

Statement of Licensing Policy

2020 - 2025

Licensing

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1. Purpose Statement

- 1.1 BCP Council is the Licensing Authority for the Bournemouth, Christchurch and Poole area under the Licensing Act 2003 and is responsible for Premises Licences, Club Premises Certificates, Temporary Event 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 24 November 2020. It will be kept under review and as a minimum will be reviewed no later than 2025.
- 1.3 Unless otherwise stated any references to the Council are to the BCP Council 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 refreshment
- 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 harm

Each 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, officers of the Licensing Authority, Responsible Authorities, 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 and 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 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.
- 4.2 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 Statement of Licensing Policy are appropriate.
- 4.3 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 Corporate Strategy and the Pan Dorset Drug and Alcohol Strategy (2016-2020). The Council's vision is to create vibrant communities with outstanding quality of life where everyone plays an active role. Effective licensing of controlled premises and activities is key to achieving this strategic vision for our communities.
- 5.2 The Licensing Authority aims to meet the BCP Council Corporate priorities regarding Dynamic Places and Connected Communities by ensuring the licensing process supports local businesses. We aim to help them to meet their statutory obligations and keep residents and visitors to our licensed venues safe, whilst still having an enjoyable leisure experience.
<https://www.bcpCouncil.gov.uk/About-BCP-Council/bcp-council-docs/BCP-Corporate-Strategy.pdf> <https://www.dorset.police.uk/media/2768/bpd-alcohol-drugs-strategy-2016-2020.pdf>
- 5.3 During the preparation of this policy document due consideration has been given to the following key BCP Council Strategies;
- Corporate Strategy & Delivery 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 South Coast. It is the 12th largest Unitary Council in England with a population of nearly 400,000 residents. The BCP area is predominantly urban with associated suburban areas, beaches, harbours, quay sides, 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 and a thriving freight port for commercial shipping, as well as an important destination for passenger and vehicle ferries and cruise vessels. It has three 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 Country's 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. Bournemouth's night time economy has been accredited with the prestigious Purple Flag status for the last 10 years which is awarded to town and city centres that meet or surpass the standards of excellence in managing the evening and night time economy.
- 6.4 The area offers a vibrant mix of entertainment facilities for residents and visitors alike with established theatres, restaurants, cinemas, concert venues, conference facilities, museums and historic sites. The entertainment economy is well served with a wide variety of restaurants, pubs, bars and clubs.
- 6.5 The Council is keen to encourage a wide range of entertainment throughout the conurbation to support local cultural strategies. It recognises that live music, dancing, cinema and theatre enrich the cultural offer and benefit the wider economy.
- 6.6 The Council holds premises licences for a variety of public open spaces, pedestrian areas, the seafront and beaches, town centres, and community halls. This avoids the need for performers and entertainers to obtain a Premises Licence or give a Temporary Event Notice to perform in such areas. A schedule of the areas of land licensed in this way is available from the Council's Licensing Department and is also available from the website of the Department of Digital, Culture, Media and Sport.
- 6.7 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 Statement of Licensing Policy are appropriate.

- 7.3 This policy will commence on **24th November 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 Constable for the Dorset Police
 - Dorset and Wiltshire Fire and Rescue
 - The BCP Director of Public Health
 - Persons/bodies representative of local Premises Licence Holders
 - Persons/bodies representative of local Club Premises Certificate Holders
 - Persons/bodies representative of local Personal Licence Holders
 - Persons/bodies representative of businesses and residents in its area
- 7.5 The views of all these persons or bodies were given appropriate weight when the policy was determined. We believe that we have made reasonable efforts to consult an appropriate range of representatives and individuals in determining this policy.
- 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

Civic Offices

Bourne Ave,

Bournemouth BH2 6EB

Tel; 01202 451180

Email - 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 Licensing 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 provided they are not frivolous or vexatious.

- 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
 - 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.

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
- Entertainment of a similar description to a performance of live music, any playing of recorded music or a performance of dance *

*see Live Music Act 2012 and Legislative Reform (Entertainment Licensing) Order 2014 below

The Live Music Act and Legislative Reform Order made the following changes to the Licensing Act 2003

- 8.10 The provision of regulated entertainment by or on behalf of local authorities, health care providers or schools on their own defined premises will be exempt from entertainment licensing between 8am and 11pm on the same day with no audience limit.
- 8.11 Community premises not licensed to supply alcohol will be exempt from entertainment licensing requirements for live and recorded music between 8am and 11pm on the same day for audiences of no more than 500 persons.
- 8.12 The provision of amplified live music taking place on premises authorised by a premises licence or club premises certificate to supply alcohol for consumption on the premises (at a time when those premises are open for the purposes of being used for the supply of alcohol for consumption on the premises) will be exempt from entertainment licensing between 8am and 11pm before audiences of no more than 500 persons. This is subject to the right of a Licensing Authority to impose conditions about live music following a review of a premises licence or club premises certificate.
- 8.13 The provision of amplified live music taking place in a workplace not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment) will be exempt from entertainment licensing between 8am and 11pm of in front of audiences of no more than 500 persons.
- 8.14 The provision of unamplified live music taking place in any place will be exempt from entertainment licensing between 8am and 11pm. This is subject to the right of a Licensing Authority to impose conditions about live music following a review of a premises licence or club premises certificate relating to premises authorised to supply alcohol for consumption on the premises.
- 8.15 The provision of entertainment facilities is exempt from entertainment licensing.
- 8.16 Live and recorded music that is integral to a performance of Morris dancing or dancing of a similar national/international traditional type is exempt from entertainment licensing.
- 8.17 Travelling circuses are exempt from entertainment licensing in respect of all descriptions of entertainment, except an exhibition of a film or a boxing or wrestling entertainment, where the entertainment or sport takes place between 8am and 11pm on the same day, with no audience limit.
- 8.18 Greco-Roman and freestyle wrestling is exempt from licensing between 8am and 11pm for audiences of up to 1000 persons.
- 8.19 An exhibition of film that is incidental to another activity (where that other activity is not itself a description of entertainment set out in paragraph 2 of Schedule 1 to the 2003 Act) is exempt from licensing.

Duplication

- 8.20 The Licensing Authority will actively seek to avoid attaching conditions that duplicate other regulatory regimes as far as possible.
- 8.21 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

- 8.22 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.
- 8.23 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
 - Should be written in a prescriptive format

A copy of the Licensing Authority's Model Pool of Licensing Conditions is attached at Appendix D which can be used to assist applicants when considering the four licensing objectives within their proposed operating schedule.

- 8.24 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.
- 8.25 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.
- 8.26 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

- 8.27 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>
- 8.28 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 and Sanctions

- 8.29 The enforcement and sanctions open to the Licensing Committee are set out in the Licensing Act 2003 and associated regulations.
- 8.30 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. In respect of premises which are shown to be well maintained and managed a 'lighter' approach will be applied.
- 8.31 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 Licensing Authority uses a graduated approach to enforcement in order to achieve compliance.
- 8.32 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.
- 8.33 When judged necessary to do so, authorised officers of the Licensing Authority and other 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.
- 8.34 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

- 8.35 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.
- 8.36 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 licensed Premises

- 8.37 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 Council in discharging its licensing functions or for its Statement of Licensing Policy.

9. The Cumulative Impact of a concentration of licensed premises

- 9.1 In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.
- 9.2 Queuing in itself may lead to conflict, disorder and anti-social behaviour. Moreover, large concentrations of people may also attract criminal activities such as drug dealing, pick pocketing and street robbery. Local services such as public transport, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers leading to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people who cannot be effectively dispersed quickly.
- 9.3 In order to address the issue of a high concentration of licensed premises in an area the Licensing Authority may produce a Cumulative Impact Assessment Policy in accordance with the Licensing Act 2003. If such a Policy is produced the Licensing Authority will take this into consideration when determining any applications within the BCP Council area.

