



Listening Learning Leading

# Licensing Act 2003

## Joint statement of licensing policy

This policy was adopted by the Vale of White Horse District Council at the meeting of Council on 16 December 2015 and South Oxfordshire District Council at the meeting of Council on 17 December 2015 and comes into force on 7 January 2016 and will remain in force for a period of five years from that date unless previously amended.

## Foreword

This document sets out the councils' (the Licensing Authority) Licensing Policy in respect of its licensing functions for the next five years commencing in 2016. During the five year period the policy will be kept under review and revised as necessary.

This policy statement has four main purposes, which are:

- **to confirm to members** of the Licensing Acts Committees, the boundaries and powers of the authorities and the parameters within which to make decisions;
- **to inform licence applicants** of the parameters within which the authorities will make licensing decisions and therefore how licensed premises are likely to be able to operate within the areas of the two councils;
- **to inform local residents and businesses** of the parameters within which the authorities will make licensing decisions and therefore how their needs will be addressed; and
- **to support a case in a court of law** where either authority has to show how it arrived at its licensing decisions.

Applications covered by the Act and relevant to this statement include:

- club premises certificates
- designated premises supervisors
- interim authorities
- late night refreshment premises
- personal licences
- premises licences – including provisional statements
- renewal or transfer of licences
- reviews
- temporary events notices (TENs)
- transfers
- variations of conditions attached to the licences and associated matters

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## Glossary

Term	Description
<p>authorised person</p> <p><i>(Authorised Persons have roles in <u>enforcement</u> of the 2003 Act)</i></p> <p><i>(Police officers are not listed as authorised persons, as they already have powers of enforcement under other legislation)</i></p>	<p>A person prescribed under S.13 (2) of the Licensing Act 2003 for licensed premises or S. 69(2) of the Licensing Act 2003 for club premises.</p> <p>Any of the following –</p> <p>an officer of the licensing authority, authorised for the purposes of the 2003 Act;</p> <p>an inspector appointed under Article 26 of the Regulatory Reform (Fire Safety) Order 2005;</p> <p>an inspector appointed under S.19 of the Health and Safety at Work etc. Act 1974;</p> <p>an officer of the council authorised to exercise statutory environmental health functions;</p> <p>(in relation to a vessel, an inspector, or surveyor of ships, appointed under S.256 of the Merchant Shipping Act 1995</p>
<p>Chief Officer of Police</p>	<p>Chief Constable of Thames Valley Police</p>
<p>Community Safety Partnership</p>	<p>A partnership comprising relevant teams from the council, the police and other interested parties, established to develop a strategy for the reduction of crime and promote public safety in the area.</p>
<p>council</p>	<p>Vale of White Horse District Council in its capacity as a district authority in respect of the area of Vale of White Horse, and/or</p> <p>South Oxfordshire District Council in its capacity as a district authority in respect of the area of South Oxfordshire.</p>
<p>cumulative impact</p>	<p>The potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.</p>
<p>designated premises supervisor</p>	<p>The holder of a personal licence who is identified by the licence holder as having day-to-day responsibility for the management of a licensed premises.</p>
<p>designated officer</p>	<p>The Head of Legal and Democratic Services.</p>
<p>Disclosure and Barring Service (DBS) disclosure</p>	<p>A basic check undertaken by Disclosure Scotland of an applicant's unspent criminal convictions</p>

check	
early morning alcohol restriction order (EMRO)	An order preventing licensed premises from selling alcohol in the early hours of the morning to promote the licensing objectives. Can only be implemented after public consultation.
fire authority	The Fire and Rescue Service of Oxfordshire County Council
late night levy	Additional fees payable by premises opening past midnight. Can only be implemented after public consultation.
Licensing Acts Committee	The committee of elected councillors of the Vale of White Horse District Council that is responsible for the council's licensing functions in the area of Vale of White Horse and/or the committee of elected councillors of South Oxfordshire District Council that is responsible for the council's licensing functions in the area of South Oxfordshire.
licensing authority	The Vale of White Horse District Council in its capacity as a licensing authority in respect of the area of the district of Vale of White Horse, and/or South Oxfordshire District Council in its capacity as a licensing authority in respect of the area of the district of South Oxfordshire.
licensing panel	Three members of the Licensing Acts Committee who sit as a sub-committee to decide hearings under the Licensing Act
navigation authority For rivers – For canals –	The Environment Agency The British Waterways Board
Nightsafe	A strategic group made up of members of the Community Safety Partnership and the Licensing Team to promote public safety in licensed premises
operating schedule	A prescribed form under the S. 17 (4) of the Licensing Act 2003 detailing: <ul style="list-style-type: none"> <li>• the relevant licensable activities,</li> <li>• the times during which it is proposed licensable activities are to take place,</li> <li>• times during which the premises are to be open to the public,</li> <li>• where the applicant wishes the licence to have effect for a limited period, that period,</li> <li>• where the relevant licensable activities include the supply of alcohol, prescribed information about the designated premises supervisor,</li> <li>• where the relevant licensable activities include the supply of alcohol, whether the</li> </ul>

	supplies are for consumption on or off the premises, or both, the steps which it is proposed to take to promote the licensing objectives, such other matters as may be prescribed.
planning authority	Either council in its capacity as a local planning authority for the respective area.
Police	Thames Valley Police
Pubwatch	A group of licence-holders in a particular locality who work co-operatively to exclude individuals who cause problems in their premises.
regulated entertainment	Entertainment as defined in Schedule 1 to the Licensing Act 2003
relevant representations	Comments made by any other persons or responsible authority that address the licensing objectives. Relevant representations cannot be irrelevant, frivolous, vexatious, or repetitive.
responsible authority  <i>(Responsible authorities may make relevant representations about applications and may request reviews)</i>	Any of the following: <ul style="list-style-type: none"> <li>• the licensing authority</li> <li>• the chief officer of Police for the area;</li> <li>• the fire authority;</li> <li>• the enforcing authority under S 18 of Health and Safety at Work etc. Act 1974;</li> <li>• the planning authority;</li> <li>• the environmental health service of the councils;</li> <li>• the health and social care department of Oxfordshire County Council, which the authority recognises as competent to advise on matters of child protection;</li> <li>• Trading Standards;</li> <li>• Director of Public Health;</li> <li>• any other licensing authority in whose area part of the premises is situated;</li> <li>• in relation to a vessel – the navigation authority.</li> </ul>
Secretary of State's Guidance	The current guidance issued by the Secretary of State under section 182 of the 2003 Act.
SIA	Security Industry Authority.
statement of licensing policy	The final version of this policy, as adopted by both councils.

Note: the singular includes a reference to the plural and vice versa



## Using this statement of licensing policy

Each council has different roles under the Licensing Act 2003, so:-

- 'authority' is used where it acts as the licensing authority under the 2003 Act.
- 'council' is used where parts of the council acts in other capacities, for example:
  - to determine policy;
  - when the 'council' applies to the 'authority' for a licence for council premises;
  - when environmental health or planning officers make relevant representations about applications received.

The authority must balance the interests of applicants (as stated in their applications for licences) and any interests stated by others (in relevant representations). When it grants a licence, the authority must attach mandatory conditions if applicable. The authority cannot attach other conditions unless they are related to any relevant representations received and are proportionate.

## Contact

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## 1 Introduction

This statement has been prepared having regard to the guidance issued by the Home Office under Section 182 of the Licensing Act 2003 ('the Act') and as required of the licensing authority under Section 5 of the Act.

This statement sets out the councils' (the Licensing Authority) licensing Policy in respect of its licensing functions for the next five years commencing in 2016. This statement of licensing policy will be kept under review throughout its period of validity and amended as considered necessary.

This statement takes effect from 7 January 2016 and will be scheduled for review by the 6 January 2021.

