ul style="list-style-type: none"> <li>– extend licensing hours for the sale or supply of alcohol for consumption on or off the premises between the hours of 11pm and 7am; or</li> <li>– increase the amount of time on any day during which alcohol may be sold or supplied for consumption on or off the premises are excluded from the minor variations process and must be treated as full variations in all cases.</li> </ul>
Operating schedule	The operating schedule is the part of the application form for a Premises Licence or Club Premises Certificate where the applicant sets out various details about how they propose to operate the premises when carrying on licensable activities. Among other things, it

	must include a description of the proposed licensable activities, proposed opening hours and times for licensable activities, proposed duration of the licence or certificate, and a statement of the steps the applicant proposes to take to promote the licensing objectives (for example, arrangements for door security to prevent crime and disorder). The significance of the operating schedule is that if the application for the Premises Licence or Club Premises Certificate is granted, it will be incorporated into the licence or certificate itself and will set out the permitted activities and the limitations on them.
Personal Licence	Personal Licences authorise an individual to supply alcohol, or authorise the supply of alcohol in accordance with a Premises Licence or a temporary event notice. Not everybody who works in any licensed premises will need to hold a Personal Licence; however, all premises licensed to sell alcohol will have an identified personal licence holder, known as the designated premises. In addition, all supplies of alcohol under a Premises Licence must be made or authorised by a person who holds a Personal Licence.
Public Space Protection Order (PSPO)	Public Spaces Protection Orders (PSPOs), which were brought in under the Antisocial Behaviour, Crime and Policing Act 2014. PSPOs specify an area where activities are taking place that are or may likely be detrimental to the local community's quality of life. PSPOs impose conditions or restrictions on people using that area.
Premises Licence	A Premises Licence authorises the use of premises for 'licensable activities'.
Provisional statement	This 'statement' can be applied for where premises are being or about to be constructed for licensable activities. This will give the owner some reassurance about whether a licence would be granted if the premises were built as set out in the application for the provisional statement. However, a provisional statement is not an authorisation, so the relevant permission must still be obtained in order to carry on licensable activities.
Qualifying clubs	Qualifying clubs are those clubs that meet the special requirements set out in Part 4 of the 2003 Act (regarding membership, that the club is established and conducted in good faith, and special conditions where the club supplies alcohol to its members). These are clubs where members join together for a particular social, sporting or political purpose and then combine to purchase alcohol in bulk for its members (see examples under 'Club Premises Certificate' above). Such clubs carry on activities from premises to which public access is restricted and where alcohol is supplied other than for profit.
Regulated entertainment	Generally speaking, the provision of regulated entertainment means the commercial or public provision

	<p>of entertainment facilities or the commercial or public provision of any of the following sorts of entertainment:</p> <ul style="list-style-type: none"> <li>– The performance of a play</li> <li>– An exhibition of a film</li> <li>– An indoor sporting event</li> <li>– Boxing or wrestling entertainment</li> <li>– A performance of live music</li> <li>– Any playing of recorded music</li> <li>– A performance of dance</li> <li>– Entertainment of a similar description to live music, recorded music or dance.</li> </ul> <p>Schedule 1 of the Licensing Act 2003 contains further specific rules about where the definition of ‘regulated entertainment’ applies. These rules concern the intended audience and whether the regulated entertainment is for profit.</p>
Relevant representation	<p>These are written representations about the likely effect of the grant of an application for or variation to a Premises Licence or Club Premises Certificate, on the promotion of the licensing objectives. Any persons, such as local residents, or businesses and responsible authorities, such as Environmental Health, can make representations. The term ‘relevant’ refers to representations that are considered ‘valid’ by the licensing authority. The representations must be made within 28 days after the day on which the application is given and if made by a person other than a responsible authority must be made seriously (ie. must not be frivolous or vexatious). Representations can also be made in relation to an application for the review of a Premises Licence or Club Premises Certificate.</p>
Representation	<p>Submission made to the licensing authority in respect of an application. Representations can be in support or against an application.</p>
Responsible Authorities	<p>Responsible authorities include public bodies that must be notified of applications and are entitled to make representations to the licensing authority in relation to the application for the grant, variation or review of a Premises Licence or Club Premises Certificate. Any representations must be about the likely effect of granting the application on the promotion of the licensing objectives. Responsible authorities include the following for the area in which the premises are situated:</p> <ul style="list-style-type: none"> <li>– The licensing authority</li> <li>– The chief officer of police</li> <li>– The fire authority</li> <li>– The planning authority</li> <li>– The health authority</li> <li>– The health and safety authority</li> <li>– The environmental health authority</li> <li>– The body recognised as being responsible for protection of children from harm</li> <li>– Inspectors of Weights and Measures (trading standards officers)</li> </ul>