10. Other Mechanisms for Controlling the Impact of Licensed Premises

- 10.1 Once away from the licensed premises, a minority of customers may 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, Pub Watch or BIDs
 - 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 and Early Morning Alcohol Restriction Orders

10.2 The Licensing Authority recognises the importance of initiatives to aid public safety such as the Safe Bus in 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 use of Club Nannies also assists in the reduction of persons requiring the attention of the emergency services. The Licensing Authority also uses the Street Pastor schemes, Business Improvement District (BID) and Public Spaces Protection Orders (PSPO) as well as other alcohol related anti social behaviour initiatives. In key areas Community Safety and Accreditation Scheme (CSAS) officers patrol and take action to address street drinking and support council 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.

Best Bar None, Town Watch and Pub watch

10.4 The Licensing Authority will support organisations such as Best Bar None, Town Watch and 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 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

10.5 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.

10.6 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.

10.7 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

10.8 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

10.9 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 Licensing Authority 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.

10.10 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

10.11 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 Statement of Licensing Policy. The Licensing Authority expects applicants for all types of licensed premises to consider licensing hours as an important issue when preparing their operating schedules, and to consider the impact of the hours requested on the licensing objectives.

10.12 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.

10.13 In considering licensing hours each case will be decided on its merits. The Licensing Authority will consider relevant representations received and may limit the hours permitted for licensable activities and impose different hours from those requested. This will be done only if it is necessary to promote the licensing objectives. There will be no general presumption in favour of lengthening licensing hours.

- 10.14 The Licensing Authority expects applicants to consider winding down periods when they prepare their operating schedules. Gradual winding down of entertainment such as loud music should take place before the sale of alcohol concludes and the end of trading hours. Such winding down will encourage customers to leave of their own volition and may reduce any potential for nuisance as they leave the licensed premises. Customers may be more likely to leave the premises spasmodically in small groups rather than en masse.
- 10.15 The Licensing Authority will always consider an applicant's specific case. If the matter of licensing hours has been raised in a representation, it will take into account any proposals from the applicant to minimise the risk of nuisance and disorder being caused or exacerbated by customers leaving the premises. However, it is unlikely that statement such as "the premises are well managed" or "the applicant is of good character" or that "the style of the premises is intended and likely to attract a discerning clientele" will alone be sufficient to demonstrate that restrictions on hours of trading should not be applied.

11. Integration of Strategies

- 11.1 The Licensing Authority will endeavor to promote proper integration of the 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 Licensing Authority is aiming to deal with the negative effects of alcohol consumption through its The Pan Dorset Drug and Alcohol Strategy (2016 – 2020).

Planning and Building Control

- 11.4 Planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. Granting of licences 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.
- 11.5 Matters for consideration in licensing applications will not duplicate matters considered as part of any planning application. Licensing decisions will consider 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.
- 11.6 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.

- 11.7 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.
- 11.8 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.
- 11.9 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

- 11.10 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, maternity, race, religion or belief, sex and sexual orientation.
- 11.11 The Licensing Authority 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 Licensing Authority 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
 - 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
 - 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
 - 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. A copy of the Licensing Authority's Model Pool of Conditions is attached at Appendix D.
- 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 In the absence of relevant representations from responsible authorities or other persons, the application must be granted, subject only to any mandatory conditions prescribed by the Act and such other conditions consistent with the applicant's operating schedule. In this context "relevant" means; **relating solely to one or more of the licensing objectives.**
- 12.10 The applicant must ensure that a copy of the application is served on each responsible authority. Where the Council is the responsible authority, the applicant must serve a separate

copy of the application on each of the various Council departments – it is not the function of the Licensing Team to do this for the applicant (unless received electronically).

- 12.11 The responsible authorities are entitled to make representations in relation to applications for the grant, variation or review of a licence in the context of any of the four licensing objectives. Any other persons have the same entitlement and can instigate a premises licence review.

Ward Councillors may make representations themselves or support other persons if asked to do so.

- 12.12 The Licensing Authority will expect applicants to consider the following matters in the context of promoting the four licensing objectives

- The nature of the area where the premises are situated
- The precise nature, type and frequency of the proposed activities
- Where alcohol is to be sold for consumption on the premises, the extent of seating available
- Any measures proposed by the applicant as outlined in the operating schedule to mitigate or prevent any adverse impact upon the licensing objectives, including the proposed hours of operation
- The nature, principally in terms of the age and orderliness, and number of customers likely to attend the premises
- Means of access to and exit from the premises
- The impact of the smoking ban, to include reference to noise pollution
- Transport provision in the area, and the likely means of public or private transport for customers arriving/leaving the premises
- Parking provision in the area
- The potential cumulative impact of licensable activities in the relevant local area
- Other means and resources available to mitigate any adverse impact particularly to local residents
- Such other matters as may be relevant to the application

- 12.13 The Chairman, Vice-chairman and Members of the Licensing Committee are elected at the annual meeting of the Council. The Licensing Authority will ensure that Licensing Committee members and officers are appropriately trained to carry out their duties under the Licensing Act 2003.

- 12.14 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 to decide whether the granting of the application would result in the licensing objectives being undermined. It may refuse an application, it being subject to conditions that are needed to promote the licensing objectives or take such other action as set out in the Act. A copy of the Procedure of Hearings is attached at Appendix F and Protocol of Virtual Hearings Appendix G.

13. Care, Control and Supervision of Premises

- 13.1 Within all licensed premises, whether or not alcohol is to be sold, the Licensing Authority will expect to see evidence of proper management both in practice and in the Operating Schedule. All persons involved in the management of the premises must ensure that a sufficient number of responsible and trained persons are at the licensed premises at all times. They have the responsibility to monitor and manage the activities taking place. They must ensure that all statutory responsibilities and the terms and conditions of the licence are complied with. The applicant's operating schedule must address the issue of the management of the licensed premises.

- 13.2 The operating schedule for premises in which alcohol will be sold must appoint a Designated Premises Supervisor (DPS). The Licensing Authority will normally expect the premises licence holder to give the DPS day-to-day responsibility for running the premises. As such, the DPS should normally be present on the licensed premises on a regular basis. When not on the premises, the Licensing Authority will expect the DPS to be readily contactable and able to deal quickly with any problems that arise.
- 13.3 The Licensing Authority also recommends that the DPS undergoes additional training or has experience relevant to the nature and scope of the licensable activities taking place on the premises.

14. The Licensing Objectives

Prevention of Crime and Disorder

- 14.1 The Licensing Committee will look to Dorset Police as the main source of advice on crime and disorder.
- 14.2 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.
- 14.3 The inclusion of radio links and ring-round systems should be considered by applicants for public houses, bars and nightclubs operating in the town centres 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

- 14.4 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 as customers become more vulnerable from alcohol consumption, such as unconsciousness or alcohol poisoning.
- 14.5 Conditions relating to public safety may also promote the crime and disorder objective as noted above.
- 14.6 Applicants should give consideration to a number of matters in relation to public safety which may include
- Reference should be made to the guidance on requirements under the Regulatory Reform (Fire Safety) Order 2005 which are available from Dorset & Wiltshire Fire and Rescue Service www.dwfire.org.uk
 - 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
- Consider the use of CCTV in and around the premises (which may also assist with promoting the crime and disorder objective)
- Provision of a defibrillator
- Ensuring use of toughened or plastic drinking vessels if appropriate

14.7 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.

14.8 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 licensed taxi companies who can provide transportation home
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks

14.9 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

14.10 Licensed premises, particularly those operating after 23:00 hours and into the early morning, can adversely affect people living or working in the vicinity of the premises. The applicant's operating schedule must therefore contain practical steps to prevent disturbance to local residents. The issues will mainly concern nuisance from noise, light, odour and litter.

14.11 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.

14.12 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 8am. 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.

14.13 The Licensing Authority is mindful of the potential for noise nuisance from amplified sound and live music. Where there are relevant representations on this issue, the Licensing Authority will normally impose appropriate conditions on variations or new licences or refuse consent if necessary for the promotion of the licensing objective. A condition to prevent noise nuisance could be imposed in such circumstances.

14.14 Applicants must demonstrate that they have considered those factors that cause or add to public nuisance. It is good practice to consult with a noise expert to ensure the effectiveness of measures undertaken. The Council's Pollution Control Team can also be consulted to assist in developing a Noise Management Plan.

