

NORTH HERTFORDSHIRE DISTRICT COUNCIL

STATEMENT OF LICENSING POLICY

(adopted by Full Council on 29 November 2007)

as required by

THE LICENSING ACT 2003

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NORTH HERTFORDSHIRE DISTRICT COUNCIL

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Statement of Licensing Policy

This Licensing Policy Statement was adopted by the Council on 29 November 2007 and is effective from 7 January 2008.

1. Introduction

1.1 This Licensing Policy Statement ("The Policy") has been produced in accordance with the Licensing Act 2003 ("The Act") and has been drafted with regard to the Department of Culture Media and Sport Guidance issued on 28 June 2007. Its purpose is to give guidance to North Hertfordshire District Council ("The Council") when carrying out its functions and responsibilities under the Act.

1.2 This Policy applies to all those licensable activities identified as falling within the provisions of the Act , namely:

- Retail sale of alcohol (including via the internet or mail order).
- Supply of alcohol by or on behalf of a club member, or the order of a member of a club.
- The provision of late night refreshment, which includes the supply of hot food and/or drink on or from any premises between 11pm and 5am to members of the public.
- The provision of 'regulated entertainment', as defined by the Act, which may include:
 1. A performance of a play
 2. An exhibition of a film
 3. An indoor sporting event
 4. Boxing or wrestling entertainment (indoor or outdoor)
 5. A performance of live music
 6. Any playing of recorded music
 7. A performance of dance
 8. Provision of facilities for making music
 9. Entertainment of a similar description to that falling within the performance of live music, the playing of recorded music and the performance of dance

1.3 Each licence application will be decided by reference to this Policy, the National Guidance issued by the Secretary of State and to the individual circumstances of the particular application. The Council may depart from the Policy where the individual circumstances of any application merit such a decision in the interests of the promotion of the Licensing Objectives. Full reasons will be given for decisions taken by the Council when undertaking its licensing functions.

2. The Licensing Objectives

- 2.1 The Council has a duty under the Act to carry out its functions and responsibilities with a view to promoting the 'Licensing Objectives' which are as follows:
- the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 2.2 Each licensing objective has equal importance. The Council are aware that there are no other licensing objectives, so the four objectives mentioned in 2.1 above are paramount considerations at all times.
- 2.3 The Council recognises that the exercise of its licensing functions are only one of a number of means of securing the above objectives. The exercise, by the Council, of its licensing functions should not be seen as a panacea for all problems within the community. The Council will continue to work in partnership with other people and organisations towards the promotion of the Licensing Objectives.
- 2.4 The Council will carry out its licensing functions in the promotion of the Licensing Objectives and, in addition, will support the stated aims of the Act which are as follows:
- the introduction of better and more proportionate regulation to give businesses greater freedom and flexibility to meet their customers' expectations;
 - greater choice for consumers, including tourists, about where, when and how, they spend their leisure time;
 - the encouragement of more family friendly premises where younger children can be free to go with the family;
 - the further development within communities of our rich culture of live music, dancing and theatre, both in rural areas and in our towns;
 - the regeneration of areas that need the increased investment and employment opportunities that a thriving and safe night-time economy can bring; and
 - the necessary protection of local residents, whose lives can be blighted by disturbance and anti-social behaviour associated with the behaviour of some people visiting places of entertainment.

3. Consultation and Review

- 3.1 In preparing and reviewing this Policy the Council has consulted with:
- The Police;
 - The Fire Authority;
 - persons/bodies representing local holders of premises licences;
 - persons/bodies representing local businesses;
 - persons bodies representing local residents;
 - Strategic Partners;
 - The North Herts Community Safety Partnership;

- Neighbouring Councils
 - Town/Parish Councils; and
 - other representatives of the wider community.
- 3.2 Appropriate weight has been given to the views of all those consulted prior to the adoption of this Policy.
- 3.3 The Council will keep this Policy under review and continue to work in partnership with neighbouring local authorities, local Police, local businesses and local people, towards the promotion of the Licensing Objectives. The Policy will also be integrated with the community, rural and town centre development briefs and strategies.
- 3.4 The Council will publish its Policy every three years and it will be kept under review in the intervening period. The Council may make such revisions as it considers appropriate, for instance in the light of feedback from the local community on whether the Licensing Objectives are being met.

