Appendix 1

BOLTON METROPOLITAN BOROUGH COUNCIL

Statement of Licensing Policy 2016 – 2021

Foreword

This is the Council's new statement of licensing policy and covers the period from 2016 to 2021. It provides an opportunity to develop the Councils approach to administering the Licensing Act 2003, taking into account other related policies and strategies.

It demonstrates that the council is willing to work creatively and innovatively by making full use of all available powers and legislation in its approach to administering licences and licensed premises within the borough.

In addition, the policy is also designed to encourage operators and licence holders to remain compliant and to run businesses which make a positive contribution to the local area and towards improving the lives of Bolton residents.

This statement of licensing policy not only outlines how the Licensing Authority will act to promote the four current licensing objectives, but it also demonstrates how it will promote the protection and improvement of public health across the borough, as well as supporting Bolton Council's vision:

A commitment to **narrow the gap** and ensure **economic prosperity**. To support the achievement of these two main aims, Bolton Council has identified six priority themes – healthy, achieving, prosperous, safe, cleaner & greener and strong & confident.

The council recognises that Bolton is nationally ranked highly as an area which suffers from alcohol related harm, especially health-related harms and crime & disorder. This policy reflects the work already being carried out by the council in building partnerships with other agencies and working collectively to tackle alcohol-related harms.

Contents

Subject	Page
1.0 Background to this Statement of Licensing Policy	4
2.0 The Prevention of Crime & Disorder	13
3.0 Public Safety	18
4.0 The Prevention of Public Nuisance	20
5.0 The Protection of Children from Harm	21
6.0 The Protection and Improvement of Public Health	23
Appendix 1 – Delegation of Functions	24
Appendix 2 – List of Potential Licence Conditions	26
Appendix 3 – Additional guidance on the preparation of an Operating Schedule	46

1.0 Background to this Statement of Licensing Policy

Further additions will be made to this section following consultation with the statutory consultees.

1.1 Section 5 of the Licensing Act 2003 requires each licensing authority to publish a statement of its licensing policy at least every five years. The previous statement of licensing policy was approved by Bolton Council in April 2012. This statement is a completely new policy designed to reflect the significant changes which have taken place in the last five years in respect of the Licensing Act 2003 and the way in which Bolton Council undertakes its licensing functions. It is also designed to set out the council's ambitions, strategies and policies relating to licensing for the next five years.

1.2 In preparing this revised statement the Council will consult with and consider the views of a wide range of people and organisations including:

- Greater Manchester Police Force
- Greater Manchester Fire and Rescue Service
- Greater Manchester Director of Public Health
- Environmental Health – Pollution Control and Health and Safety
- Trading Standards
- Planning
- Child Protection
- Persons considered to be representatives of:
    - Existing Premises Licence holders
    - Existing Club Premises Certificate holders
    - Existing Personal Licence holders
    - Business and residents in the Council area.

1.3 This new statement of licensing policy covers applications for licences, and also sets out the council's requirements and expectations for existing licence holders and licensed businesses and the actions it expects such businesses to take in order to promote the licensing objectives. It also sets out the council's approaches to ensuring such businesses remain compliant with their licences and the action it will take – in partnership with other organisations and responsible authorities – when licensing and other legislation is breached.

1.4 The policy also recognises that public health – and the effect of alcohol consumption on public health – is of serious concern and that Bolton is ranked highly, both regionally and nationally, in terms of alcohol-related health harms.

Licensable Activities

1.5 For the purpose of the 2003 Act, and therefore for the purposes of this statement of licensing policy, the following are licensable activities:

- The sale by retail of alcohol;
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- The provision of regulated entertainment; and
- The provision of late night refreshment.

Authorisations or permissions

1.6 The 2003 Act provides for four different types of authorisation or permission, to which this statement of licensing policy also relates, as follows:

- Premises licence – to use premises for licensable activities;
- Club premises certificate – to allow a qualifying club to engage in qualifying club activities as set out in section 1 of the Act;
- Temporary event notice – to carry out licensable activities at a temporary event; and
- Personal licence – to sell or authorise the sale of alcohol from premises in respect of which there is a premises licence.