	<p>– And in respect of vessels only:</p> <p>i) The Environment Agency</p> <p>ii) The British Waterways Board</p> <p>iii) The Maritime and Coastguard Agency, and if different from these:</p> <p>iv) The relevant navigation authority/authorities for the place(s) where the vessel is usually moored or berthed or any waters where it is proposed to be navigated at a time when it is used for licensable activities.</p>
Review	Interested parties including local residents can also request a review of a particular Premises Licence when problems occur that are related to the licensing objectives. Following the review, the licensing authority can consider a range of responses such as suspending or revoking the licences, excluding certain licensable activities or changing conditions attached to a licence. However, it can only take these actions where they are appropriate to address the problem and promote one or more of the four licensing objectives.
Risk assessment	The overall process of identifying all the risks to and from an activity and assessing the potential impact of each risk.
Statement of licensing policy	Every licensing authority will publish a 'statement of licensing policy' every five years. This will set out the general approach the licensing authority will take when making licensing decisions.
Temporary event notice (TEN)	This is the notice that organisers of small-scale temporary events must give to make it a 'permitted temporary activity'. This notice must be in a prescribed form. There are certain limitations imposed on this system.
Variation	See Application to vary a Premises Licence.
Late Night Levy	A means of raising a contribution towards the costs of policing the late-night economy.
Memorandum of Understanding (MOU)	An MOU is an agreement between two or more parties. It expresses a convergence of will between the parties, indicating an intended common line of action.
Community Protection Notices (CPN)	A Community Protection Notice (CPN) is aimed to prevent unreasonable behaviour that is having a negative impact on the local community's quality of life.
Safe Bus Bournemouth	Is a bus run by a partnership project to provide a safe place for vulnerable people to go during the late night environment.
Early Morning Alcohol Restriction Order (EMRO)	An additional power for the Licensing Authority to restrict sales of alcohol in the whole or part of their areas for any specified period between midnight and 06:00 hours if it considers it appropriate for the promotion of the licensing objectives.
Safety Advisory Group (SAG)	Safety Advisory Group or SAG is made up of representatives from the local authority such as environmental health, licensing, emergency services such as police and fire departments, other relevant bodies and the event organiser. It is a platform for

	discussing and advising on public safety and concerns at an event.
Purple Guide	Best practice guidance document for outside events.
Off-Sales	Supply of alcohol in a sealed container for consumption off of the premises.
Lower Super Output Areas (LSOA)	LSOA is a geographic area used by the NHS to highlight statistical health data. Also known as Lower Layer Super Output Areas they are a geographic hierarchy designed to improve the reporting of small area statistics in England and Wales.
Decile	Ten equal groups into which a population can be divided according to the distribution of values of a particular variable. Such as "the lowest income decile of the population".