4. Regulating Licensing

- 4.1 Licensing is about regulating the carrying on of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Act. The Council may attach conditions to licences issued under the Act and these must be focussed on matters which are within the control of the individual licence holders and others in possession of relevant authorisations.
- 4.2 The Council recognises that licensing law is not the primary mechanism for the general control of individuals once they are away from a licensed premises and, therefore, beyond the direct control of the licensee(s) or certificate holder(s). Beyond the vicinity of the premises, an individual who engages in anti-social behaviour is accountable under law in their own right. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in North Hertfordshire.
- 4.3 In addressing these matters the Council will primarily focus on the direct impact of the activities taking place on, or in the immediate vicinity of, the licensed premises on members of the public living, working or otherwise engaged in activities in the vicinity.
- 4.4 The Council do not consider that the term “vicinity” can be generically defined and will consider its definition in the specific circumstances of each application. To be considered in the vicinity of a premises, an interested party must be able to demonstrate a causal link to activities on or in the immediate vicinity of the premises in relation to the licensing objectives. For example, an interested party may be able to hear music from the premises within their property or they may see patrons leaving the premises and causing a nuisance near their property.
- 4.5 The Council recognises that unless relevant representations are received from responsible authorities or interested parties, there is no provision for a licensing authority to impose conditions on a licence other than those

volunteered by the applicant as part of the operating schedule included in the application. In addition, there is no provision for a licensing authority itself to make representations. If no relevant representations are received in respect of an application, the licensing authority must issue the licence on the terms sought.

5. Licence Conditions

- 5.1 The Council recognises that each application must be considered on its own merits and any conditions attached to licences and certificates must be tailored to the individual style and characteristics of the premises and activities concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises. Standardised conditions must be avoided and will only be lawful where they are deemed necessary to promote the licensing objectives in response to relevant representations.
- 5.2 Conditions will only be imposed when they are necessary for the promotion of the Licensing Objectives and will focus upon matters within the control of the individual licensee such as the premises, places or events being used for licensable activities. Conditions are likely to be focused towards the direct impact of those activities on persons living, working or otherwise engaged in activities in the vicinity.
- 5.3 Where appropriate the Council will draw upon the pool of model conditions issued under the Act. A copy of the current pool of model conditions can be found on the Council's website at www.north-herts.gov.uk. The pool of model conditions relate to:
- the prevention of crime and disorder;
 - public safety (including fire safety);
 - the promotion of public safety in theatres, cinemas, concert halls and similar places;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 5.4 Any conditions drawn from the pool of model conditions will be tailored to the individual premises and events concerned and determined at the time the application is being considered.

6. Cumulative Impact

- 6.1 'Cumulative Impact' means the potential impact on the promotion of the Licensing Objectives of a significant number of licensed premises concentrated in one area. An example of this impact would be the increase in crime and disorder or public nuisance in a town centre resulting from a large concentration of licensed premises in one area over and above the impact of the individual premises themselves.
- 6.2 The Cumulative Impact of a licensed premises on the promotion of the Licensing Objectives is a matter which the Council can properly consider in developing its Licensing Policy Statement.

- 6.3 The Council recognises that there is a difference between the commercial need and the Cumulative Impact of premises in an area. Commercial need is the commercial demand for another pub or restaurant or hotel and is a matter for planning consideration and market forces. It does not form part of this Licensing Policy Statement.
- 6.4 The Council will not operate a quota of any kind, nor will it seek to impose general limitations on trading hours in particular areas.
- 6.5 In considering issues of Cumulative Impact the Council will be mindful that, in addition to the licensing functions, there are a number of other mechanisms, both within and outside the licensing regime, for addressing nuisance and disorder. These include:
- planning controls;
 - 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;
 - the provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, 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;
 - police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
 - the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk;
 - the confiscation of alcohol from adults and children in designated areas;
 - police powers to close down instantly for up to 24 hours any licensed premises or temporary event on grounds of disorder, the likelihood of disorder or noise emanating from the premises causing a nuisance;
 - the power of the Police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question; and
 - other local initiatives that similarly address these problems.
- 6.6 The Council will also address the issue of crime and disorder through the District Community Safety Partnership in line with strategic objectives for crime and disorder reduction within the District. The success of these measures in reducing nuisance and disorder will be subject to ongoing review.