Factors to consider include;

- Location of the premises and use of associated outside areas, for example, particularly for smoking (see paragraphs 14.17 – 14.23)
- Customer age and behavioural profile
- Hours of operation
- Nature of activities to be provided - temporary or permanent
- Location of activities - inside or outside
- Design and layout of the premises
- Use of noise limiting devices
- Number of people attending the premises
- Availability of public transport and parking provision
- Winding down period between the end of the licensable activities and closure of the premises
- Last admission time
- Fliers and other advertising material (The Council operates a licensing scheme to regulate distributors, further details can be obtained [here](#))

14.15 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.

14.16 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 requires 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 other external areas, and to respect the rights of people living nearby to a peaceful night.

Outdoor Areas and Smoking Areas

14.17 Where applicants propose to provide seating, tables or other facilities in any outdoor area, whether covered or not, or to permit the use of outdoor areas as smoking areas, applicants will be expected to demonstrate in their operating schedule that;

- (a) Suitable and sufficient measures will be in place to prevent the escape of noise and other public nuisance from that outdoor area, from the licensed premises or from any of the licensable activities
- (b) Effective management controls and other measures such as removal of seating/tables, presence of staff and installation of CCTV are in place to ensure that

licensable activities and the use of such areas by customers or other persons, ceases at such time as may be prescribed as a condition on the licence

- 14.18 After 23:00 hours consideration should be given to the impact of patrons using outside smoking areas. The Licensing Authority will normally expect the public use of external areas in the licensee's control to cease at 23:00 hours or addition controls of patrons put in place.
- 14.19 Following the implementation of the smoking ban in July 2007 the Licensing Authority recognises that smokers wishing to smoke will have to go outside the licensed premises. They may also want to take alcohol purchased inside for consumption outside.
- 14.20 In some cases smoking will be in garden areas. In others, it may be on other parts of the licensed premises. The premises may provide some form of shelter but these must not be fully or substantially enclosed in accordance with the Health Act 2006. Licensees should be aware of their responsibilities to prevent public nuisance.
- 14.21 Noise is likely to be caused not only from persons outside, but from the licensed premises if doors are continually opened or left open as customers go in and out.
- 14.22 If relevant representations are received, the Licensing Authority may consider conditions restricting the use of outside areas. Such conditions may include the prevention of drinks within the external area, restricting the carrying of any receptacle outside, prohibiting re-entry to premises after customers have left or restrictions on the number of people allowed at any one time in the outside areas and having dedicated staff to monitor the smoking area and take action where necessary.
- 14.23 The Licensing Authority may impose conditions on licences requiring the operators to provide cigarette disposal units in the vicinity of the premises and to carry out regular cleaning of the area as necessary in order to prevent public nuisance.

Night Cafes and Takeaway Premises

- 14.24 Premises open after 23:00 hours supplying hot food or hot drink for consumption on or off the premises can attract large groups of customers many of whom have already consumed alcohol. The gathering of people around takeaways can lead to additional noise, disturbance and litter. Concerns have been raised about the level of crime, disorder and nuisance outside takeaway food premises late at night. Model pool of conditions available for applicants to ensure steps are taken include in order to address these concerns.

Protection of Children from Harm

- 14.25 The applicant's operating schedules must demonstrate that suitable measures are in place to protect children from harm.
- 14.26 Where children are expected to attend a licensed event or an event held on licensed premises even though alcohol is not being served, appropriate adult supervision will be required if considered necessary by way of risk assessment. Supervision should comprise one adult member of staff for every 50 children. Where the entertainment is music and dancing, two door supervisors licensed by the Security Industry Authority must be employed for every 50. Nothing in this Policy shall seek to override child supervision requirements contained in other legislation.
- 14.27 For premises that give rise to particular concern, there will be a presumption against permitting any access for those under 18 years of age. Premises that give particular concern include those where;

- Entertainment or services of an adult or sexual nature are commonly provided
- There have been convictions of members of the current staff at the premises for serving alcohol to minors or premises where clear evidence is produced by a Responsible Authority to prove underage drinking has been permitted by the premises licence holder or the operator
- There is known association with drug taking or dealing
- There is a strong element of gambling on the premises, excluding premises which have a limited number of cash prize gaming machines only
- The supply of alcohol for consumption on the premises is the exclusive or primary purpose of the service provided at the premises

14.28 The protection of children from harm and their welfare is of paramount importance. Family-friendly and food led premises are encouraged, but the risk of harm to children is an essential consideration when determining applications.

14.29 With accompanied children having greater access to licensed premises there is an opportunity to have more family-friendly leisure. Clearly, this places additional responsibilities upon licence holders. It is recognised too that parents and others accompanying children have responsibilities to ensure the welfare and protection of children.

14.30 The protection of children from harm includes the protection of children from moral, psychological and physical dangers. Specifically, in relation to the exhibition of films, or transmission of programmes or videos, this includes protection from exposure to strong language, sexual expletives and portrayals of sexual activity.

14.31 Children are more vulnerable, and their needs will require special consideration. This vulnerability includes their susceptibility to suggestion, peer group influences, inappropriate example, the unpredictability of their actions due to their age, and the lack of understanding of danger.

14.32 Where no licensing restriction is necessary, admission of children remains entirely a matter at the discretion of the individual licensee or club. Conditions requiring the admission of children will not be imposed.

14.33 Whilst children may be adequately protected from harm by the action taken to protect adults, they may also need special consideration and no policy can anticipate every situation. When addressing the issue of protecting children from harm, applicants are advised to demonstrate what practical measures they will take where appropriate.

14.34 The following examples of control measures are given to assist applicants. They should be taken into account when producing any operating schedule;

- Provision of a sufficient number of staff employed or engaged to secure the protection of children from harm
- Complete exclusion of children and limitations on the hours when they may be present whether or not accompanied by a responsible adult
- Restrictions to certain parts of the premises or exclusion of children from certain activities
- Imposition of requirements for children to be accompanied by a responsible adult
- Adoption of "Challenge 25" or other similar initiative to require sight of evidence of age from any person under 25 who is attempting to buy alcohol or have alcohol delivered.

- Acceptance of “proof of age” documentation, by means from time to time recognised by the Licensing Authority in consultation with the Police and Trading Standards. (The PASS accreditation system of the British Retail Consortium is commended)
- The Licensing Authority commends the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks, and compliance with the terms of that Code
- Measures to ensure that children do not purchase, acquire or consume alcohol, including keeping a refusals register in English and in accordance with any relevant and reasonable requirements of Trading Standards
- Measures to avoid children being exposed to incidents of violence or disorder

14.35 The Licensing Authority supports the following measures to reduce alcohol-related anti social behaviour by those under 18;

- Police powers under the Confiscation of Alcohol (Young Persons) Act 1997 to remove alcohol from young people in any public place where the public have access
- Police and Trading Standards powers to implement test purchasing to target on and off licences selling to under 18 year olds and carry out age challenges to reduce underage drinking from supermarkets, off licences, in pubs and other licensed venues.
- Further promotion of proof of age schemes
- Prosecution of those persistently selling alcohol to children, under the Violent Crime Reduction Act 2006

14.36 The Licensing Authority will expect applicants to ensure that children are not allowed access into premises when licensable activities involving entertainment or services of an adult or sexual nature take place.

14.37 Licensees’ operating schedules for premises showing films must include arrangements to prevent children from viewing age-restricted films as classified by the British Board of Film Classification. Uncertified films must be brought to the attention of the Licensing Authority for classification.

15 Public Health

15.1 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.

15.2 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>)

15.3 Public Health Dorset supports safeguarding initiatives which include vulnerable adults. Ensuring robust staff training as part of any application and setting out training and identification of vulnerable or intoxicated people and ensuring they are safe when on and as they leave the premises.