**LICENSING ACT 2003**  
**CONSULTATION OF STATEMENT OF LICENSING POLICY REVIEW 2020**

Age UK Bournemouth	<a href="mailto:info@ageukbournemouth.org.uk">info@ageukbournemouth.org.uk</a>
Age Concern Christchurch	<a href="mailto:contact@ageconcernchristchurch.org.uk">contact@ageconcernchristchurch.org.uk</a>
Aldi Stores Limited	<a href="mailto:trading@swi@aldi.co.uk">trading@swi@aldi.co.uk</a>
APPL Solutions Limited, Managing Director	<a href="mailto:solutions@applicensing.co.uk">solutions@applicensing.co.uk</a>
Arts University Bournemouth	<a href="mailto:hello@aub.ac.uk">hello@aub.ac.uk</a>
Asda	<a href="mailto:service@asdacustomerservices.co.uk">service@asdacustomerservices.co.uk</a>
Association of Convenience Stores	<a href="mailto:acs@acs.org.uk">acs@acs.org.uk</a>
Association of Licensed Multiple Retailers	<a href="mailto:info@almr.org.uk">info@almr.org.uk</a>
Best One	<a href="mailto:enquiries@best-one.co.uk">enquiries@best-one.co.uk</a>
BH Live	<a href="mailto:peter.gunn@bhlive.co.uk">peter.gunn@bhlive.co.uk</a>
BII (British Institute of Innkeeping)	<a href="mailto:qualifications@bii.org">qualifications@bii.org</a>
Bishop of Salisbury	<a href="mailto:bishop.salisbury@salisbury.anglican.org">bishop.salisbury@salisbury.anglican.org</a>
Bishop of Winchester	<a href="mailto:andrew.robinson@winchester.anglican.org">andrew.robinson@winchester.anglican.org</a>
John Gaunt & Partners	<a href="mailto:JWallsgrove@john-gaunt.co.uk">JWallsgrove@john-gaunt.co.uk</a>
Bournecoast Property Agents	<a href="mailto:info@bournecoast.co.uk">info@bournecoast.co.uk</a> ; <a href="mailto:DesSimmons@bournecoast.co.uk">DesSimmons@bournecoast.co.uk</a>
Bournemouth & District Law Society	<a href="mailto:office@bournemouthlaw.com">office@bournemouthlaw.com</a>
Bournemouth and Poole Rough Sleepers Team, Assertive Outreach Worker (Alcohol)	<a href="mailto:info@mungos.org">info@mungos.org</a>
Bournemouth Accommodation and Hotel Association	<a href="mailto:info@bhhotels.co.uk">info@bhhotels.co.uk</a>
Bournemouth Area Hospitality Association	<a href="mailto:bha@bha.org.uk">bha@bha.org.uk</a>
Bournemouth Branch of the Federation of Small Businesses	<a href="mailto:matthew@escapeyachting.com">matthew@escapeyachting.com</a>
Bournemouth Chamber of Trade & Commerce	<a href="mailto:president@bournemouthchamber.org.uk">president@bournemouthchamber.org.uk</a>
Bournemouth Coastal BID	<a href="mailto:info@coastalbid.co.uk">info@coastalbid.co.uk</a>
Bournemouth Community Church	<a href="mailto:office@bournemouthcommunitychurch.com">office@bournemouthcommunitychurch.com</a>
Bournemouth Interpreters Group	<a href="mailto:AMarsh1004@aol.com">AMarsh1004@aol.com</a>
Bournemouth Islamic Centre and Central Mosque	<a href="mailto:info@salaam.co.uk">info@salaam.co.uk</a>
Bournemouth Magistrates' Court	<a href="mailto:do-bournemcgen@hmcts.gsi.gov.uk">do-bournemcgen@hmcts.gsi.gov.uk</a>
Bournemouth Symphony Orchestra	<a href="mailto:jmale@bsorchestra.co.uk">jmale@bsorchestra.co.uk</a>
Bournemouth Town Centre BID	<a href="mailto:info@towncentrebid.co.uk">info@towncentrebid.co.uk</a>
Bournemouth Town Centre Chaplaincy	<a href="mailto:chaplain@clubchaplain.com">chaplain@clubchaplain.com</a>
Bournemouth Town Centre Parish (The Diocese of Winchester)	<a href="mailto:ianterry@live.co.uk">ianterry@live.co.uk</a>
Bournemouth Town Watch	<a href="mailto:jon.shipp@bcpcouncil.gov.uk">jon.shipp@bcpcouncil.gov.uk</a>
Bournemouth University	<a href="mailto:enquiries@bournemouth.ac.uk">enquiries@bournemouth.ac.uk</a>
Bournemouth YMCA	<a href="mailto:enquiries@bournemouthymca.org.uk">enquiries@bournemouthymca.org.uk</a>
British Beer & Pub Association	<a href="mailto:contact@beerandpub.com">contact@beerandpub.com</a>
Cameo Nightclub, Bournemouth	<a href="mailto:Bournemouth@cameonightclub.co.uk">Bournemouth@cameonightclub.co.uk</a>
CAMRA (Campaign for Real Ale)	<a href="mailto:camra@camra.org.uk">camra@camra.org.uk</a>
CAP (Community Alcohol Partnership)	<a href="mailto:andrew.williams@bcpcouncil.gov.uk">andrew.williams@bcpcouncil.gov.uk</a>