6.7 'Special Policies' relating to cumulative impact

Where, after considering the available evidence and consulting relevant people and organisations, the Council is satisfied that it is appropriate to introduce an approach to Cumulative Impact, it may introduce a Special Policy to combat the Cumulative Impact of licensed premises in a particular area.

Where such a policy is implemented in respect of any particular area it would create a presumption that new licence applications should be refused, where relevant representations are received, unless it could be shown that the new

premises would not increase the Cumulative Impact already being experienced in that area.

In determining whether to introduce a Special Policy the Council will take the following steps:

- identify evidence of concerns about the crime and disorder or public nuisance;
- consider whether it can be demonstrated that the crime and disorder or public nuisance are arising and are being caused by customers of licensed premises and, if so,
 - identify the area from which the problems are arising and the boundaries of that area; or
 - that the risk factors are such that the area is reaching a point when a Cumulative Impact is imminent;
- undertake consultation as required; and
- where a Special Policy is adopted by the Council, publish the Special Policy as part of this Licensing Policy Statement.

6.8 As with any other application under the Act the Council will take account of all the relevant circumstances surrounding any application and may depart from the Policy where the individual circumstances merit such a decision in the interests of the promotion of the Licensing Objectives. No Special Policy for a specific area will be absolute, each application will be considered on its own merits.

6.9 The Council do not consider it necessary at this time to have any Special Policies in relation to cumulative impact.

7. Licensing Hours

7.1 The Council recognises that fixed and artificially early closing times previously established under the Licensing Act 1964 were one of the main causes of rapid binge drinking prior to closing times and one of the causes of disorder and disturbance when large numbers of customers were required to leave premises simultaneously. These concentrations of people leaving can result in friction at places such as late night food outlets, taxi ranks and other sources of transport. The aim through the promotion of the licensing objectives will be to reduce the potential for concentrations and achieve a slower dispersal of people from licensed premises through flexible opening times. The Council recognises that arbitrary restrictions would undermine the principle of flexibility and should be avoided. The licensing objectives will be the paramount consideration at all times.

7.2. The Council also recognises that licensing hours should not inhibit the development of a thriving and safe evening and night time economy, which is important for local investment, employment and tourism. The Council will not seek to restrict the trading hours of any particular premises unless this is necessary to promote one or more of the Licensing Objectives.

7.3 The Council has no intention to introduce the zoning of licensing hours. Experience in other areas has shown that this can lead to significant movement of people across boundaries in search of premises opening later

and places greater pressure on town centres than is necessary. In addition, the Council recognises that zoning of licensing hours would undermine the principle of determining each application on its own merits.

- 7.4 With regards to shops, stores and supermarkets that provide sales of alcohol for consumption off the premises, the Council would normally expect to grant the sale of alcohol at any time the premises is open to the public, unless representations give good reason to restrict the hours in relation to the licensing objectives.

8. Children and Licensed Premises

- 8.1 The Council recognises the diversity of premises that will be licensed under the Act. The premises will include theatres, cinemas, restaurants, pubs, nightclubs, cafes, take-away shops, community halls and schools. The Council will not ordinarily seek to limit the access by children to any premises unless it is considered necessary for the prevention of physical, moral or psychological harm to them.
- 8.2 When deciding whether to limit access by children to premises, the Council will judge each application on its individual merits.
- 8.3 Premises where concern for the protection of children may arise, include:
- where entertainment of an adult or sexual nature are commonly provided;
 - where there is a strong element of gambling on the premises;
 - where there is a known association with drug taking or dealing;
 - where current staff members have been convicted for serving alcohol to minors;
 - where there is evidence of underage drinking; and
 - where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
- 8.4 There are a range of alternatives which the Council may consider for limiting the access of children, which include:
- a limit on the hours when children may be present;
 - a limitation or exclusion when certain activities are taking place;
 - the requirement to be accompanied by an adult;
 - limited access to parts of the premises; and
 - full exclusion of those people under 18 from the premises when any licensable activities are taking place.
- 8.5 Any licensed premises used for film exhibitions will be subject to conditions restricting children from viewing age restricted films in accordance with recommendations given by the British Board of Film Classification. Where a BBFC classification does not exist, the Council will classify the film in accordance with BBFC guidelines.
- 8.6 Conditions requiring the admission of children to premises cannot be attached to licences or certificates. Where no restriction or limitation is imposed the issue of access will remain a matter of discretion of the individual licensee or club or holder of a temporary event notice.