15.4 Public Health Dorset as a responsible authority 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.

- 15.5 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.
- 15.6 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. Consumption of alcohol by under 18s can lead to serious and acute health impacts. 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.
- 15.7 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.
- 15.8 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 (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

16 Temporary Event Notices

- 16.1 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.
- 16.2 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
- 16.3 **Standard TEN** - The Licensing Authority encourages applicants to give as much notice as possible of such events in excess of the minimum statutory period of ten working days so that appropriate advice and guidance can be given to organisers. Ten working days' notice means ten working days exclusive of the day on which the event is to start and exclusive of the day on which the notice is given.

Late TEN - Applicants can apply for a 'late TEN' up to 5 working days before the event and can apply for up to 10 late TENs per calendar year.

- 16.4 The most important aspect of the system of temporary event notices is that no permission is required for these events from the Licensing Authority. 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). 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.
- 16.5 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.
- 16.6 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.
- 16.7 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.
- 16.8 The ability of the 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.

17 Outside Events

- 17.1 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.
- 17.2 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 (SAG) 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.
- 17.3 An Event Management Plan (EMP) should be drawn up for final approval by the SAG members and should include details regarding drug testing if appropriate.
<https://www.bournemouth.co.uk/dbimsgs/Event-guidelines-update-joint-2020.pdf>
- 17.4 Any advice given by the Safety Advisory Group will not preclude responsible authorities and interested parties from making representations relating to the event.
- 17.5 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.

18 The Review Process

- 18.1 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.
- 18.2 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. In incidents of serious crime and/or disorder the Police may apply for an Expedited/Summary Review of a premises licence.
- 18.3 An application for review may be made electronically as long as it is on the required form and in accordance with the Regulations.
- 18.4 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.
- 18.5 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.
- 18.7 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>)
- 18.8 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.
- 18.9 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>)

- 18.10 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 It is particularly important that the Premises Licence Holder or Club Premises Certificate 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

- 18.11 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
- Exclude a licensable activity from the scope of the licence
- 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

- 18.12 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.

19 Responsible Retailing for Off-Sales

- 19.1 The Licensing Authority is concerned that the irresponsible consumption of alcohol from off-sales is a significant problem 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.

- 19.2 Bournemouth have established a Community Alcohol Partnership (CAP) scheme which is run by a locally managed multi-agency partnership and whose aim is to reduce alcohol harm in local communities from drinking by young people under 25, with a particular emphasis on preventing underage drinking.

- 19.3 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.

- 19.4 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

19.5 In cases where representations are made against applications for off sales of alcohol for premises that are;

- In areas where Public Spaces Protection Orders (PSPOs) are in place
- Near to alcohol addiction recovery activities or buildings held in hospital or clinic settings
- In areas where drinking in public spaces affects any of the licensing objectives

Local information including areas of deprivation, population and crime statistics can be found via this link <https://www.bcpCouncil.gov.uk/Council-and-Democratic/Consultation-And-Research/Local-Data/Local-Data.aspx>

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

20 Late Night Levy

20.1 The Licensing Authority acknowledges that the Police Reform and Social Responsibility Act 2011 enables a Licensing Authority to charge a levy on premises 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 introduced such a levy but the option of introducing such a levy may be kept under review by the Licensing Committee.

21 Early Morning Restriction Orders (EMROs)

21.1 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, the option of introducing an EMRO may be reviewed by the Licensing Committee.

22 Personal Licenses

22.1 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 Designated Premises Supervisor (DPS) 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 authorised to make such sales.

22.2 The Licensing Authority recommends that the DPS authorises authorisations for the sale of alcohol be made by other staff members to be 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.

- 22.3 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
- 22.4 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.
- 22.5 Applicants should produce a Disclosure and Barring Service (DBS) 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.
- 22.6 Where the application discloses relevant unspent convictions the Licensing Authority will notify the Police of the 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.

23 How to use this Policy

- 23.1 This policy is a guidance document for applicants and members to assist the decision making 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 to either party depending on the outcome of the appeal.
- 23.2 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/attachment_data/file/328492/Entertainment_Licensing_Legislative_Reform_Order_Explanatory_Document.pdf

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.bcpCouncil.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 Further Information and Evidence

25.1 Further information relating to this policy can be found at the following sites;

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

Appendix A – Glossary

Appendix B – List of Consultees

Appendix C – Responsible Authority Contact List

Appendix D – Model Pool of Conditions

Appendix E – Enforcement Memorandum of Understanding

Appendix F – Procedure at Hearings

Appendix A

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 www.acpo.police.uk)
Applicant	A person making an application in respect of 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	Anti social behaviour
British Beer and Pub Association (BBP)	See www.beerandpub.com
British Board of Film Classification (BBFC)	The national body responsible for the classification of cinema films and videos
CCTV	Closed Circuit Television
Child	The Licensing Act 2003s145(2) defines a child as an individual under the age of 16
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
Community Alcohol Partnership Scheme (CAP)	CAP is the national co-ordinating organisation for the establishment of local Community Alcohol Partnerships
Community Safety and Accreditation Scheme (CSASS)	Officers who have been given some police powers who patrol key areas within the BCP Council Area
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
Conditions/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
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"
DPS	The Designated premises Supervisor 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
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
Expedited/Summary Review	An application undertaken when the Police consider that the premises concerned are associated with serious crime and/or disorder
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 common sense 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. This is dealt with by mandatory conditions which are attached to all premises authorised for the sale of alcohol on the premises
Late Night Levy	A means of raising a contribution towards the costs of policing the late-night economy
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 by way of a (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"> – Supply alcohol – Provide regulated entertainment – Provide late-night refreshment
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"> – The prevention of crime and disorder – Public safety – The prevention of public nuisance – The protection of children from harm

	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	The full Licensing Committee delegates a number of their functions to one or more 'Licensing Subcommittees'. These are made up of three members of the full Licensing Committee
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
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
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
Minor Variation	Small variations that will not impact adversely on the licensing objectives are subject to a simplified 'minor variations' process. Variations to; – 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; – 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
Off-Sales	Supply of alcohol in a sealed or open container for consumption off the premises
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
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
Public Space Protection Order (PSPO)	Public Spaces Protection Orders (PSPOs) 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
Purple Guide	Best practice guidance document for outside events
Qualifying Clubs (with regard to Club Premises Certificates)	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	<p>Generally speaking, the provision of regulated entertainment means the commercial or public provision of entertainment facilities or the commercial or public provision of any of the following sorts of entertainment;</p> <ul style="list-style-type: none"> – The performance of a play – An exhibition of a film – An indoor sporting event – Boxing or wrestling entertainment – A performance of live music – Any playing of recorded music – A performance of dance – Entertainment of a similar description to live music, recorded music or dance <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 eg, 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>
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"> – The Licensing Authority – The Chief officer of Police – The Fire Authority – The Planning Authority – The Health Authority – The Health and Safety Authority – The Environmental Health Authority – The body recognised as being responsible for protection of children from harm – Inspectors of Weights and Measures (trading standards officers) <p>and in respect of vessels only;</p> <ul style="list-style-type: none"> i) The Environment Agency ii) The British Waterways Board iii) The Maritime and Coastguard Agency and if different from these 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 <ul style="list-style-type: none"> - Home Office Immigration Enforcement
Review	<p>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</p>

Risk Assessment	The overall process of identifying all the risks to and from an activity and assessing the potential impact of each risk.
Safety Advisory Group (SAG)	Safety Advisory Group or SAG is made up of representatives from the Local Authority such as Environmental Health, Licensing Authority, Emergency Services such as Police and Fire and Rescue Service, other relevant bodies and the event organiser. It is a platform for discussing and advising on public safety and concerns at an event
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
SIA	Security Industry Authority who is the authority who licence for 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
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. A TEN can be referred to as a Standard TEN or a Late TEN
Variation	See Application to vary a Premises Licence