The licensing regime implemented by the Act and operated by the councils as licensing authorities is about the appropriate control of licensed premises, qualifying clubs and temporary events. It also covers the people who manage these premises or hold personal licences within the terms of the Act. Applications covered by the Act and relevant to this statement include:

- club premises certificates
- designated premises supervisors
- interim authorities
- late night refreshment premises
- personal licences
- premises licences – including provisional statements
- renewal or transfer of licences
- reviews
- temporary events notices (TENs)
- transfers
- variations of conditions attached to the licences and associated matters

## 1.1 PURPOSE AND SCOPE

1.1.1 This statement sets out the policy of the licensing authority with respect to carrying out its licensing functions under the Act. These include policy formulation, administration, monitoring, and enforcement activities. The latter will include working with and sharing permitted data with other regulatory and enforcement agencies.

1.1.2 The following will also be relevant to the way in which the licensing authority exercises its functions under the Act:

- Each application will be determined on its own merits having regard to the licensing objectives; relevant guidance including that issued under Section 182 of the Licensing Act 2003, this statement of licensing policy, and local criteria.
- The solicitor to the council will ensure that the rules of 'natural justice' will be applied at all times during hearings or reviews.
- The statutory right of any responsible authority or other person to make appropriate representations to an application or to seek a review in respect of a granted authorisation where appropriate is accepted.
- The licensing authority, on behalf of the council, may notify parties they consider appropriate such as district councillors, town and parish councils of relevant applications.

## 1.2 KEY AIMS

1.2.1 The key aims of this statement of licensing policy are for the relevant council as the licensing authority to:

- promote the licensing objectives.
- recognise the need to assist in building a fair, vibrant, and prosperous society in the district that properly balances the rights of residential communities, the business sector and other relevant parties.
- secure the safety and amenity of residential communities whilst facilitating a sustainable, diverse, entertainment and hospitality sector in the district.
- integrate its aims and objectives with other initiatives that will:
  - create an attractive and vibrant area, which has a positive effect on employment
  - reduce local crime, disorder and anti-social behaviour
  - reduce alcohol harm
  - reduce the supply and use of illegal drugs in licensed premises
  - encourage the self-sufficiency of local communities
  - reduce the burden of unnecessary regulation on businesses and promote self-help
  - reduce the health impacts of alcohol misuse and dependence; reduce the impact of alcohol related incidences on accident and emergency services
  - continue its commitment to working in partnership with other agencies and organisations through both formal and informal arrangements towards the promotion and achievement of the objectives set out in this policy
  - endeavour to reflect the diversity of the districts through their blend of urban and rural settlements
  - give direction to applicants, so that they can make informed decisions in respect of their own activities.

## 1.3 CONSULTATION

1.3.1 In reviewing this statement the licensing authority consulted with all necessary bodies and relevant stakeholders. A list of those consulted is available from the licensing authority on request. The consultation process was conducted between September 2015 and October 2015 by way of a direct communication to those identified and also via publication on the council's website. There was one

response to the consultation. This was from the councils' Environmental Protection team who had no adverse comments on the proposed policy.

#### 1.4 LICENSING FUNCTION

1.4.1 The licensing authority recognises that the provision of entertainment is a major contributor to the economy of the area. It makes for a vibrant and attractive area, which subsequently has a positive effect on employment. The licensing authority also recognises that owners and occupiers of commercial premises have a legitimate expectation of an environment that makes and keeps their businesses sustainable.

1.4.2 The licensing authority welcomes the opportunity to encourage the development of the cultural, artistic, leisure and hospitality sectors. It will assist all applicants in endeavouring to meet their aspirations within the law.

1.4.3 The licensing authority also has regard to wider considerations affecting the residential population and the amenity of any area. These include dropping litter and street fouling, noise and street crime. It is, however, recognised that the licence holder has limited control over individuals once they are away from the premises.

1.4.4 The licensing authority recognises that the diverse range of licensed premises throughout the area makes a major contribution to attracting both initial and repeat visitors to both the historic localities, and diverse venues.

#### 1.5 LICENSING OBJECTIVES

1.5.1 The licensing authority will carry out its licensing functions under the 2003 Act with a view to promoting the four licensing objectives which are:

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

1.5.2 It is important to note that all objectives have equal importance in the implementation of this policy.

1.5.3 The licensing authority will have regard to the European Convention on Human Rights particularly:

- Article 6- entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal and
- Article 8 - the right to respect for home and private life; and
- Article 1 of the First Protocol - that every person is entitled to the peaceful enjoyment of their possessions, as they may interface with the licensing objectives.

1.5.4 The licensing authority expects individual applicants to address the licensing objectives in their operating schedule having regard to the type of premises, the licensable activities to be provided, the nature of the location and the impact on the local community.

1.5.5 Where there are no relevant representations, the application will be granted as requested subject only to conditions which are consistent with the operating schedule and any mandatory conditions. However, a hearing must be called when relevant representations are made by any person or responsible authority, based upon the four licensing objectives, as provided for in the Act.

1.5.6 The following sections set out the licensing authority's policy relating to the four licensing objectives. It is emphasised that these objectives are the only matters which can be taken into account by the licensing panel and they will pay particular attention to them at a hearing, when determining applications and applying any conditions.

1.5. In considering and determining applications the licensing authority will take into account:-

- Section 17 of the Crime and Disorder Act 1988;
- Human Rights Act 1998;
- Noise Act 1996;
- Regulatory Reform (Fire Safety) Order 2005;
- Violent Crime and Disorder Act 2006;
- Health Act 2006;
- Policing and Crime Act 2009;
- Equality Act 2010

- Police Reform and Social Responsibility Act 2011;
- Live Music Act 2012;
- Anti-social Behaviour, Criminal and Policing Act 2014
- Deregulation Act 2015
- any other relevant legislation or statutory guidance.

## 2.0 Prevention of crime and disorder

2.0.1 The licensing authority has a duty to act solely or with its partners to reduce crime and disorder throughout the district, consistent with its statutory duty under section 17 of the Crime and Disorder Act 1998. The councils as members of the South and Vale Community Safety Partnership will work with partners to utilise legislation as required to prevent crime and disorder issues and promote public safety.

2.0.2 Applicants are required by law to set out in their operating schedule the steps they propose to promote the prevention of crime and disorder. Responsible applicants will ensure proper regard in their operating schedule to the location, character and condition of the premises, the nature and extent of the proposed use and the persons likely to be attracted to the premises.

2.0.3 The licensing authority expects all applicants to consider a number of key conditions, where relevant to the type of licensable activity being proposed:

### 2.1 PUBWATCH

2.1.1 The licensing authority recognises the value of Pubwatch schemes and will play a supportive role and attend meetings whenever possible. Where such a scheme is active in the locality of a premise, the applicant is strongly encouraged to become an active member of Pubwatch. As well as traditional pubs and entertainment venues, this includes premises that are licensed solely for the sale of alcohol for consumption off the premises.

2.1.2 Pubwatch provides a forum for sharing information, disseminating best practice and meeting with representatives of the licensing authority, the police and other responsible authorities. The licensing authority encourages all licensees to actively participate in their local Pubwatch scheme and will support the development of schemes where there is a demand.

## 2.2 INFORMATION SHARING AND REPORTING INCIDENTS

2.2.1 As well as sharing information through formalised Pubwatch schemes, licensees are encouraged to share and report incidents to relevant agencies as and when appropriate, rather than waiting for a next meeting. Any issues of crime and disorder should be reported as soon as possible to Thames Valley Police. If persons or property are in danger then this should be done through calling '999', alternatively the '101' number should be used. Incidents that occur on licensed premises should be recorded and made available to Thames Valley Police and other agencies.

2.2.2 The police and the councils work in partnership to target those individuals who cause crime and disorder. Powers under the Anti-social Behaviour, Crime and Policing Act 2014 such as Criminal Behaviour Orders (S22), Community Protection Notices (S43), Public Spaces Protections Orders (S59) and Closure Orders (S76) and any replacement powers will be utilised to assist in the prevention of crime and disorder. Information about relevant orders against persons will be shared with premises. Licence holders are also expected to assist in preventing crime and disorder by notifying the police of any persons who breach orders relevant to their premises.