- 8.7 The Council recognises the Hertfordshire Area Child Protection Committee as being competent to advise on matters relating to the protection of children from harm.
- 8.8 The Council supports voluntary Codes of Practice such as “Challenge 21” or “PASS” or other similar accredited systems as relevant at any given time. Alcohol should be packaged and promoted in a socially responsible manner so as not to encourage drinking amongst those who are under 18 years old. A copy of these Codes can be found at www.beerandpub.com.

9. The Prevention of Public Nuisance

- 9.1 Licensed premises may have significant potential to impact adversely on communities through public nuisances that arise from their operation. The Council interprets ‘Public Nuisance’ in its widest sense and takes it to include such things as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in activities in the vicinity of a particular premises.
- 9.2 The Council may impose conditions on licences to prevent unnecessary Public Nuisance to local residents. The conditions may include:
- sound proofing requirements;
 - restrictions on times when music or other licensable activities may take place;
 - technical restrictions on sound levels at the premises, by the use of sound limiting devices;
 - limiting the hours of regulated entertainment;
 - limiting the hours of open-air entertainment and the use of outdoor areas, gardens, patios, and smoking shelters; or
 - requiring the display of signs both inside and outside the premises reminding customers to leave the premises quietly and to respect the rights of nearby residents.
- 9.3 The following examples of control measures are given to assist applicants when preparing their Operating Schedules, having regard to their particular type of premises and/or activities. These are not exhaustive but include:
- effective and responsible management of the premises;
 - appropriate instruction, training and supervision of those employed or engaged to prevent incidents of Public Nuisance;
 - adoption of best practice guidance such as the Good Practice Guide on the Control of Noise from Pubs and Clubs, produced by the Institute of Acoustics; Safer Clubbing and the National Alcohol Harm Reduction Strategy Toolkit;
 - management of arrangements for the collection and disposal of litter; and
 - effective ventilation systems.
- 9.4 Conditions relating to noise nuisance will normally concern steps necessary to control the levels of noise emanating from premises. The Council are aware of the need to avoid unnecessary or disproportionate measures that could deter valuable community activities such as live music. Conditions that

are likely to be a significant financial burden will be avoided, where possible, for smaller venues.

- 9.5 The Council recognises that conditions relating to noise nuisance may not be necessary in certain circumstances where the provisions of the Environmental Protection Act 1990, the Noise Act 1996, or the Clean Neighbourhoods and Environment Act 2005 adequately protect those living in the vicinity of the premises. That said, the approach of the Council will be one of prevention and will consider each application on its own merits.

10. Live Music, Dancing and Theatre

- 10.1 The Council recognises the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community.
- 10.2 Only necessary, proportionate and reasonable licensing conditions will be imposed on relevant licences so as not to discourage the promotion of entertainment. Conditions will relate to the promotion of the Licensing Objectives.
- 10.3 The Council will avoid any measure which deters live music, dancing and theatre by imposing indirect costs of a substantial nature.
- 10.4 The Council will seek to encourage cultural and community events by licensing its own public spaces. The following public spaces are currently licensed for regulated entertainment:

Butts Close, Hitchin
Howard Gardens, Letchworth
Broadway Gardens, Letchworth

11. Fire Safety and Capacity

- 11.1 The Council recognises that the public safety objective is concerned with the physical safety of the people using the relevant premises and not with public health, which is dealt with in other legislation.
- 11.2 From 1st October 2006, the Regulatory Reform (Fire Safety) Order 2005 replaced previous fire safety legislation. Article 43 of this Order states that any licensing authority conditions that could be imposed by the Order would automatically cease to have effect. The Council will not, therefore, seek to impose fire safety conditions where the Order applies.
- 11.3 Responsibility for complying with the Order rests with the 'responsible person', which may be the licence holder, employer, or any other person who may have control of the premises.
- 11.4 "Safe capacities" should only be imposed on licences where necessary for the promotion of public safety or the prevention of disorder. If a capacity has been imposed through other legislation it would be unnecessary to reproduce it as a licence condition. It would also be wrong to impose conditions that conflict with other legislation. If no safe capacity has been imposed by other legislation, however, a responsible authority may consider it necessary for a

new capacity to be attached. For example, a capacity limit may be necessary to prevent disorder as overcrowded premises can increase the risk of crowds becoming frustrated and hostile.