LICENSING ACT 2003
CONSULTATION OF STATEMENT OF LICENSING POLICY REVIEW 2020

Age UK Bournemouth	info@ageukbournemouth.org.uk
Age Concern Christchurch	contact@ageconcernchristchurch.org.uk
APPL Solutions Limited, Managing Director	solutions@applicensing.co.uk
Arts University Bournemouth	hello@aub.ac.uk
Association of Convenience Stores	acs@acs.org.uk
Association of Licensed Multiple Retailers	info@almr.org.uk
Best One	enquiries@best-one.co.uk
BH Live	peter.gunn@bhlive.co.uk
BII (British Institute of Innkeeping)	qualifications@bii.org
Bishop of Salisbury	bishop.salisbury@salisbury.anglican.org
Bishop of Winchester	andrew.robinson@winchester.anglican.org
John Gaunt & Partners	JWallsgrove@john-gaunt.co.uk
Bournecoast Property Agents	info@bournecoast.co.uk ;
Bournemouth & District Law Society	office@bournemouthlaw.com
Bournemouth and Poole Rough Sleepers Team, Assertive Outreach Worker (Alcohol)	info@mungos.org
Bournemouth Accommodation and Hotel Association	info@bhhotels.co.uk
Bournemouth Area Hospitality Association	bha@bha.org.uk
Bournemouth Branch of the Federation of Small Businesses	matthew@escapeyachting.com
Bournemouth Chamber of Trade & Commerce	president@bournemouthchamber.org.uk
Bournemouth Coastal BID	info@coastalbid.co.uk
Bournemouth Community Church	office@bournemouthcommunitychurch.com
Bournemouth Interpreters Group	AMarsh1004@aol.com
Bournemouth Islamic Centre and Central Mosque	info@salaam.co.uk
Bournemouth Magistrates' Court	do-bournemcgen@hmcts.gsi.gov.uk
Bournemouth Symphony Orchestra	jmale@bsorchestra.co.uk
Bournemouth Town Centre BID	info@towncentrebid.co.uk
Bournemouth Town Centre Parish (The Diocese of Winchester)	ianterry@live.co.uk
Bournemouth Town Watch	jon.shipp@bcpcouncil.gov.uk
Bournemouth University	enquiries@bournemouth.ac.uk
Bournemouth YMCA	enquiries@bournemouthymca.org.uk
British Beer & Pub Association	contact@beerandpub.com
Burton and Winkton Parish Council	burton@dorset-aptc.gov.uk
CAMRA (Campaign for Real Ale)	camra@camra.org.uk
CAP (Community Alcohol Partnership)	andrew.williams@bcpcouncil.gov.uk
Castlepoint	peter.matthews@castlepointshopping.co.uk
Christchurch Chamber of Commerce	office@christchurchbusiness.co.uk
Christchurch Town Council	townclerk@christchurch-tc.gov.uk
Charminster Traders Association	info@experiencecharminster.info
Citizens Advice Bureau	admin@bournemouthcab.co.uk
College at Lansdowne	enquiries@bpc.ac.uk
Diageo	gbcustomerservice@diageo.com
Dorset Council Licensing	licensingteamb@dorsetcouncil.gov.uk

Dorset Healthcare University NHS Foundation Trust	ron.shields@dhuft.nhs.uk
East Bournemouth Pubwatch	davidgmh@yahoo.co.uk
Enterprise Inns plc, Regional Manager	liz.appleton@enterpriseinns.com
Gambling Commission, Area Manager	n.dowse@gamblingcommission.gov.uk
Highcliffe and Walkford Parish Council	trish.jamieson@highcliffewalkford-pc.gov.uk
Hope FM	sddayman@gmail.com
Hurn Parish Council	hurnparishcouncil@talktalk.net
Innpacked	info@innpacked.com
Institute of Licensing	info@instituteoflicensing.org
JCP Law, Licensing Solicitor	julia.palmer@jcplaw.co.uk
Keep Britain Tidy	enquiries@keepbritaintidy.org
Kuits Solicitors	anthonylyons@kuits.com
Laceys Solicitors	info@laceyssolicitors.co.uk
Lansdowne Baptist Church	office@lansdownebaptistchurch.org.uk
LV Streetwise Safety Centre, Centre Manager	alison@streetwise.org.uk
National Coastal Tourism Academy	jo.edom@coastaltourismacademy.co.uk
National Organisation of Residents Associations	chairman@nora-uk.co.uk
North Bournemouth Pubwatch	tom@barbuffalo.co.uk
NTE Strategy Group	jon.shipp@bcpcouncil.gov.uk
Pokesdown Community Forum	Pokesdown.cf@gmail.com
Police and Crime Commissioner	pcc@dorset.pnn.police.uk
Poppleston Allen, Licensing Solicitors	c.eames@popall.co.uk
Poole BID	Info@poolebid.com
Poole Chamber of Commerce	info@poolechamber.org.uk
Poole Dolphin Centre Manager	John.grinnell@dolphinshoppingcentre.co.uk
Poole Harbour Commissioner	pooleharbourcommissioners@phc.co.uk
Poole Town Centre Manager	info@pooletowncentre.com
Prama Life	Sarah-jane.wouthern@pramacare.co.uk
RNLI – Poole Lifeboat station	poole@rnli.org.uk
Robert Sutherland, Keystone Law	robert.sutherland@keystonelaw.co.uk
Sacred Heart Catholic Church, Bournemouth	office.sacredheart@btinternet.com
Samaritans	jo@samaritans.org
Saxon Square Management Company	bhcommercial@ellis-partners.co.uk
Security Industry Authority	info@the-sia-org.uk
South Western Ambulance Service	wayne.darch@swast.nhs.uk
Southbourne-on-Sea Business Association	info@sosba.co.uk
St Mungos	info@mungos.org
St Swithun's Church	tim@stswithuns.me
Trethowans solicitors	licensing@trethowans.com
The Avenue Shopping Centre	avenuecentre@btconnect.com
The Dorset SARC (Sexual Assault Referral Centre)	dorsetsarc@twelvescompany.co.uk
UK Youth Parliament	info@ukyouthparliament.org.uk
Wallisdown Info	admin@wallisdown.info
Wine and Spirit Association	info@wsta.co.uk
Winton Online	winton.communityofficer@bcpcouncil.gov.uk
Winton Traders Association	execofficer@bournemouthchamber.org.uk

IN ADDITION THE FOLLOWING GROUPS HAVE BEEN CONSULTED

Responsible Authorities	Dorset Police
	Wiltshire & Dorset Fire and Rescue Service
	Public Health Dorset
	Trading Standards
	Pollution Control
	Planning
	Child Protection
	Health & Safety
	Home Office Immigration
BCP Council	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
Civic Centre
Bourne Ave,
Bournemouth BH2 6EB
Tel; 01202 451180
E-mail : licensing@bcpcouncil.gov.uk
www.bcpCouncil.gov.uk/Home.aspx

Payment Methods

Pay by Debit or Credit Card

Online by visiting bcpcouncil.gov.uk/payonlineB

Type of payment = Licensing

Then select, EHL licensing Act 2003

Ref = Licence number/reference number

Amount =

Select add to add further payments

Complete Card Holder details

Select next

Confirm details and make payment

Send remittance by email to licensing@bcpcouncil.gov.uk

I enclose my cheque - payable to; **BCP Council**.

Payment by BACS, please quote ref -**WJ110-KG1**

Account No = 21006622. Sort Code = 40-13-07.

Please send remittance by email to licensing@bcpcouncil.gov.uk

If you are applying electronically, via email and wish to make payment via card please provide your contact details so that a member of the team can call you upon receipt of the application.