Castlepoint	<a href="mailto:peter.matthews@castlepointshopping.co.uk">peter.matthews@castlepointshopping.co.uk</a>
Charminster Traders Association	<a href="mailto:info@experiencecharminster.info">info@experiencecharminster.info</a>
Citizens Advice Bureau	<a href="mailto:admin@bournemouthcab.co.uk">admin@bournemouthcab.co.uk</a>
College at Lansdowne	<a href="mailto:enquiries@bpc.ac.uk">enquiries@bpc.ac.uk</a>
Co-operative Group	<a href="mailto:licensing@co-operative.coop">licensing@co-operative.coop</a>
Diageo	<a href="mailto:gbcustomerservice@diageo.com">gbcustomerservice@diageo.com</a>
Dorset Council Licensing	<a href="mailto:licensingteamb@dorsetcouncil.gov.uk">licensingteamb@dorsetcouncil.gov.uk</a>
Dorset Healthcare University NHS Foundation Trust	<a href="mailto:ron.shields@dhuft.nhs.uk">ron.shields@dhuft.nhs.uk</a>
Dorset Licensing	<a href="mailto:eric@dorsetlicensing.com">eric@dorsetlicensing.com</a>
East Bournemouth Pubwatch	<a href="mailto:davidgmh@yahoo.co.uk">davidgmh@yahoo.co.uk</a>
Enterprise Inns plc, Regional Manager	<a href="mailto:liz.appleton@enterpriseinns.com">liz.appleton@enterpriseinns.com</a>
FYEO, CEO	<a href="mailto:jonathan@fyeo.co.uk">jonathan@fyeo.co.uk</a>
Gala Casino, Bournemouth	<a href="mailto:manager.bournemouth.casino@galacasino.co.uk">manager.bournemouth.casino@galacasino.co.uk</a>
Gambling Commission, Area Manager	<a href="mailto:n.dowse@gamblingcommission.gov.uk">n.dowse@gamblingcommission.gov.uk</a>
Genting Casinos	<a href="mailto:info@genting.com">info@genting.com</a>
Hope FM	<a href="mailto:sddayman@gmail.com">sddayman@gmail.com</a>
Horsey Lightly Fynn, Licensing Solicitors	<a href="mailto:pday@hlf-law.co.uk">pday@hlf-law.co.uk</a>
Innpacked	<a href="mailto:Info@innpacked.com">Info@innpacked.com</a>
Institute of Licensing	<a href="mailto:info@instituteoflicensing.org">info@instituteoflicensing.org</a>
JCP Law, Licensing Solicitor	<a href="mailto:julia.palmer@jcplaw.co.uk">julia.palmer@jcplaw.co.uk</a>
Keep Britain Tidy	<a href="mailto:enquiries@keepbritaintidy.org">enquiries@keepbritaintidy.org</a>
Koh Thai Tapas, Operations and Procurement Manager	<a href="mailto:accounts@koh-thai.co.uk">accounts@koh-thai.co.uk</a>
Kuits Solicitors	<a href="mailto:anthonylyons@kuits.com">anthonylyons@kuits.com</a>
Laceys Solicitors	<a href="mailto:info@laceyssolicitors.co.uk">info@laceyssolicitors.co.uk</a>
Lansdowne Baptist Church	<a href="mailto:office@lansdownebaptistchurch.org.uk">office@lansdownebaptistchurch.org.uk</a>
Lidl UK	<a href="mailto:tradinglaw@lidl.co.uk">tradinglaw@lidl.co.uk</a>
Londis	<a href="mailto:customerservice@musgrave.co.uk">customerservice@musgrave.co.uk</a>
LV Streetwise Safety Centre, Centre Manager	<a href="mailto:alison@streetwise.org.uk">alison@streetwise.org.uk</a>
National Association of Kebab Shops	<a href="mailto:taflan@naks.org.uk">taflan@naks.org.uk</a>
National Coastal Tourism Academy	<a href="mailto:jo.edom@coastaltourismacademy.co.uk">jo.edom@coastaltourismacademy.co.uk</a>
National Organisation of Residents Associations	<a href="mailto:chairman@nora-uk.co.uk">chairman@nora-uk.co.uk</a>
North Bournemouth Pubwatch	<a href="mailto:tom@barbuffalo.co.uk">tom@barbuffalo.co.uk</a>
NTE Strategy Group	<a href="mailto:jon.shipp@bcpcouncil.gov.uk">jon.shipp@bcpcouncil.gov.uk</a>
One Stop	<a href="mailto:customer.services@onestop.co.uk">customer.services@onestop.co.uk</a>
Pokesdown Community Forum	<a href="mailto:Pokesdown.cf@gmail.com">Pokesdown.cf@gmail.com</a>
Police and Crime Commissioner	<a href="mailto:pcc@dorset.pnn.police.uk">pcc@dorset.pnn.police.uk</a>
Poppleston Allen, Licensing Solicitors	<a href="mailto:c.eames@popall.co.uk">c.eames@popall.co.uk</a>
Poole BID	<a href="mailto:Info@poolebid.com">Info@poolebid.com</a>
Prama Life	<a href="mailto:Sarah-jane.wouthern@pramacare.co.uk">Sarah-jane.wouthern@pramacare.co.uk</a>
Robert Sutherland, Keystone Law	<a href="mailto:robert.sutherland@keystonelaw.co.uk">robert.sutherland@keystonelaw.co.uk</a>
Sacred Heart Catholic Church, Bournemouth	<a href="mailto:office.sacredheart@btinternet.com">office.sacredheart@btinternet.com</a>
Sainsbury's Supermarkets Ltd	<a href="mailto:customer.service@sainsburys.co.uk">customer.service@sainsburys.co.uk</a>
Saxon Square Management Company	<a href="mailto:bhcommercial@ellis-partners.co.uk">bhcommercial@ellis-partners.co.uk</a>
Security Industry Authority	<a href="mailto:info@the-sia-org.uk">info@the-sia-org.uk</a>
Simply Pleasure Limited	<a href="mailto:sales@simplypleasure.com">sales@simplypleasure.com</a>
South Western Ambulance Service	<a href="mailto:wayne.darch@swast.nhs.uk">wayne.darch@swast.nhs.uk</a>
Southbourne-on-Sea Business Association	<a href="mailto:info@sosba.co.uk">info@sosba.co.uk</a>