- 11.5 Ordinarily, a capacity limit should not be imposed as a condition of the licence on fire safety grounds since, due to Article 43 of the Regulatory Reform (Fire Safety) Order 2005, it would have no effect and so would not be enforceable.

12. Door Supervisors

- 12.1 All persons employed at licensed premises to carry out any security activity must be licensed with the Security Industry Authority.
- 12.2 Conditions may be imposed on premises licences requiring supervision by door supervisors in order to reduce crime and disorder or public nuisance. The conditions may provide that door supervisors must be employed at the premises at all times or at such times when certain licensable activities are being carried out.

13. Controlled Substances

- 13.1 The Council recognises that controlled substance use is more prevalent in a dance and nightclub environment. Conditions may be imposed to prevent the use and consumption of controlled substances and alcohol and to create a safer environment for patrons that may have taken them. When imposing conditions, the Council will have regard to the publication "Safer Clubbing" issued by the Home Office and may seek advice from the local Drugs Action Team and the Police.

14. Enforcement

- 14.1 The Council has established enforcement protocols with the Police and other enforcing authorities. The enforcement protocols focus upon agreed problem and high risk premises that fall short of the Licensing Objectives while providing a lighter touch to low risk premises that are shown to be well managed and maintained.
- 14.2 Enforcement action will be taken in accordance with the Council's Environmental Health Enforcement Policy. Enforcement action will follow the five guiding principles of consistency, transparency, proportionality, fairness and objectivity. A copy of the Environmental Health Enforcement Policy can be found on the Council's website at www.north-herts.gov.uk.
- 14.3 Programmed inspections of all licensed premises will be undertaken by the licensing authority in accordance with a risk-rating system. This will ensure that enforcement is proportionate and targeted at higher risk premises which require greater attention, thus allowing a lighter touch in relation to lower risk premises.

15. Integrating Strategies and the Avoidance of Duplication

- 15.1 The Council through consultation will endeavour to secure integration with local crime prevention, planning, transport, tourism, cultural and community strategies.
- 15.2 The Council may give due consideration to wider strategic issues when dealing with applications. The Council's Licensing and Appeals Committee may receive reports, when appropriate, on the:
- needs of the local tourist economy;
 - cultural strategies for the area;
 - employment situation and the need for local investment; and
 - planning considerations that may affect licensed premises.
- 15.3 The Council recognises that licensing applications should not be seen as a re-run of the planning application process and that there should be a clear separation between the planning and licensing regimes to avoid duplicity and inefficiency.
- 15.4 In order to avoid duplication with other regulatory regimes the Council will not, as far as reasonably possible, attach conditions to licences unless they are in promotion of the Licensing Objectives and inadequately covered by other legislation. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.

16. The Licensing Process

- 16.1 The powers of the Council under the Act will be carried out by the Licensing and Appeals Committee, by a Sub-Committee of the Licensing and Appeals Committee, or by one or more officers acting under delegated authority.
- 16.2 It is considered that many of the functions will be largely administrative with no perceived areas of contention. In the interests of efficiency most functions will be carried out by officers with delegated authority.
- 16.3 The Licensing and Appeals Committee consists of 14 Members of the Council. The Committee may delegate its powers to a Sub-Committee of the Licensing and Appeals Committee consisting of 3 Members. The Licensing and Appeals Committee, or its Sub-Committee, will deal with all applications where relevant representations are received from a responsible authority or interested party.
- 16.4 When determining applications the Council will have regard to this Statement of Licensing Policy and any Guidance issued by the Department of Culture, Media and Sport. If relevant representations are made, the Licensing and Appeals Committee or its Sub-Committee, will balance its decision against the wider benefits to the community.
- 16.5 The Council expects individual applicants to address the Licensing Objectives in their Operational Plan having regard to:
- the type of premises;
 - the licensable activities to be provided;
 - the operational procedures;

- the nature of the location;
- the needs of the local community; and
- this Statement of Licensing Policy.