Responsible Authorities

(1) Dorset Police Authority

Chief Officer of Police
c/o DAHRT Dorset Police
Bournemouth Police Station
Madeira Road
Bournemouth
Dorset
BH1 1QQ
Tel : 01202 223156
Email : licensing@dorset.pnn.police.uk

(2) Dorset & Wilshire Fire and Rescue Service

Five Rivers Health and Wellbeing Centre
Hulse Road
Salisbury
Wiltshire
SP1 3NR
Tel : 01722 691717
Email : fire.safety@dwfire.org.uk

(3) Protection of Children from Harm

Quality and Commissioning – Children's Services
CYP social Care
BCP Council
Tel : 01202 123334
Email : compliance.team@bcpcouncil.gov.uk

(4) Weights and Measures Authority

Trading Standards Manager
Communities
BCP Council
Unit 1 New Fields Business Park
Stinsford Road
Poole
Dorset
BH17 0NF
Tel: 01202 261700
E-mail : tradingstandards@bcpcouncil.gov.uk

(5) Environmental Health Authority

Environmental Health Manager Communities BCP Council
Unit 1 New Fields Business Park
Stinsford Road
Poole
Dorset
BH17 0NF
Tel : 01202 261700
E-mail : 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

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

(7) Planning Authority

Planning Manager
BCP Council

Civic Centre
Bourne Ave
Bournemouth BH2 6DY
Tel : 01202 451323
E-mail : planning.bournemouth@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

(9) Home Office (Immigration Enforcement)

Alcohol Licensing Team
Immigration Enforcement
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: info@mcga.gov.uk

Appendix D

Model Pool of Licensing Conditions

INTRODUCTION

Conditions include any limitations or restrictions attached to a Premises Licence or Club Premises Certificate and are essentially the steps or actions that the holder of the licence or

certificate will be required to take, or refrain from taking, in relation to the carrying on of licensable activities at premises.

There are three types of condition that may be attached to a licence or certificate – proposed, imposed and mandatory.

Failure to comply with a condition imposed on a Premises Licence or Club Premises Certificate is a criminal offence, which on conviction is punishable by an unlimited fine and/or six months imprisonment.

The following list of proposed model conditions has been produced by the Licensing Authority in order to assist applicants for the grant or variation of Premises Licence or Club Premises Certificate when drafting the contents of the operating schedule (Part M of the application form). The operating schedule should set out the steps (proposed conditions) the applicant will take to promote the four licensing objectives should the application be granted.

The licensing objectives are;

- The prevention of crime and disorder
- The prevention of public nuisance
- Public Safety
- The protection of children from harm

It is important that applicants consider the contents of their Operating Schedule carefully and only offer those which they consider appropriate to promote the licensing objectives for their particular premises and style of operation. Location, size and capacity, hours of operation and licensable activities should be considered.

This list is not exhaustive and is not intended to prevent or deter applicants from proposing their own conditions which they consider appropriate for their particular premises.

It is important not to propose conditions which are inappropriate for the style of operation or will be impossible to comply with.

INPUT OF RESPONSIBLE AUTHORITY

The list does not restrict applicants, any of the Responsible Authorities, or other person, from proposing any alternative or additional conditions they consider appropriate to promote the licensing objectives during the consultation period.

Applicants are advised to contact the Responsible Authorities before they submit their application to discuss their proposals in detail.

INPUT OF LICENSING COMMITTEE/SUB-COMMITTEE

In the event that your application is considered by the Licensing Committee or Sub-Committee, as a result of relevant representations being made and not withdrawn, the Licensing Committee or Sub-Committee may choose to impose any of the conditions included in the list (but will not be obliged to do so) or may choose to impose individual conditions they see fit or may choose not to impose conditions

Licensing Objective		OPTIONAL CONDITION WORDING
Prevention of Crime and Disorder	Refusal Book	A Refusals Register shall be maintained at the premises and used to record any and all occasions upon which any person is refused the sale of alcohol (or delivery of the same) with a note of the reason for the refusal, the date and time and a brief description of the person(s) concerned If the refusal relates to a delivery, the record shall also contain a note of the delivery address and the name of the customer concerned

		The register shall be kept at the premises for a minimum period of 12 months and made available for inspection by Police, Licensing Authority and other authorised officers on request
	Incident Log	<p>An incident log shall be kept at the premises</p> <p>The log should include the date and time of the incident and the name of the member of staff involved</p> <p>The log to be made available on request to an authorised officer of the Licensing Authority or the Police, which will record the following;</p> <ul style="list-style-type: none"> (a) All crimes reported to the venue as having occurred within or immediately outside the premises (b) All ejections of patrons (c) Any complaints received relating to crime and disorder (d) Any incidents of disorder (e) All seizures of drugs or offensive weapons (f) Any faults in the CCTV system or searching equipment or scanning equipment <p>The incident log shall be kept at the premises for a minimum period of 12 months and be made available for inspection by Police, the Licensing Authority and other authorised officers on request</p>
	<p>Alcohol Deliveries</p> <p>Bespoke conditions should be considered in relation to delivery-only premises to address the following concerns;-</p> <p>ID Checks – How and by whom is this being completed and recorded? What is the protocol for refusal and how is this being monitored?</p> <p>Maximum quantities of alcohol This should be</p>	<p>All persons making deliveries of alcohol from the premises shall be instructed to report to the holder of the licence or the DPS any and all occasions when a delivery is refused and the reason for that refusal and a record of all such refusals shall be maintained at the premises</p> <p>The record shall be checked by the DPS or the manager(ess) in charge of the premises at least once a week and shall be signed to that effect</p> <p>Alcohol sold shall be ancillary to food prepared and served on/delivered from the premises</p> <p>Alcohol deliveries shall only be made to residential/business addresses</p>

	considered to ensure adequate controls and to safeguard against proxy-sales.	
	ABV Limit This condition is applied as needed depending on the application (for example where there are particular concerns about street drinking)	No beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises
	CCTV	<p>A CCTV system, shall be installed and thereafter maintained in good working order to cover all public parts of the premises (excluding lavatories)</p> <p>Cameras covering entry and exit points shall be capable of enabling frontal identification of every person entering in any light condition</p> <p>The CCTV system shall continually record and cover areas where alcohol is kept for selection and purchase by the public, whilst the premises is open for licensable activities. It shall operate during all times when customers remain on the premises</p> <p>All recordings shall be stored for a minimum period of 31 days with correct date and time stamping</p> <p>Recordings shall be made available for viewing (subject to Data Protection Act 2018 or any replacement legislation) immediately upon the request of Police or an authorised officer and copies provided in a playable format as soon as is reasonably practicable, provided in each case that requests for viewing and/or copies are compliant with data protection regulations</p> <p>A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public</p>
	SIA Door Supervisors	<p>The holder of the licence shall undertake a risk assessment with regard to the deployment of SIA Door Supervisors at different times of the day and on different days of the week to determine whether it is appropriate to deploy door staff on those days and/or at any other time(s) and to then implement the outcome of the risk assessment</p> <p>A copy of the risk assessment should be made available to an authorised officer of the Licensing Authority or Dorset Police upon request</p>

	Queues	<p>The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway</p> <p>The designated queuing area shall be enclosed within appropriate barriers to ensure that the footway is kept clear</p> <p>All staff engaged outside the entrance to the premises, or supervising or controlling queues shall wear high visibility yellow jackets or vests</p>
	Pub and Town Watch	The premises shall maintain membership of the Townwatch scheme (or any successor scheme) a senior member of staff shall attend all Townwatch meetings unless an emergency arises preventing such attendance and the premises will support Townwatch initiatives
	Off Sales	<p>There shall be no sales of alcohol for consumption off the premises</p> <p>All sales of alcohol for consumption off the premises shall be in sealed containers only—and shall not be consumed on the premises</p>
	Drugs	<p>There shall be a written drugs policy detailing the actions to be undertaken to minimize the opportunity to use or supply illegal substances with the premises</p> <p>Training of staff in relation to this policy shall be recorded and available for inspection by an authorised officer at all reasonable times</p> <p>Records shall be retained for at least 12 months</p> <p>A drug safe shall be available on the premises to deposit any illegal substances found</p> <p>There shall be a clear policy with the agreed procedure for handling and the retention of any article seized</p> <p>There shall be a clear visible notice displayed on the premises advising those attending that the Police may be informed if anyone is found in possession of controlled substances or weapons</p>
	Glass and Bottles	<p>All drinks shall be served in plastic/paper/toughened glass or polycarbonate containers</p> <p>The contents of any bottled beverage shall be decanted into a plastic/paper/toughened glass or polycarbonate container before service to any customer</p> <p>The collection of glass and bottles shall be undertaken at regular intervals</p> <p>Bottle bins shall be provided at the exit doors and staff shall show due diligence in preventing bottles and glasses being taken from the premises</p>