## 2.3 DOOR SUPERVISORS/STEWARDS

2.3.1 Any person engaged at licensed premises to carry out security activities including the prevention of access to, or the physical ejection of, a person from the same premises on behalf of the licensee must hold and display a valid current licence issued by the Security Industry Authority (SIA) or any successor system.

2.3.2 The licensing authority will consider representations that indicate that specific premises require door supervision for the purpose of meeting the crime and disorder or public safety licensing objectives. In such cases, the licensing authority may impose a condition that an agreed number or ratio of licensed door supervisors must be present at the premises either at all times, or at such times as certain licensable activities are taking place.

2.3.3 In certain circumstances it may be appropriate to use trained stewards to provide a satisfactory level of customer care and safety awareness. These individuals must not carry out security activities, and would not be required to hold an SIA licence. If they were employed to undertake duties involving children then the applicant must consider whether such individuals should undergo a Disclosure and Barring Service check.

2.3.4 The applicant may find it beneficial in developing the operating schedule for a premises licence or certificate to have undertaken a security risk assessment in order to determine the resources necessary to meet the licensing objectives.

## 2.4 DISPERSAL POLICY

2.4.1 Licensed premises should consider implementing a dispersal policy, working in partnership with other venues within the vicinity through mechanisms such as Pubwatch. Applicants should consider how the venue will minimise the potential for disorder and disturbance as customers leave the premises. Any policy should be reviewed regularly and staff should be trained in its implementation.

## 2.5 DRUGS IN PREMISES

2.5.1 The licensing authority recognises that the supply and use of illegal drugs by individuals is not relevant to all licensed premises but it is recognised that conditions may need to be attached to the premises licences if problems arise. The aim will be to reduce the availability, sale, and consumption of illegal drugs and to create a safer environment for those who may have taken them. Any conditions will take into account the relevant guidance and advice from appropriate bodies.

2.5.1 The licensing authority expects all premises to fully co-operate with the police including drug swabbing and permitting the access and use of drug dogs within the public and staff areas of the premises.

## 3.0 Promotion of public safety

3.0.1 The public safety objective is concerned with the physical safety of anyone using or adjacent to licensed premises. Applicants should carefully consider how they intend to promote the public safety objective in their operating schedule.

3.0.2 Where applicants consider that the public safety objective could be compromised by their intended activities, they are encouraged to contact the relevant council's Food and Safety team and/or the fire authority as the most relevant responsible authorities for guidance. Other organisations such as the Safety Advisory Group (SAG) will be able to offer advice. Contact details for these authorities/groups are available from the licensing authority.

3.0.3 The councils are a core member of the South and Vale Nightsafe scheme, which seeks to promote public safety in the night-time economy through partnership working with licensed premises and responsible authorities.

## 3.1 CLOSED CIRCUIT TELEVISION (CCTV)

3.1.1 CCTV has a key role to play in stopping and deterring crime and anti-social behaviour in town centres and is also used as an evidence and detection tool.



However, surveillance cameras should only be used if necessary and proportionate, in addition:

- when considering the use of CCTV systems, either as part of the conditions attached to a licence or certificate, or within an operating schedule the licensing authority or applicant must in particular have regard to Code of Practice on CCTV published by the Information Commissioner's Office.
- the licensing authorities support the use of CCTV systems in premises. Where a licence or certificate is granted subject to the installation of a CCTV system, it is the responsibility of the licensee to comply with any data protection considerations that may arise from the use of such a system.
- the public must have confidence that surveillance is necessary and proportionate, and that those who operate the camera systems, or use the images and information they capture, demonstrate integrity in doing so and can be held to account.

### 3.2 ALCOHOL CONSUMPTION

3.2.1 The Licensing Authority expects all premises licence holders to take steps to control excessive consumption and drunkenness on relevant alcohol licensed premises. This will reduce the risk of anti-social behaviour and violent crime occurring both on and away from the premises after customers have departed. Premises licence holders are expected to be able to demonstrate a general duty of care to customers using their premises and others affected by their activities.

### 3.3 ALCOHOL HARM REDUCTION

3.3.1 Communities, agencies and businesses are best placed to identify and deal with alcohol-related problems in their area. It is important to maximise the benefits of partnership working, focusing and co-ordinating the efforts of local agencies, industry and the voluntary sector in tackling alcohol-related problems. Budgets and expertise can be pooled, providing the right services at the right time, making town centres safer and in doing so encourage more people to enjoy a night out, thus promoting economic growth.

3.3.2 Information is a powerful tool in tackling alcohol-related problems. It is vital to strengthen data sharing within local partnerships, in particular between crime and health agencies and licensing authorities.

3.3.3 The licensing authority will continue to work alongside their partners on a countywide and local level. The licensing team will work pro-actively with the

Community Safety Partnership and Thames Valley Police and will support local initiatives to tackle alcohol misuse such as Pubwatch, Nightsafe and Community Alcohol Partnerships.

### 3.4 PUBLIC HEALTH

3.4.1 The inclusion of the local Director of Public Health as a responsible authority under the Licensing Act 2003, enables health bodies to have a say in alcohol licensing. The Licensing and Public Health teams work together through the Nightsafe scheme to ensure that the health impacts of alcohol licensing can be considered.

3.4.2 As there is not a specific licensing objective related directly to health within the current legislation, health bodies, when making a representation, are most likely to relate such representations to the objectives on public safety and protecting children from harm. This is likely to include the prevention of accidents, injuries and other immediate harm that can result from alcohol consumption, such as unconsciousness or alcohol poisoning. Anonymised data can be collected about incidents relating to specific premises or areas when representations are made.

3.4.3 Health bodies hold valuable information which may not be recorded by other agencies, including analysis of data on attendance at emergency departments and the use of ambulance services following alcohol related incidents. This information is shared through the Nightsafe partnership.

3.4.3 The Director of Public Health is responsible for making representations and observations on applications on behalf of Oxfordshire County Council as public health authority.

### 3.5 OCCUPANCY LIMITS

3.5.1 It is recommended that the applicant or operating company assess and set occupancy limits following a risk assessment of the planned activities being carried out at the premises.

3.5.2 The licensing authority may set an occupant capacity following representations received in order to meet the licensing objectives.

### 3.6 HEALTH AND SAFETY

3.6.1 If more than five people are employed, the Health and Safety Act 1976 requires the applicant or operating company to have a written health and safety policy statement which must be brought to the employees' attention. Employers

must also record the results of risk assessments and ensure a robust health and safety action plan is in place for both staff and customers. Applicants should have these documents available at the request of licensing authority or any other responsible authority.

#### **4.0 Prevention of public nuisance**

4.0.1 Public nuisance is a broad concept, which concerns how the activity of one person (or business) affects the rights of others, for example, how noise from playing music interferes with another person's right to sleep.

4.0.2 The Act requires, and the licensing authority expects, applicants to demonstrate within their operating schedule how they intend to prevent public nuisance arising. This will be of particular importance where there are residential properties in the vicinity of the licensed premises.

4.0.3 When appropriate on application or review the licensing authority will consider the adequacy of proposed measures to remove or effectively manage the potential for public nuisance, anti-social behaviour and other crime which may impact on the promotion of the licensing objectives.

4.0.4 When an operating schedule does not sufficiently address the prevention of public nuisance the licensing authority will consider all reasonable conditions suggested by responsible authorities in any relevant representation to prevent public nuisance. In some locations it may be necessary to limit opening hours, the times of licensable activities or limit the types of licensable activities taking place

4.0.5 Where considerations apply to late night refreshment premises, they shall only be taken to apply to their operation between the hours when a premises licence would be required.

4.0.6 Applicants should carefully consider how they intend to promote the prevention of public nuisance objective in their operating schedule. This can include several considerations:

#### **4.1 ODOUR**

4.1.1 The applicant should consider any odour that maybe emitted from the premises. This can include the generation of odour from food preparation, waste, bottle storage and/or from smoking areas. Steps should be taken or proposed to be taken by the applicant to prevent odour from the premises causing nuisance. The

applicant may need to get advice from specialist air handling engineers about controlling odour from kitchen air extraction systems.