Spar	<a href="mailto:customer.relations@spar.co.uk">customer.relations@spar.co.uk</a>
Spearmint Rhino	<a href="mailto:JSpecht@spearmintrhino.com">JSpecht@spearmintrhino.com</a>
St Mungos	<a href="mailto:info@mungos.org">info@mungos.org</a>
St Swithun's Church	<a href="mailto:tim@stswithuns.me">tim@stswithuns.me</a>
Steele Raymond, Solicitors	<a href="mailto:robertbajaj@steeleraymond.co.uk">robertbajaj@steeleraymond.co.uk</a>
Stonegate Pub Company Limited, Operations Director	<a href="mailto:paul.wright@stonegatepubs.com">paul.wright@stonegatepubs.com</a>
Tesco, Licensing Manager	<a href="mailto:Steven.Andrzejuk@uk.tesco.com">Steven.Andrzejuk@uk.tesco.com</a>
The Avenue Shopping Centre	<a href="mailto:avenuecentre@btconnect.com">avenuecentre@btconnect.com</a>
The Dorset SARC (Sexual Assault Referral Centre)	<a href="mailto:dorsetsarc@twelvescompany.co.uk">dorsetsarc@twelvescompany.co.uk</a>
The Luminar Group, Regional Director South	<a href="mailto:ged.gorrie@luminar.co.uk">ged.gorrie@luminar.co.uk</a>
UK Youth Parliament	<a href="mailto:info@ukyouthparliament.org.uk">info@ukyouthparliament.org.uk</a>
United Taxis Bournemouth	<a href="mailto:chairman@556677.com">chairman@556677.com</a>
Waitrose Ltd	<a href="mailto:customersupport@waitrose.co.uk">customersupport@waitrose.co.uk</a>
Wallisdown Info	<a href="mailto:admin@wallisdown.info">admin@wallisdown.info</a>
West Beach Restaurant, Bournemouth	<a href="mailto:andy@west-beach.co.uk">andy@west-beach.co.uk</a>
Wiggle	<a href="mailto:Poja55@gmail.com">Poja55@gmail.com</a>
Wine and Spirit Association	<a href="mailto:info@wsta.co.uk">info@wsta.co.uk</a>
Winton Online	<a href="mailto:winton.communityofficer@bcpcouncil.gov.uk">winton.communityofficer@bcpcouncil.gov.uk</a>
Winton Traders Association	<a href="mailto:execofficer@bournemouthchamber.org.uk">execofficer@bournemouthchamber.org.uk</a>