Licensing Objective		OPTIONAL CONDITION WORDING
Prevention of Public Nuisance	Noise Limiter	<p><i>For High Risk Businesses with residential located above or in the local vicinity and/or a business whose main purpose is provision of music</i></p> <p>A noise limiter shall be fitted to the musical amplification system set at a level determined by and</p>

		<p>to the satisfaction of an authorised officer of the Environmental Health Service so as to ensure that no noise nuisance is caused to local residents or businesses</p> <p>The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder</p> <p>The limiter shall not be altered without prior agreement with the Environmental Health Service</p> <p>No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service</p> <p>No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device</p>
	Noise Escape	<p><i>For all businesses who intend to open into the evening with residential located above or in the local vicinity. (ensure times are the same as other similar businesses in the area)</i></p> <p>No noise generated on the premises-or by its associated plant or equipment-shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance</p> <p>All audio from the music system will be played at background level only</p> <p>A lobbied entrance, that is two sets of doors that are set so that one is closed when the other one is open shall be installed at the premises</p> <p>Loudspeakers shall not be located in the entrance lobby or outside the premises building</p> <p>Live/recorded music will stop at (XX.XX)</p> <p>The front entrance doors to the premises shall have self-closers and be maintained as such for the duration of the licence</p>
	Doors and Windows	<p><i>For all businesses offering music into the evening with residential located above or in the local vicinity (ensure times are the same as other similar businesses in the area)</i></p> <p>All windows and external doors shall be kept closed after (XX;XX) hours-or at any time when regulated entertainment takes place, except for the immediate access and egress of persons</p>
	Allowing People Outside/Smoking	<p><i>For all businesses allowing patrons to leave the premises e.g. to smoke (ensure times are the same as other similar businesses in the area)</i></p> <p>There shall be no admittance or re-admittance to the premises after (XX.XX) except for patrons permitted to temporarily leave the premises to smoke or to make a telephone call, is impractical to do so from within the building</p>

		<p>Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or to make a telephone call, shall be limited to (X) persons at any one time</p> <p>Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or to make a telephone call, shall not be permitted to take drinks or glass containers with them</p> <p>The Premises Licence Holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway</p> <p>Loudspeakers shall not be located outside the building</p> <p>Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly</p> <p>Patrons permitted to temporarily leave and then re-enter the premises to smoke or to make a telephone call shall be restricted to a designated smoking area defined as (specify location)</p> <p>After (XX.XX) Patrons will only be permitted to use the outside area for temporary purposes e.g. to smoke or to make a telephone call</p>
	External Tables and Chairs	<p><i>For those businesses with external tables and chairs (ensure times are the same as other similar businesses in the area)</i></p> <p>No food or alcohol shall to be served on the patio/terrace area after (XX.XX) hours</p> <p>All outside tables and chairs shall be rendered unusable by (XX.XX) each day</p> <p>All tables and chairs shall be removed from the outside area by (XX.XX) each day</p>
	Signs	<p><i>For all businesses where patrons will leave during an evening and have residential in the local area</i></p> <p>Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly</p>
	Queueing to Enter Premises	<p><i>See prevention of crime and disorder above</i></p>
	Movement of Waste Externally	<p><i>For all businesses who store waste externally (ensure times are the same as other similar businesses in the area)</i></p> <p>No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (XX.XX) hours and (XX.XX) hours on the following day</p> <p>No collections of waste or recycling materials (including bottles) from the premises shall take place between (XX.XX) and (XX.XX) on the following day</p>
	Deliveries	<p><i>For all businesses with deliveries to the premises (ensure times are the same as other similar businesses in the area)</i></p>

		No deliveries to the premises other than milk and newspapers shall take place between (XX.XX) and (XX.XX) on the following day
	Takeaways	<i>For all businesses operating takeaway/delivery functionality late into the evening</i> All staff including delivery drivers will be trained making them aware that they must be considerate of neighbouring premises, a sign requiring this will also be placed on any door used for the collection of the delivery at all times
	Manager's Phone Number to be Available	<i>For High Risk businesses likely to cause a nuisance</i> A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open This telephone number is to be made available to residents and businesses in the vicinity
	Steam and Odours	No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated

Licensing Objective		
Public Safety	<p>Considerations of Dorset & Wiltshire Fire and Rescue Service</p> <p>NOTE – These matters must be considered in the Fire Risk Assessment under the Regulatory Reform (Fire Safety) Order 2005 These considerations will not be duplicated to form conditions on your licence.</p>	<p>Occupancy to include:</p> <ul style="list-style-type: none"> • Numbers • Type of Occupants (young/old/mental capacity/vulnerable) • Disabilities/impairments • Floor space calculations / Exit capacities <p>Means of Escape to include:</p> <ul style="list-style-type: none"> • Travel Distances • Emergency Lighting • Signage • Final exits (number, location, locking mechanisms) • Protected Routes to include: • Compartmentation (walls and ceilings) • Fire Doors to satisfy FD30S • Automatic Fire Warning & Detection • Firefighting Provisions • Fire Risk Assessment <p>Your attention is drawn to the following sources of information and advice:</p> <p>FIRE SAFETY RISK ASSESSMENT GUIDES</p> <p>✓ Guides suitable for your type of premises, published by the Department of Communities and Local Government, are available from bookshops, or free by downloading from the internet http://www.gov.uk/workplace-fire-safety-your-responsibilities</p>

		✓ Information regarding Business Fire Safety can be found on Dorset & Wiltshire Fire and Rescue Service website https://www.dwfire.org.uk/business-fire-safety/
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Licensing Objective		SUGGESTED CONDITION WORDING
Protection of Children from Harm	Challenge 21 or Challenge 25	Challenge (21/25) shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport / holographically marked PASS scheme identification cards Appropriate signage advising customers of the policy shall prominently displayed in the premises
	Staff Training	All staff working at the premises concerned with the sale of alcohol shall be trained with regard to the law on restricted sales -to persons under the age of 18 and/or who are intoxicated-and with regard to the terms and conditions of the premises licence A written record of all staff training shall be maintained and kept on the premises and made available on request to an authorised officer of the Licensing Authority or the Police
	Considerations for child safeguarding	Children (under 18) shall not be allowed upon the premises Clear signage of the times and areas children (under 18) admitted shall be displayed Children (under 18) shall only be allowed to remain on the premises between the hours of XXXX and XXXX on any day Bars and restaurants expecting under 16s to be accompanied past a certain hour A lost children procedure shall be in place with DBS checked staff to care for any lost children

Appendix E



LICENSING COMMITTEE AND SUB COMMITTEE PROTOCOL FOR PUBLIC SPEAKING

The following protocol for public speaking shall apply in respect of hearings under the Licensing Act 2003, the Gambling Act 2005 and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by the Policing and Crime Act 2009).

This includes applications relating to the licensing of alcohol, regulated entertainment, late night refreshment, gambling, and sex establishments, Hackney Carriage and Private Hire vehicles, which are the responsibility of the Licensing Committee/Sub Committee to determine as set out in Part 3.3 of the Council's Constitution.

1. The Chair welcomes everyone to the hearing, identifies all parties present and makes introductions.
2. Matters of general housekeeping are dealt with, eg location of fire exits and toilets, fire alarms, notification that the hearing may be recorded, reminder to switch mobile phones to silent.
3. All persons who have given notice of their intention to speak are identified.
4. Identify if any person who wishes to withdraw a representation or wishes not to speak.
5. Chair explains proposed procedure and order of speaking for hearing as set out in Appendix A.
6. All parties confirm agreement or make representations on procedure proposed.
7. Licensing Officer's report is presented.
8. Parties present their representations in the order agreed.

Parties who are speaking should not repeat the information which they have already given in writing in their representation. They will be able to expand on the written information given, provided the information remains relevant. Any additional information should be limited to the grounds of their representation(s). For example, if they are objecting on the grounds of Public Nuisance then they should confine their comments to matters relating to Public Nuisance.