1.7 In addition, two further permissions are to be introduced following the commencement of the licensing provisions of the Deregulation Act 2014. These two new permissions are:

- Community event notice; and
- Ancillary business sales notice.

Once these new provisions have been enacted, this policy will relate to these notices in the same way it relates to all current licences and notices.

Licensing Objectives

1.8 In exercising its functions, the licensing authority will have regard to the licensing objectives as set out in section 4 of the Act, and will carry out its functions under the Act with a view to promoting these objectives. The licensing objectives are:

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

General principles regarding licence conditions

1.9 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged.

1.10 Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;

- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met;
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

Home Office Guidance

1.11 The statement of licensing policy takes into account guidelines issued under section 182 of the Licensing Act 2003.

The Secretary of State recognises that, following any future revision of the Guidance, there may be a period during which this Statement of Policy may be inconsistent with the Guidance. If these circumstances occur, the Licensing Authority will have regard to the latest revision of the Guidance and to this Statement, giving appropriate weight to each, dependant on the circumstances of the application.

Corporate Objectives

1.12 The statement of licensing policy is designed to support Bolton Council's vision, as described in the corporate plan:

The two main aims are:

- to **narrow the gap** between the most and the least well off and to
- ensure **economic prosperity**.

To support the achievement of these two main aims, Bolton Council has identified six priority themes:

• Healthy

• Achieving

• Prosperous

• Safe

• Cleaner and greener

• Strong and confident.

1.13 At the beginning of 2015 some 1329 establishments held licences issued under the Licensing Act 2003. These include 768 public houses, dance clubs, restaurants, hotels and off licences; 69 private members clubs; 3 theatres; 2 cinemas and 489 premises licensed for late night refreshment.

1.14 During 2014/2015 Greater Manchester Police have reported an increase in incidents of alcohol related violence particularly between 3am and 6am. These incidents are principally associated with Bolton Town Centre at the weekend.

Functions within the Council

1.15 The Council has a number of different functions under the Act, including acting as both the Licensing Authority and as a number of different responsible bodies. For this reason, the Licensing Policy refers to the Council as the Licensing Authority and individual responsible bodies by their departmental names, notwithstanding they are part of the same Council.

1.16 The full Licensing Committee will review this policy at least every 5 years.

1.17 A Licensing Act Sub-Committee will be established to hear any application or review of licence where relevant representations have been received. The Council will ensure that members and officers are appropriately trained to carry out their duties under the Act. No Councillor shall sit on the Licensing Act sub-committee unless they have received appropriate training. Councillors are subject to compliance with the Local Authorities (Model Code of Conduct) Order 2007 which restricts their involvement in matters where they have a 'prejudicial interest' (include participation in meetings). The Code permits Councillors to attend licensing hearings, to attend meetings to make representations, to give evidence or to answer questions even where they have a 'prejudicial interest' provided that members of the public are also allowed to attend the meeting for the same purpose provided the Councillor withdraws from the meeting afterwards.

1.18 A summary of the scheme of delegation is attached at Appendix 1 on page 23.

Limitations of the Statement of Licensing Policy

1.19 This statement of policy does not undermine the right of any person to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its individual merits.

1.20 In addition, the statement of policy does not override the right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act.

1.21 This Licensing Policy sets out the vision the Council has for the regulation of licensed premises throughout Bolton Borough and outlines the standards expected in order to ensure the promotion of the licensing objectives in the Borough. The Council may depart from the policies should it consider doing so would benefit the promotion of the licensing

objectives. Reasons will be given for any such departure from the general policy in this statement. However, it is expected that any such departure would likely only be in exceptional circumstances.

1.22 The council is clear that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from a licensed premise and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town centres and across the Borough.

Conditions

1.23 The council accepts that licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act; and conditions attached to various authorisations will be focused on matters which are within the control of individual licence holders and others with relevant authorisations, i.e. the premises and its vicinity. The Council will seek to avoid attaching conditions that duplicate other regulatory regimes.