4.1.2 When designating a smoking area outside it is important to consider who will be affected by the smoke, the possible number of persons using the area and ensuring a facility to safely dispose of lit cigarettes.

4.1.3 Applicants should also consider the use of such areas in cold or wet weather and how this will affect users of smoking areas.

## 4.2 WASTE/LITTER

4.2.1 Licensed premises of all types can potentially cause public nuisance from litter and waste. The Environmental Protection Act 1990 and the Clean Neighbourhoods and Environment Act 2005 impose responsibilities relating to proper waste collection and disposal, not least of which is the 'duty of care' to ensure any waste is properly contained and controlled while in the operator's possession, and that it is collected by a licensed waste carrier. The Licensing Act does not duplicate these laws, but licence holders will need to apply good waste management practice in order to prevent public nuisance.

## 4.3 NOISE

4.3.1 Noise can come either directly or indirectly from licensed premises. Direct noise, such as that from entertainment activity, will be under the premises' direct control. Indirect noise, such as that from vehicles and customers coming to and from the premises may not be under direct control, but the premises can strongly influence it. Both direct and indirect noise will be of greater importance between 23:00 and 07:00.

4.3.2 Small, outdoor multiday music festivals operated under Temporary Event Notices (often where camping is also involved) can become a source of public nuisance. Organisers of such events are strongly advised to contact the environmental protection team at an early stage. Organisers are encouraged to employ event management techniques similar to larger scale events to avoid public nuisance, these can include considering the suitability of the location, the geography, limiting amplifier output, duration or direction.

## 4.4 UN-REGULATED ENTERTAINMENT

4.4.1 Amendments to the Licensing Act 2003 have removed the requirement for licensing of a wide range of entertainment between the hours of 08:00 and 23:00. This does not reduce the risk of noise nuisance occurring. The risk increases when

the entertainment takes place in the open air or within a marquee. Steps should be taken to prevent noise and vibration from entertainment causing nuisance. This may include noise from music, human voices and other forms of entertainment whether amplified or not. Consideration should also be given to ensure noise is not audible at sensitive locations such as dwellings, hospitals, hotels and other business premises. Any noise should also not cause unreasonable disturbance to the wider public, such as passers-by and people using public facilities. The environmental protection team will be responsible for dealing with noise complaints arising from un-regulated entertainment.

#### **4.5 DISTURBANCE FROM CUSTOMERS**

4.5.1 The operating schedule should identify the control measures that will be taken to minimise the impact of the behaviour of customers on neighbouring residents and businesses. This may include noise and disturbance from customers on the premises and customers in outdoor areas such as terraces, beer gardens and smoking areas. It will also include noise, disturbance and obstruction from customers in the vicinity of the premises including customers congregating outside premises to smoke or drink, customers arriving, leaving or queuing outside premises.

4.5.2 Particular consideration now has to be given to the potential for public nuisance arising from outside areas following the implementation of smoke free laws in July 2007. It must be noted that there is no legal requirement for licensed premises to provide an outdoor smoking area. However, premises are encouraged to do so to minimise congestion on pavements.

4.5.3 Noise and disturbance from people outside can cause public nuisance even when those people are not behaving badly. This will be of more significance in areas with residential accommodation and will usually, but not exclusively, be of greater importance between 23:00 and 07:00. However it must be noted that noise and disturbance from customers out of doors can cause public nuisance outside these times.

#### **4.6 DELIVERIES AND WASTE COLLECTION**

4.6.1 Steps should be taken to prevent noise from any servicing of the premises causing nuisance. This may include noise from deliveries, collections and the onsite disposal of bottles and other waste or recyclable materials.

## 5 Protection of children from harm

5.0.1 For the purposes of this policy the licensing authority considers anyone under 18 years of age to be a child or young person

5.0.2 The policy aims to work alongside the principles set out by the Oxfordshire Safeguarding Children Board at <http://www.oscb.org.uk>

5.0.3 The licensing authority expects that, whether or not alcohol is supplied or proposed to be supplied on or in the vicinity of the premises, operating schedules will identify:

- the extent to which it is proposed that children be admitted to the premises;
- whether it is proposed that unaccompanied children will be admitted;
- if they are, the type of regulated entertainment provided whilst children are present;
- the specific steps undertaken to ensure the safety of children and to further ensure that no products or services are sold to children that are not appropriate for their use or consumption.
- that an unaccompanied child (i.e. somebody under the age of 18 who is not accompanied by a person over the age of 18) must not be allowed into any premises which are 'exclusively or primarily used for the supply of alcohol for consumption on the premises'.
- that staff are aware of their responsibility to ensure that an adult should not become over intoxicated if accompanied by a young person or child as to inhibit their ability to safeguard that young person.

5.0.4 Whether or not premises with a mixed use are 'exclusively or primarily used' is a matter of judgment and will depend upon the particular circumstances of the case. The guidance makes it clear that this does not mean that where the supply of alcohol is not the exclusive or primary use then young people should automatically be given access.

5.0.5 Applicants, who propose to admit children, particularly where they would not require them to be accompanied by a responsible adult, should be especially careful in ensuring they meet the requirement that their operating schedule fully and clearly sets out the nature of the activities for which permission is sought. Further, the

operating schedule should specify the measures and management controls proposed to protect children from harm.

5.0.6 The licensing authority expects that staff are trained and aware of their responsibility for ensuring that customers are old enough to purchase alcohol. This requirement is particularly relevant for bar staff working at premises where door supervisors control entry to a premise. Particular care and appropriate measures should be in place for venues that, due to the nature of the events, attract both over and under 18 year-old patrons.

## 5.1 AGE VERIFICATION/UNDERAGE SALES ON/OFF PREMISES

5.1.1 There is now a mandatory condition on all premises licensed to sell alcohol requiring them to have adequate age verification systems in place. This could be through the use of a Challenge 21 or 25 scheme i.e. 'challenging anyone who looks under 21 or 25 to prove their age by use of an approved means of identification'; such a scheme to be advertised and enforced on the premises.

5.1.2 Licensees must demonstrate that their staff receive regular and adequate training on the law and practice relating to age restricted sales (including challenging purchasers and checking identification). The training provided to members of staff to prevent the sale of alcohol to underage people must be properly documented in the training log so that there is an adequate audit trail. Records must be available for inspection.

5.1.3 The following are examples of identification used:

- Passport
- Photo-card driving licence
- PASS card
- Official identity card issued by HM forces

5.1.4 Additionally, when a retailer refuses the sale of alcohol this should be recorded in a 'refused sales log'. These documents must be kept available for inspection by a police officer or authorised officer of the licensing authority.

## 5.2 PROXY SALES

5.2.1 Adequate procedures must be in place to ensure that all members of staff working at the premises are routinely trained and regularly reminded of their responsibilities in relation to the issue of proxy sales of alcohol, and shall ensure that all reasonable steps and procedures are in place and implemented to prevent adults purchasing alcohol for those underage.

5.2.2 Steps must be in place to ensure that any designated premises supervisors and members of staff involved with the delivery of alcohol to residential addresses are made fully aware of their responsibilities to ensure that no alcohol is sold or delivered to persons under the age of 18.

### 5.3 CHILDREN AND CINEMAS/THEATRES

5.3.1 The licensing authority will expect licensees or clubs to include in their operating schedules their arrangements for restricting children from viewing age restricted films according to the recommendations of the British Board of Film Classification (BBFC) or the licensing authority itself. In the event that the licensing authority is asked to stipulate an age category for a film or video that has not been classified by the BBFC, the licensing panel or its delegated officers may view the film or video and use the BBFC published guidelines on classification as a 'benchmark' in reaching their decision.

5.3.2 In considering any application, the licensing authority will take into account any evidence that age restrictions for cinema exhibitions are not being properly observed.

## 6.0 Licensing process

6.0.1 The Licensing Acts Committee, panel, or licensing officers acting under delegated authority, may carry out the powers of the licensing authority under the Act, in accordance with the scheme of delegation set by the Licensing Acts Committee under S. 10 (1) of the Act.