9. Members of the Licensing Committee or Sub Committee may ask questions after each representation and at the end of all representations. Parties will be allowed to ask questions through the Chair.
10. Following representations the parties will be given the opportunity to sum up. Party who spoke first to go last.
11. Members will deliberate in private with the clerk and legal representative as appropriate present.
12. The decision will be taken by the Committee and that decision delivered by the Chair to all parties at the conclusion of the hearing as appropriate. A written decision notice will be issued following the hearing in accordance with the regulations.
13. The Legal Adviser will advise the parties of any right of appeal as appropriate.

General points

- The hearing may be adjourned at any time at the discretion of the Members
- Members may amend the procedure at any time if they consider it to be in the public interest or in the interest of a fair hearing
- Licensing Hearings are held in public. However the Chair may exclude members of the public (including a party to the hearing) from all or part of a hearing where it considers the public interest in so doing, outweighs the public interest in the hearing.
- The Chair may exclude any person from a hearing for being disruptive.
- Meetings of the Licensing Committee in public session are audio recorded by the Council for subsequent publication on its website. The meeting may also be audio

recorded and/or filmed for live or subsequent broadcast by members of the public and media representatives.

- The hearing will take the form of a discussion.
- Only persons (or their representatives) who have made an application, are subject to an application or have submitted a written representation to the Licensing Authority under the relevant Act are permitted to speak at the hearing.
- Any further information to support an application or a representation must be submitted at least 5 working days prior to the hearing. Any submissions submitted less than 24 hours before the hearing must be agreed by all parties at the hearing, before it can be considered
- If a party has informed the Licensing Authority that he does not intend to attend, or be represented at the hearing, or has failed to advise whether they intend to attend or not, the hearing may proceed in their absence

For other matters in Part 3.3 of the Council's Constitution which are the responsibility of the Licensing Committee, the procedures set out in Appendix 6 of the Council's Constitution in relation to public questions, statements and petitions shall apply.

This includes such matters as making recommendations on relevant policies, approving the level of fees charged by the Licensing Authority and making decisions on tariffs charged by the Public Carriage Trade.

The Council's Constitution can be accessed using the following link;

<https://democracy.bcpccouncil.gov.uk/ieListDocuments.aspx?Cld=151&Mld=3671&Ver=4&Info=1>

For further information please contact democraticservices@bcpccouncil.gov.uk

Appendix A

Proposed procedure and order of speaking for Licensing Act 2003 hearings

- The licensing officer/other Council officer presents report
- Applicant will make their application
- Questions of the applicant by all parties, members of the Committee/Sub-Committee to go first
- Responsible Authorities and other persons will make their representations.
- Questions of the Responsible Authorities and other persons. Members of the Committee/Sub-Committee to go first.
- All parties will be given an opportunity to sum up (with the party who spoke last to go first).
- Sub-Committee will deliberate in private with legal adviser and clerk present. Councillors new to Licensing may observe but will not take part in the decision making)
- Sub-Committee will return, and the Chair will announce the decision as appropriate (a written decision notice will be issued following the hearing in accordance with the regulations).

- The Legal Adviser will advise parties of any right of appeal as appropriate.

Appendix F



LICENSING COMMITTEE AND SUB COMMITTEE **PROTOCOL FOR PUBLIC REPRESENTATION AT VIRTUAL MEETINGS**

The existing protocol for public speaking has been adapted to apply in respect of virtual hearings under the Licensing Act 2003, the Gambling Act 2005, and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by the Policing and Crime Act 2009). It has been amended in accordance with Article 16 of the Council's Constitution; Covid-19 Interim Decision Making Arrangements and the requirements of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. This includes applications relating to the licensing of alcohol, regulated entertainment, late night refreshment, gambling, and sex establishments, Hackney Carriage and Private Hire vehicles, which are the responsibility of the Licensing Committee/Sub Committee to determine as set out in Part 3.3 of the Council's Constitution.

14. The Chair welcomes everyone, matters of general housekeeping are dealt with, notification that the hearing may be recorded for live and subsequent broadcast on the Council's website, reminder to switch mobile phones to silent, principles for managing formal virtual meetings.
15. The Chair identifies all parties present and makes introductions.
16. Matters of general housekeeping are dealt with, notification that the hearing may be recorded for live and subsequent broadcast on the Council's website, reminder to switch mobile phones to silent.
17. All persons who have given notice of their intention to speak are identified.
18. Identify any person who wishes to withdraw a representation or wishes not to speak.
19. Chair explains proposed procedure and order of speaking for hearing as set out in Appendix A. All parties confirm agreement or make representations on procedure proposed.
20. Licensing Officer's report is presented.
21. Parties present their representations in the order agreed.
22. Parties who are speaking should not repeat the information which they have already given in writing in their representation. They will be able to expand on the written information given, provided the information remains relevant.
Any additional information should be limited to the grounds of their representation(s).
For example if they are objecting on the grounds of Public Nuisance then they should confine their comments to matters relating to Public Nuisance.
23. Members of the Licensing Committee or Sub Committee may ask questions after each representation and at the end of all representations. Parties will be allowed to ask questions through the Chair.
24. Following representations, the parties will be given the opportunity to sum up. The party who spoke first to go last. The hearing will then conclude.
25. Members will deliberate in private with the clerk and legal representative as appropriate present.
26. The decision will be taken by the Committee and notification of the decision will be given within the period of five working days beginning with the day or the last day on which the hearing was held in accordance with the regulations. The notification of decision will include information about the right of appeal as appropriate.
27. The Legal Advisor will advise the parties of any right of appeal as appropriate at the conclusion of the hearing.

General points

- The hearing may be adjourned at any time at the discretion of the Members
- Members may amend the procedure at any time if they consider it to be in the public interest or in the interest of a fair hearing

- The Sub Committee may decide to conduct all or part of a hearing in non public session where it considers the public interest in doing so, outweighs the public interest in the hearing
- The Chair may exclude any person from a hearing for being disruptive
- Meetings of the Sub Committee/Licensing Committee in public session are recorded by the Council for live and subsequent broadcast on its website
- The hearing will take the form of a discussion
- Only persons (or their representatives) who have made an application, are subject to an application or have submitted a written representation to the Licensing Authority under the relevant Act are permitted to speak at the hearing
- Any further information to support an application or a representation must be submitted at least 5 working days prior to the Hearing. Any submissions submitted less than 24 hours before the hearing must be agreed by all parties at the hearing, before it can be considered
- If a party has informed the Authority that he does not intend to participate or be represented at the hearing-or has failed to advise whether he intends to participate or not, the hearing may proceed in his absence

* For other matters in Part 3.3 of the Council's Constitution which are the responsibility of the Licensing Committee, the procedures set out in Appendix 6 of the Council's Constitution in relation to public questions, statements and petitions as amended by Article 16; Covid-19 Interim Decision Making Arrangements and the provisions in The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 shall apply.

This includes such matters as making recommendations on relevant policies, approving the level of fees charged by the Council, and making decisions on tariffs charged by the Public Carriage Trade.

The Council's Constitution can be accessed using the following link;

<https://democracy.bcpCouncil.gov.uk/ieListMeetings.aspx?CommitteeID=151&Info=1&bcr=1>

For further information please contact democraticservices@bcpCouncil.gov.uk

Appendix A

Proposed procedure and order of speaking for virtual hearings;

- The licensing officer/other Council officer presents report
- Applicant will make their application
- Questions of the applicant by all parties, members of the Committee/Sub-Committee to go first
- Responsible Authorities and other persons will make their representations.
- Questions of the Responsible Authorities and other persons. Members of the Committee/Sub-Committee to go first.
- All parties will be given an opportunity to sum up (with the party who spoke last to go first).
- The hearing will then conclude
- Sub-Committee will deliberate in private with legal adviser and clerk present. Councillors new to Licensing may observe but will not take part in the decision making)
- Notification of the Sub Committee's decision will be given within the period of five working days beginning with the day or the last day on which the hearing

was held in accordance with the regulations. The notification of decision will include information about the right of appeal as appropriate

- The Legal Adviser will advise parties of any right of appeal as appropriate.