17. Temporary Event Notices

- 17.1 A temporary event notice must be given in duplicate to the licensing authority with the appropriate fee and to the Licensing Department at Hitchin Police Station with a minimum of ten working days notice.
- 17.2 The ten working days do not include Saturdays, Sundays, Public Holidays, the day of the event, and the first working day that the Council receive the notice. If the ten working days notice is not given to both the Council and the police, the law prevents the temporary event notice from being authorised; the Council have no discretion in the matter.
- 17.3 The vast majority of these events will not present any problems, for example special occasions in a pub or community hall or charitable fundraising events. A temporary event notice is a light-touch approach to these events as only the police can raise objections on the grounds of crime and disorder.
- 17.4 For anything other than small-scale events, the Council recommends at least two month's notice to ensure that the event can be properly planned. This is only a recommendation, as the law only requires a period of ten working days notice.
- 17.5 The Council has established a Safety Advisory Team consisting of the emergency services and other strategic partner agencies to advise and co-ordinate planning for public events. Event organisers are encouraged to use this Team as part of their event planning process and the Council strongly advise that initial contact is made at the earliest opportunity.

18. Community Events

- 18.1 The Council will seek to encourage cultural and community events in the District.
- 18.2 The Council recognises that conditions cannot be imposed on licences existing in relation to cultural or community events taking place in the District, however, all relevant licence holders would be encouraged to assist with the promotion of the licensing objectives in such circumstances. For example, if a large scale community event was taking place in a town, other licensed premises would be encouraged to assist wherever practicable, i.e. off licences could employ door supervisors to control underage access to alcohol and pubs could supply alcohol in plastic containers.

19. Reviews

- 19.1 Any interested party or responsible authority have the right to ask the Council for a review of a premises licence or club premises certificate, using a Government prescribed application form, if they believe that one or more of

the four licensing objectives are not being met.

- 19.2 In determining whether or not an application for a review is relevant, the Council will have due regard to the Secretary of State's Guidance in relation to whether an application is frivolous, vexatious or repetitious. A representation by a responsible authority cannot be deemed as frivolous, vexatious or repetitious.
- 19.3 At a review hearing, the options available to the Sub-Committee are:
- a) to modify the conditions of the licence,
 - b) to exclude a licensable activity from the scope of the licence,
 - c) to remove the designated premises supervisor,
 - d) to suspend the licence for a period not exceeding three months, or
 - e) to revoke the licence
- 19.4 The Council recognises that the licensing authority itself cannot initiate the review process. The licensing authority's role will be to administer the process and determine the application at a hearing where an evidential-basis for the allegations made will need to be submitted.
- 19.5 The Council recognises the importance of partnership working between the licensing authority, licence holders, responsible authorities and interested parties in achieving the promotion of the licensing objectives. The Council will endeavour to give licence holders an early warning of any potential problems at premises in order to resolve them informally where possible.
- 19.6 When a review is requested in circumstances where the crime prevention objective is not being met, revocation of the licence may be considered as the first step if the seriousness of the evidence is such that the other options may prove inadequate.

20. Adult Entertainment

- 20.1 Whilst the Council recognises that standard conditions cannot be applied in respect of licence applications, it considers that special circumstances apply to applications for adult entertainment in relation to the licensing objectives.
- 20.2 Applications will be expected to suitably address issues such as:
- i) external displays of indecent material,
 - ii) changing facilities for performers,
 - iii) restrictions on performer / audience contact
 - iv) recordings of performances
 - v) age, welfare and security of performers
- 20.3 Licence holders will be expected to ensure that the premises are conducted in a decent and orderly manner at all times. In particular, the licence holder will be expected to take whatever steps are necessary to ensure that none of the following take place:
- i) indecent behaviour including sexual intercourse in public,

- ii) the offer of any sexual or other indecent service for reward, or
- iii) any acts of violence against persons or property and/or the attempt or threat of such acts likely to cause a breach of the peace

21. Delegation of Function

21.1 The delegation of licensing functions are as follows:

<u>Matter to be dealt with</u>	<u>Full Committee (14 Councillors)</u>	<u>Sub Committee (3 Councillors)</u>	<u>Officers</u>
Application for personal licence		If a Police objection	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a Police objection	All other cases
Request to be removed as designated premises supervisor			All cases

<u>Matter to be dealt with</u>	<u>Full Committee (14 Councillors)</u>	<u>Sub Committee (3 Councillors)</u>	<u>Officers</u>
Application for transfer of premises licence		If a Police objection	All other cases
Applications for Interim Authorities		If Police objection	All other cases
Application to review premises licence/club certificate		All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc			All cases
Decision to object when Local Authority is a consultee and not the relevant authority considering the application			All cases
Determination of a Police representation to a temporary event notice		All cases	