6.0.2 In the absence of any relevant representations applications will be determined at officer level.

6.0.3 A licensing panel deals with applications where there are relevant representations and in every case where there is a review of a premises licence or club premises certificate.

6.0.4 The licensing authority ensures that all officers and councillors who deal with applications have received adequate training for their role under the Licensing Act 2003.

### 6.1 APPLICATION FOR PREMISES LICENCES AND CLUB PREMISES CERTIFICATES

6.1.1 The licensing authority will expect individual applicants to address the licensing objectives in their operating schedule having regard to the location and type of premises, the licensable activities to be provided, and the operational procedures.



6.1.2 Applicants should make themselves aware of the councils' statement of licensing policy, in particular the issues that will need to be addressed in formulating the operating schedule.

6.1.3 Applicants will be encouraged to make themselves aware of any relevant planning policies, tourism, cultural or local crime prevention, alcohol reduction strategies; and to have taken them into account, when formulating their operating schedule.

6.1.4 When determining applications the licensing authority will have regard to the guidance issued by the Home Office under Section 182 of the Act and other relevant guidance issued.

6.1.5 Prospective holders of new premises licences and those seeking variations to existing premises licences are advised to consult with the licensing team and the various responsible authorities early in the planning stages in order to reduce the risk of confusion and disputes arising.

6.1.6 The licensing team will liaise with the relevant planning authority as appropriate.

## 6.2 LICENCE CONDITIONS

6.2.1 Licensing relates to the control of licensed premises, and other activities within the terms of the Act. As part of this control, conditions may be attached to licences, and club premises certificates, which focus on matters falling within the control of individual licence holders. Conditions can be attached to temporary event notices where the premises covered by the notice includes all or part of existing licensed premises.

6.2.2 Any conditions will relate to the premises and other places being used for licensable activities, and the impact of those activities in the vicinity. In this regard the licensing authority primarily focuses on the direct impact of any activities taking place on those living, working, or otherwise engaged, in the area concerned.

6.2.3 The licensing function is not a mechanism for the control of anti-social behaviour by individuals once they are beyond the direct control of the licence holder of any premises concerned. Conditions attached to licences must only seek to impact on the behaviour of customers on, or in the immediate vicinity of the premises as they seek to enter or leave.

6.2.4 The licensing authority may impose conditions following a hearing. These conditions must not be disproportionate or overly burdensome. The licensing authority does not implement any standard conditions. Conditions may be attached

as appropriate given the circumstances of each individual case. Conditions will not be attached where adequate legislative control exists.

### 6.3 LICENSING HOURS

6.3.1 The licensing authority deals with the issue of licensing hours on the individual merits of each application. However, when issuing a licence with hours extending beyond 23:00, higher standards of control need to be included in operating schedules in order to promote the licensing objectives, especially for premises, which are situated in, or near, residential areas or in areas where crime and/or anti-social behaviour is an issue.

6.3.2 In considering all licence applications, the licensing authority takes into account the adequacy of the measures proposed to deal with the potential for nuisance and/or public disorder and has regard to all the circumstances of the case.

6.3.3 Where no representations are received an application is approved as applied for. Where a hearing or a review takes place the licensing authority may add conditions, remove licensable activities or restrict hours of operation where it considers this is necessary to promote the four licensing objectives. In addition the licensing authority may in the case of an application refuse to grant a licence and at a review, amend or revoke an existing licence. Throughout the application process consultation with relevant partners is welcomed and encouraged.

6.3.4 The licensing authority recognises that having fixed early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when large numbers of people leave licensed premises at the same time. The licensing authority aims, through the promotion of the licensing objectives, to reduce the potential for concentrations of people and thus achieve a slower dispersal of people from licensed premises through longer opening times when appropriate.

6.3.5 The licensing authority does not seek to adopt fixed terminal hours in designated areas (known as 'zoning'), as this can lead to the significant movement of people across boundaries in search of premises opening later.

6.3.6 Shops, stores and supermarkets are permitted to sell alcohol for consumption off the premises during their normal trading hours, unless there are exceptional reasons relating to the licensing objectives, in particular the prevention of crime and disorder and public nuisance.

### 6.4 TEMPORARY EVENTS NOTICES (TENS)

6.4.1 The Licensing Act 2003 provides for certain occasions when small-scale events (where no more than 499 people at a time attend and last for up to 168

hours) do not need a licence if advance notice or TEN is given and no relevant objections are received.

6.4.2 The licensing authority recommends that at least one month's notice be given to hold these events to allow it to help organisers plan their events safely. Any significantly longer period than this may mean that organisers do not have all the details available at the time of submitting the notice. Any lesser time means that planning may be rushed and haphazard. The minimum legal timescale is ten working days not including the date of application or the date of the event.

6.4.3 Event organisers are encouraged to make contact for advice at the earliest opportunity when planning their community events. Persons intending to use premises under a TEN are encouraged to discuss their proposals with the community that may be affected before submission.

6.4.4 The police or environmental health may issue an Objection Notice where they consider that any of licensing objectives may be undermined. In such circumstances, the licensing officer will consider the objection by way of negotiation with the applicant, if the matter cannot be resolved informally then the matter will be considered by a licensing panel. If the objection notice relates to a 'late TEN' a Counter Notice will be issued making the TEN notice invalid.

## 6.5 LARGE SCALE EVENTS

6.5.1 These are events that are temporary but more than 499 people are expected to attend. Much larger crowds may be attracted to large-scale events and the risk to public safety and to crime and disorder, as well as public nuisance, may be considerable. The licensing authority and all other statutory consultees, should be given at the earliest opportunity, notice of such major events to discuss operating schedules with the organiser, prior to a formal application being submitted. It is the responsibility of the event organiser/applicant to provide the licensing authority and all other statutory consultees, at the earliest opportunity, notice of such major events. This will enable discussion about operating schedules prior to a formal application being submitted.

6.5.2 The licensing authority strongly advises that they are given at least six months' notice to allow for a sufficient lead in time. Failure to consult in sufficient time may result in an objection on the grounds that insufficient time has been allowed to properly assess and consult to ensure that, in particular, public safety is not undermined.

6.5.3 The councils have an established Safety Advisory Group (SAG) system. This includes relevant council officers, representatives of the emergency services and

Oxfordshire County Council Highways department. The SAG's aim is to advise on safety at public events held throughout the districts. Since the focus is on the risks posed by larger events most events run under TEN will not require a SAG. The SAG does however reserve the right to consider events that are planned under a TEN if there is a risk to public safety. Event organisers are encouraged to make contact with the licensing team for advice at the earliest opportunity when planning their community events. Further information and the notification form for the SAG is available at:

<http://www.southoxon.gov.uk/news-and-events/events/event-management> or  
<http://www.whitehorsedc.gov.uk/news-and-events/event-management>

## 6.6 DELEGATION OF DECISION MAKING

6.6.1 One of the major principles underlying the Licensing Act 2003 is that the licensing functions contained within the Act should be delegated to an appropriate level so as to ensure efficient and cost effective service delivery.

6.6.2 The Act itself requires that applications be granted unless a relevant representation is raised.

6.6.3 Whilst contested licensing hearings are structured in nature, the licensing panel will try to keep the proceedings as informal as possible. However, some degree of formality is needed to ensure that all parties receive a fair hearing. The procedures are designed to ensure that all parties are able to express their views openly and fairly. The procedure is inquisitorial rather than adversarial and, whilst applicants, individuals and businesses who may be affected, and responsible authorities are entitled to bring legal or other representation with them if they wish, this is not a requirement.

6.6.4 Whilst the licensing panel usually meets in public, it does have power to hear certain applications in private and to receive legal advice similarly. A decision is made publicly when the matter has been determined.

6.6.5 The licensing panel will determine each case on its individual merits whilst taking into consideration the legislation, the Secretary of State's guidance and the terms of this policy document. Where the licensing panel determines that it is necessary to attach conditions to a licence or certificate it will ensure that those conditions are focused on the direct impact of the activities taking place at the premises concerned. Such conditions will be proportionate to the activity to be controlled and will only be imposed in the interests of the licensing objectives.