**IN ADDITION THE FOLLOWING GROUPS HAVE BEEN CONSULTED:-**

<b>Responsible Authorities</b>	Dorset Police
	Wiltshire & Dorset Fire and Rescue Service
	Public Health Dorset
	Trading Standards
	Pollution Control
	Planning
	Child Protection
	Health & Safety
	Home Office Immigration
<b>BCP Council</b>	All Councillors
	Legal Services
	Corporate Directors
	Libraries
	Tourism and Corporate Communication
	Events team
	Equalities and Diversity Manager
	Industry Partnership Manager
	Seafront and Business Development
	Community Engagement

### Licensing and Responsible Authority

Applicants are required to submit the original licensing application to the licensing authority and send a full copy of the application (including plans) to each of the following responsible authorities. Where an application (for a premises licence, club premises certificate (or variations to the same) or provisional statements or Temporary Event Notice) has been submitted electronically copies of the application will be forwarded to the relevant responsible authorities by the Licensing Authority.

#### Licensing Authority

The Licensing Manager  
Licensing Team  
BCP Council  
Town Hall  
Bourne Ave,  
Bournemouth BH2 6EB  
Tel: 01202 451451  
E-mail: [licensing@bcpcouncil.gov.uk](mailto:licensing@bcpcouncil.gov.uk)

#### Responsible Authorities

##### (1) Dorset Police Authority

Chief Officer of Police  
c/o DAHRT, Dorset Police, 1st Floor Bournemouth Divisional Headquarters, 5 Madeira Road,  
Bournemouth, Dorset, BH1 1QQ  
Tel: 01202 223156  
Email: [licensing@dorset.pnn.police.uk](mailto:licensing@dorset.pnn.police.uk)

##### (2) Dorset & Wiltshire Fire & Rescue Service

Joint Emergency Services Building, Wimborne Road, Poole, Dorset BH15 2BP  
Tel: 01722 691317  
Email: [fire.safety@dwfire.org.uk](mailto:fire.safety@dwfire.org.uk)

##### (3) Protection of Children from Harm

BCP Council Strategic Safeguarding and Quality Manager  
Quality and Commissioning Service, BCP Council, Town Hall,  
Bourne Ave, Bournemouth BH2 6EB  
Tel: 01202 451451  
Email: [@bcpcouncil.gov.uk](mailto:@bcpcouncil.gov.uk)