6.6.6 The licensing authority will expect the applicant to have had due regard to the contents of this policy and the attached appendices that provide guidance only.

6.6.7 A decision of the licensing authority can be the subject of an appeal at the magistrates' court. As a consequence the licensing authority will record full reasons for any decision(s) made. The refusal of an application does not prevent a further application being made, but the licensing authority would expect the applicant to carefully consider the issues of concern before doing so.

## 6.7 APPLICATION FOR PERSONAL LICENCES

6.7.1 The Police have the right to object to a person applying for a personal licence if that person has a relevant unspent conviction as set out in the Rehabilitations of Offenders Act 1974 or subsequent legislation (at the time of application) or if they obtain a relevant conviction during the application period of their licence.

6.7.2 An individual may apply for a personal licence which will be valid for the life of that individual whether or not they have current employment or business interests associated with the use of the licence. Applications cannot be made in the name of a corporate body.

6.7.3 The licensing authority must grant a personal licence if the applicant:

- is aged 18 years or over
- is in possession of a relevant licensing qualification or is a person of a prescribed description
- has not forfeited a personal licence in the previous five years, beginning with the day the application was made
- has not been convicted of any relevant offence under Schedule 4 of the Act, or a foreign offence
- has paid the appropriate fee to the licensing authority.

6.7.4 Applicants with unspent criminal convictions for the relevant offences set out in the Licensing Act 2003 are encouraged to first discuss their intended application with the Police and licensing authority before making an application.

6.7.5 In order to substantiate whether or not an applicant has a conviction for an unspent relevant offence, applicants will be required to produce a Disclosure and Barring Service (DBS) Disclosure Check, with the application form.

6.7.6 The licensing authority and Police may arrange a joint interview with a prospective personal licence holder(s) to discuss the circumstances surrounding their conviction(s). Ultimately, the police may decide to object to the grant of the personal licence. In these circumstances, the applicant is entitled to a hearing before the licensing panel. The application will be refused, based on the Police's objection, if the licensing authority considers it appropriate for the crime prevention objective to do so.

6.7.7 The licensing authority will be the 'relevant licensing authority' for all personal licences issued regardless of the subsequent place of residence of the holder. It will maintain all notified changes of address on its database.

## 6.8 DESIGNATED PREMISES SUPERVISORS

6.8.1 The designated premises supervisor need not be physically on the premises at all times when there is a supply or sale of alcohol but the licensing authority expects that there will be an appropriate authorisation system in place in line with the Secretary of State's Guidance regarding the sale of alcohol at the licensed premises. The licensing authority expects that the designated premises supervisor be available and accessible when needed to deal with any issues that may arise at the premises. A valid contact number for the designated premises supervisor must be held by the licensing authority and the premises at all times.

6.8.2 Where a designated premises supervisor is to be newly specified, the premises licence holder will apply to the licensing authority (including an application for immediate effect) and show that the individual concerned consents to taking on this responsible role, and notify the Police of the application.

6.8.3 The Police are able to object to the designation of a new premises supervisor where in exceptional circumstances, they believe the appointment would undermine the crime prevention objective.

6.8.4 The Act provides that the applicant may apply for the individual to take up the post of designated premises supervisor immediately, and in such cases the issue would be whether the individual should be removed. The licensing panel considering the matter must confine their consideration to the issue of crime and disorder. They will give comprehensive reasons for their decision and either party would be entitled to appeal if their argument is rejected.

## 7.0 Enforcement

7.0.1 The licensing authority will work with the Police in enforcing licensing legislation. It expects the Police (subject to public interest immunity) to share relevant information about licensees and licensed premises under the Crime and Disorder Act 1998 and its common law powers, and to consult closely with the licensing authority when any enforcement action may be required. The councils have a joint information sharing protocol in place with the Police and other statutory agencies. These protocols provide for the sharing of information between parties to allow agencies to fulfil their statutory duties.

7.0.2 The Nightsafe partnership allows the representatives of relevant organisations to meet on a regular basis to discuss licensing matters related to the four licensing objectives.

7.0.3 The licensing authority recognises that balancing the interests of owners, employees, customers and neighbours of pubs, clubs and off-licences will not always be straightforward, but it will always have regard to the licensing objectives.

7.0.4 The licensing authority will promote 'good practice' in relation to the operation of licensed premises. It will work closely with stakeholders so as to achieve on-going improvements in standards over reasonable periods of time, in the belief that this is in the long term interests of owners, operators, employees, customers and neighbours alike.

7.0.5 In general, action is taken in accordance with agreed enforcement principles and in line with the enforcement policies of the licensing authority and all responsible authorities. The key principles of consistency, transparency and proportionality are acknowledged. Any government advice or requirement in relation to enforcement will be taken into account.

7.0.6 A graduated response is used where there is evidence of contravention of licensing legislation or licence conditions. Whilst an isolated or minor breach might be dealt with by way of an oral or written warning, more serious or persistent breaches on licensing conditions are likely to lead to prosecution and/or a review of the licence.

7.0.7 Where contraventions or concerns as to compliance with regulations enforced by other agencies are identified during enforcement activities, these matters will be reported to the relevant agency. Complaints against licensed premises, allegations of unlicensed activities, and the breach of licence conditions will be investigated by licensing officers

7.0.8 The licensing authority will refer to its enforcement policy when considering enforcement action.

7.0.9 Under the Licensing Act 2003 the licensing authority must suspend a premises licence or club premises certificate if the holder has failed to pay the authority the annual fee. This does not apply if the failure to pay the fee when it was due was because of administrative error or the holder informed the authority in writing at or before the fee was due that they were disputing liability.

7.0.10 The Anti-Social Behaviour, Crime and Policing Act 2014 permits a Police officer of rank Inspector or above or an officer acting on behalf of the council, to require the immediate closure, for a period of up to 24 hours, of any licensed premises if it is considered there has been or likely to soon be public nuisance or disorder. This may be extended to 48 hours in exceptional circumstances.

7.0.11 The licensing authority also recognises that there are other tools and powers at their, and their partner agencies', disposal. All powers are subject to change and amendments depending upon legislation currently enacted. More details can be made available on request to the licensing authority.

7.0.12 Other statutory requirements and opportunities for control, for example relating to planning, building regulations, fire safety, nuisance and health and safety, may apply to the provision of any regulated activities at a premises and the responsibility for compliance lies with the licence holder. Advice may be obtained from the appropriate enforcing authority or from the licensing authority's licensing officers.

## 7.1 INSPECTION OF LICENSED PREMISES

7.1.1 The licensing authority aim to inspect premises on a risk based approach to secure compliance with the Licensing Act and to promote the licensing objectives.

7.1.2 Authorised officers will have the discretion as to which premises require a 'during performance' inspection and the frequency when they are undertaken. Where appropriate, joint visits will take place encompassing a number of relevant agencies.

## 7.2 COMPLAINTS REGARDING LICENSED PREMISES

7.2.1 The licensing authority will investigate or refer to other relevant agencies/council services complaints received against licensed premises where appropriate. It is expected that the complainant's personal details and the nature of the issue(s) be provided from the outset. For certain matters the complainant may be encouraged to raise the issue of concern directly with the licensee.



## 7.3 REVIEWS

7.3.1 The Act sets out the arrangements to enable a review of a premises licence or club premises certificate where there is evidence that the licensing objectives are not being promoted. This arrangement will follow an application from a responsible authority or any other person. The process shall not be subject to abuse by disaffected parties. Matters for consideration must be relevant, and not vexatious, frivolous or repetitious.

7.3.2 Upon review of a premises licence, the licensing authority must, having regard to the application for review and any relevant representations, take such steps as it considers appropriate for the promotion of the licensing objectives. Such steps include the:

- modification of the conditions of the licence
- exclusion of a licensable activity from the scope of the licence
- removal of the designated premises supervisor
- suspension of the licence for a period not exceeding three months
- revocation of the licence.