##### (4) Weights and Measures Authority

Trading Standards Manager, Environment and Community, BCP Council, Unit 1, New Fields  
Business Park, Stinsford Road, Poole Dorset, BH17 0NF  
Tel: 01202 261700  
E-mail: [environment@bcpcouncil.gov.uk](mailto:environment@bcpcouncil.gov.uk)

##### (5) Environmental Health Authority,

Environmental Health Manager,  
Regulatory Service, Environment and Community, BCP Council, Unit 1, New Fields Business  
Park, Stinsford Road, Poole Dorset, BH17 0NF  
Tel: 01202 261700

E-mail: [environment@bcpcouncil.gov.uk](mailto:environment@bcpcouncil.gov.uk)

## **(6) Inspectors of Health and Safety**

If you are applying for a premises licence for one of the following you will need to submit a copy of your application to BCP Councils Environmental Health health and safety officer:

- Offices
- Shops
- Public Houses
- Restaurants
- Hotels
- Guest Houses
- Campsites
- Saunas
- Solaria
- Art Centres or Galleries
- Sports Centres
- Schools
- Pleasure Craft
- Churches and Church Halls

### **(6A) Health & Safety**

Environmental Health Manager, Environment and Community BCP Council, Unit 1, New Fields Business Park, Stinsford Road, Poole Dorset, BH17 0NF

Tel: 01202 261700

Email: [environment@bcpcouncil.gov.uk](mailto:environment@bcpcouncil.gov.uk)

If you require a premises licence for one of the following, you will need to submit a copy of your application to the Health and Safety Executive:

- Fairgrounds
- Circuses
- Agricultural Shows
- Ski Slopes
- Railways
- Local Authority Premises
- Police Authority Premises
- Fire Authority Premises

### **(6B) Health and Safety Executive**

HSE, 2 Rivergate House, Bristol, BS1 6EW

Tel: 01179 886000

E-mail: [hse.infoline@natbrit.com](mailto:hse.infoline@natbrit.com)

## **(7) Planning Authority**

Planning Manager, BCP Council, Town Hall

Bourne Ave,

Bournemouth BH2 6EB

Tel: 01202 451323

E-mail: [planning@bcpcouncil.gov.uk](mailto:planning@bcpcouncil.gov.uk)

## **(8) Public Health**

Director of Public Health, Public Health Directorate, 1st Floor, Princes House, Princes Street, Dorchester, DT1 1TP

Telephone: 01305 225874

Email: [publichealth-licensing@dorsetcc.gov.uk](mailto:publichealth-licensing@dorsetcc.gov.uk)

**(9) Home Office (Immigration Enforcement)**

Alcohol Licensing Team, Lunar House, 40 Wellesley Road, Croydon, CR9 2BY  
Email: Alcohol@homeoffice.gsi.gov.uk

In relation to vessels responsible authorities also include navigation authorities within the meaning of S. 221(1) of the Water Resources Act 1991 that have statutory functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is proposed to be navigated when being used for licensable activities

**(10) Maritime & Coastguard Agency**

Marine and Coastguard Agency  
Southampton Marine Office  
Spring Place  
105 Commercial Road  
Southampton  
SO15 1EG  
Tel: 02380 329228  
Email: infoline@mcga.gov.uk

# Appendix 2

## Licensing Act 2003 2020 Consultation Response Form

Your comments on the proposed Statement of Licensing Policy

### Part 1 – Your Details

Full Name	
Address	
Telephone Number	
Email	
Name of Organisation (if replying on behalf of and organisation, association or group etc.)  Please supply details of the group you represent and a summary of the persons you represent	
Signature	
Date	

### **CLOSING DATE FOR COMMENTS**

**31<sup>st</sup> March 2020**

Please return to:-

BPC Licensing Team, Council Offices, Town Hall Annex, St Stephen's Road, Bournemouth, BH2 6EA or [Licensing@bcpcouncil.gov.uk](mailto:Licensing@bcpcouncil.gov.uk)

<b>FOR OFFICE USE:</b>			
Response Number		Reply Number	
Date Received		Date Acknowledged	



## Part 2 – Comments

Page Number	Paragraph Number	Comments