## 8.0 Other licensing authority powers

### 8.1 CUMULATIVE IMPACT POLICY

8.1.1 In the Secretary of State's guidance on the Licensing Act 2003, 'Cumulative Impact' is defined as 'the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area'. The number, type and density of licensed premises within an area may be such as to give rise to serious problems of crime, disorder and/or public nuisance.

8.1.2 The locality within which licensed premises are, or may be, located is a major consideration in determining whether a licence should be granted and what conditions should be attached to it. Primary consideration will be given to the direct impact of the licensed activity on those living, working or enjoying the local environment.

8.1.3 Licensing law is not a mechanism for the general control of any anti-social behaviour being displayed by patrons once they have left the curtilage of the licensed premises. Other more specific legislation should be used. However when issues can be evidenced and linked to customers from a particular premise or area then the licensing authority may consider it relevant to the licensing framework.

8.1.4 In some areas there may be concentrated numbers of licensed premises that can lead to problems with the licensing objectives in the area itself or even some distance away. In such circumstances the impact of those premises when taken as a whole can be far greater than that arising from individual premises. It may not be possible to distinguish individual premises as being the sole cause, or even a major contributory factor to, a particular problem; it is the cumulative impact of all the premises that causes problems for a wider area.

8.1.5 All applications will be considered on their own merits, and no restriction of numbers will be imposed by this policy.

8.1.5 However the licensing authority may receive representations from a responsible authority or an interested party that the cumulative impact of the existing licensed premises or the granting of new licences will lead to an area becoming 'saturated' to the detriment of the locality because of impact on the licensing objectives over and above the impact of the individual premises. In these circumstances the licensing authority may consider that it needs to have a special policy in place.

## 8.2 LATE NIGHT LEVY

8.2.1 Following the introduction of the Police Reform and Social Responsibility Act 2011 the licensing authority may consider the introduction of a late night levy. The levy would relate to a late night supply period which begins at or after midnight and ends at or before 06:00. Any premises which are not subject to an exemption who supply alcohol during the supply period on any night of the year would be required to pay the late night levy, the level of which is based on rateable value. The late night levy will not be introduced without the required consultation as detailed in the legislation and accompanying guidance.

## 8.3 EARLY MORNING ALCOHOL RESTRICTION ORDER (EMRO)

8.3.1 Following the introduction of the Police Reform and Social Responsibility Act 2011, if the licensing authority considers it necessary for the promotion of the licensing objectives they can make an early morning alcohol restriction order.

8.3.2 An order would mean that any premises licence, club premises certificate or temporary event notice that authorises the sale of alcohol within the location and during the period specified in the order would not have effect. The period specified must begin no earlier than midnight and end no later than 06:00.

## 8.4 LATE NIGHT REFRESHMENT REGULATIONS

8.4.1 Following the introduction of the Licensing Act 2003 (Late Night Refreshment) Regulations 2015 the licensing authority may consider altering the requirement for licensing of late night refreshments based upon:

- location/area
- type of premises (from a prescribed list)
- hours of operation

## 9.0 Links to strategies and plans

9.0.1 The South and Vale Community Safety Partnership (CSP) is a statutory partnership, which includes a number of local agencies working together to maintain low levels of crime and antisocial behavior.

The current South and Vale Community Safety Plan is available at:

<http://www.whitehorsedc.gov.uk/services-and-advice/community-advice-and-support/community-safety-0>

<http://www.southoxon.gov.uk/services-and-advice/community-advice-and-support/community-safety>

## 10 Further advice and guidance

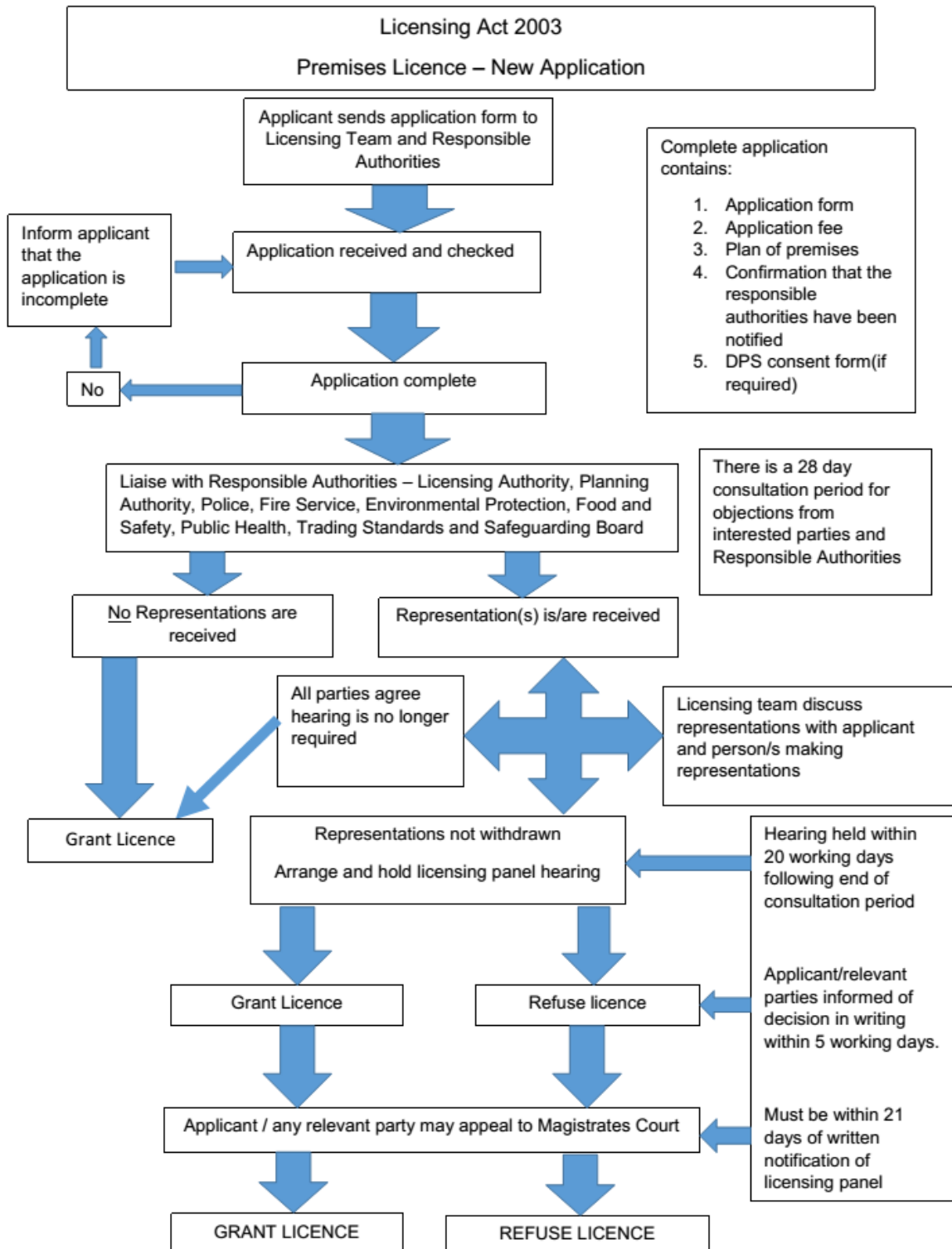
Can be obtained from the licensing team and on the licensing pages of the relevant council's website.

<p>Licensing Team  Vale of White Horse District Council  135 Milton Park, Milton, OX14 4SB  Tel. 01235 540570</p> <p>E mail: <a href="mailto:licensing.unit@whitehorsedc.gov.uk">licensing.unit@whitehorsedc.gov.uk</a></p> <p>Website:  <a href="http://www.whitehorsedc.gov.uk/services-and-advice/business/licensing">http://www.whitehorsedc.gov.uk/services-and-advice/business/licensing</a></p>	<p>Licensing Team  South Oxfordshire District Council  135 Milton Park, Milton, OX14 4SB  Tel: 01491 823209</p> <p>E mail: <a href="mailto:licensing@southoxon.gov.uk">licensing@southoxon.gov.uk</a></p> <p>Website:  <a href="http://www.southoxon.gov.uk/services-and-advice/business/licensing">http://www.southoxon.gov.uk/services-and-advice/business/licensing</a></p>
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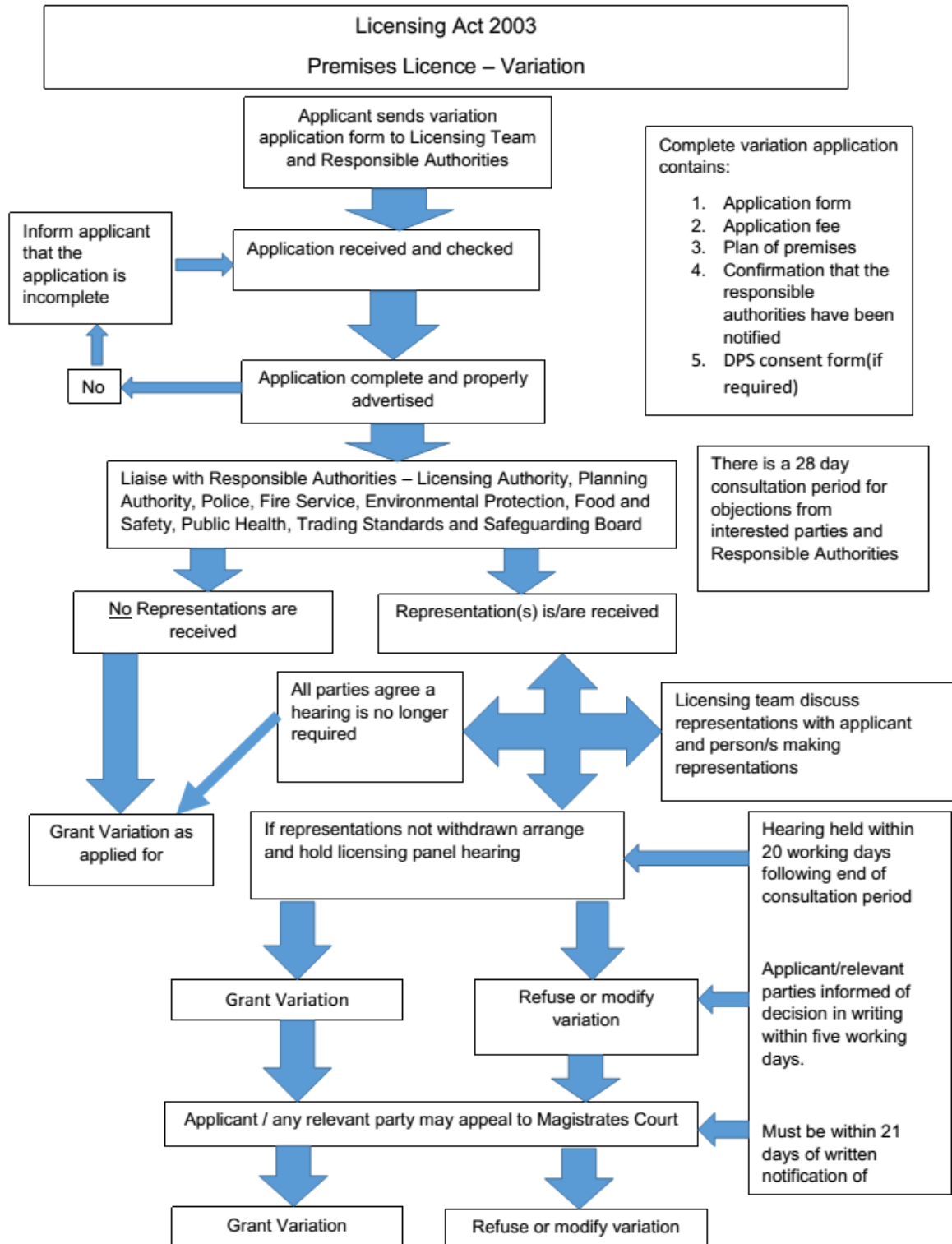
Government information on the Licensing Act 2003 and other relevant legislation is available on:

[www.gov.uk](http://www.gov.uk)

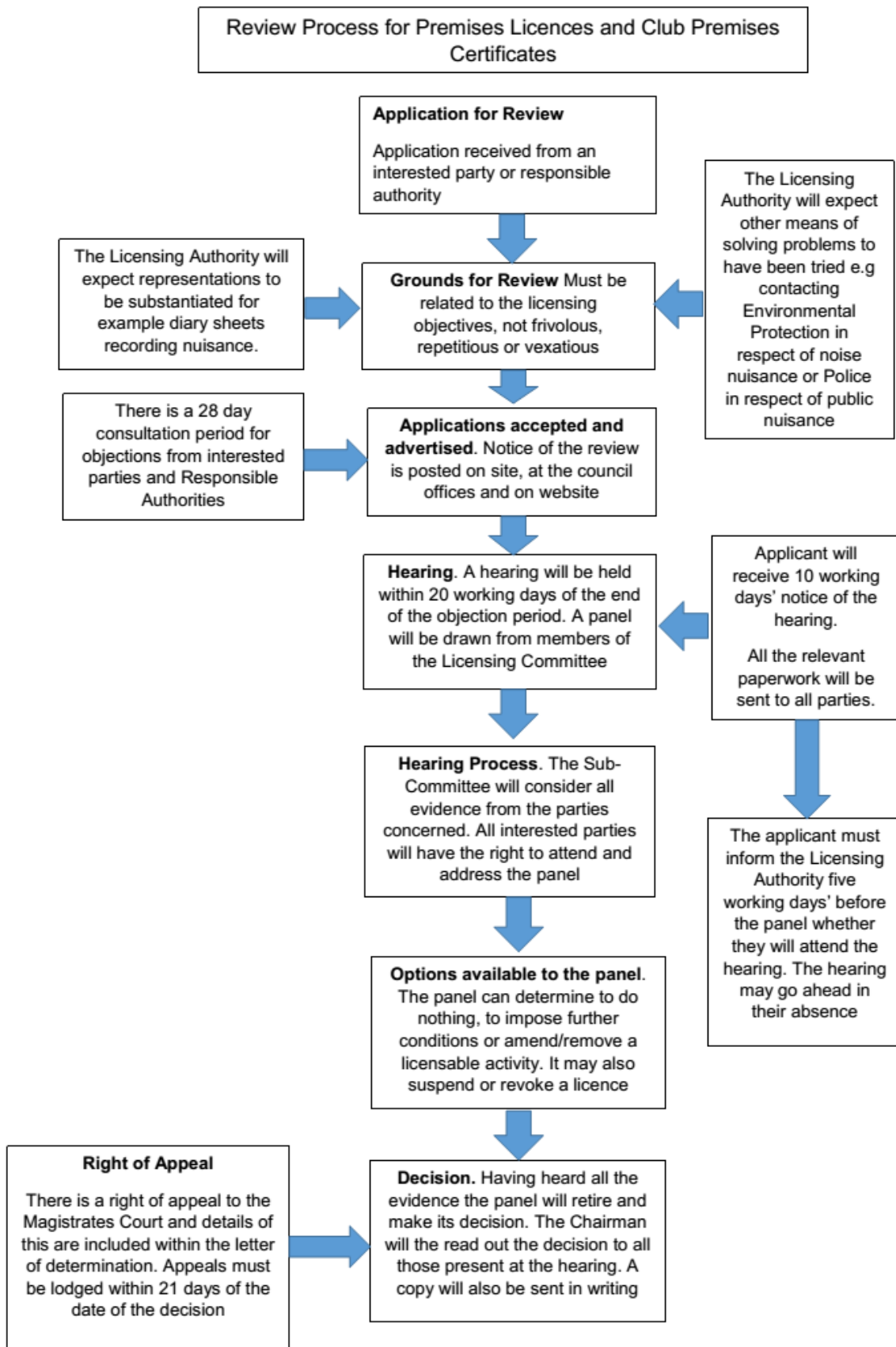
Appendix A



Appendix B



Appendix C



Appendix D