Planning etc.

1.24 Planning permission, building control approval and licensing regimes are properly separated to avoid duplication and inefficiency. Planning and licensing regimes involve consideration of different (albeit related) matters. The council's Licensing (Licensing Act 2003) Sub Committee is not bound by decisions made by the Council's Planning Committee, and vice versa.

1.25 There may be circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant or licence holder must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. The council's planning function is, however, a responsible authority under the Licensing Act and by working in partnership with officers from the Licensing Department, the council will aim to ensure that the planning and licensing regimes avoid any possible conflict between the two regulatory regimes.

Promotion of Equality

1.26 It is recognised that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.

1.27 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

1.28 In order to ensure compliance with this legislation, an equality impact assessment will be conducted.

Partnership Working

1.29 The Council is keen to work closely with existing partner agencies and to build working relationships with new partners with a view to promoting the licensing objectives.

1.30 Regular meetings are held with partners to ensure that any problem premises or other emerging issues are identified early and to enable strategies to be implemented quickly to prevent issues from developing. Partner agencies as part of these regular meetings will share information and show the overall picture across the Borough.

Enforcement & Compliance

1.31 The Authority is committed to consistent, effective and efficient licensing enforcement policies and procedures and recognises the importance of enforcement to the overall effectiveness of the Policy. The Authority is committed to continue to undertake enforcement measures in partnership with the police and other enforcement agencies where appropriate.

1.32 The Council and its partners will undertake inspections of premises holding licences according to risk (risk being the likelihood of not discharging the licensing objectives). The risk rating will be adjusted according to the performance of the management and their ability to demonstrate, consistently, that the licensing objectives are being discharged.

1.33 The Council is working closely with all 9 other Greater Manchester authorities to develop a joint enforcement and compliance guide. This guide will outline all available enforcement and compliance options available to local authorities and will ensure a consistent approach to these issues across Greater Manchester.

1.34 As such, this statement of licensing policy does not outline in detail the council's approach to enforcement and compliance issues. When the joint guide is complete, it will be included as an appendix to this policy.

Late Night Levy / Early Morning Restriction Orders (EMROs)

1.35 In April 2012, the Licensing Act 2003 was amended by the Police Reform and Social Responsibility Act 2011. There were a number of changes included in the amendments, including the opportunity for Local Authorities to introduce Early Morning Restriction Orders (EMROs) and a Late Night Levy (LNL).

1.36 There are currently no EMROs or Late Night Levy's in place in Bolton. If a need was identified for an EMRO or LNL and one of the measures was deemed appropriate in terms of the licensing objectives a full consultation would take place with all affected parties before implementation.

Cumulative Impact

1.37 Cumulative impact is a term used to describe the potential impact on the promotion of the licensing objectives where there are significant numbers of licensed premises concentrated in one area.

1.38 Licensing Authorities can adopt special policies in relation to cumulative impact where evidence is produced by one or more responsible authorities that the impact of a number of licensed premises in a specific geographical area is having an adverse effect on the promotion of the licensing objectives.

1.39 The effect of a special policy is to reverse the rebuttable presumption that the licensing authority will grant a premises licence or other permission for the sale or supply of alcohol. If a responsible authority submits a representation in which they provide evidence that the granting of a licence or permission (or an application to vary a licence or permission to allow longer hours for the sale/supply of alcohol) is likely to add to the existing cumulative impact of licensed premises, then the Licensing Authority will refuse that application unless the applicant can demonstrate that they will not add to the cumulative impact.

1.40 In simple terms, applicants must submit applications to a very high standard with robust measures in place to demonstrate that their premise will not add to the existing problems in that area.

1.41 There are currently no cumulative impact policies in place in Bolton however if there was a need identified for one to be in place this would be considered.

Public Space Protection Orders (previously Designated Public Protection Orders)

1.42 There is a Designated Public Place Order in place across the Borough which aims to control levels of alcohol related anti-social behaviour and on-street drinking in each ward of Bolton by not allowing on street drinking in any public place. Those responsible for licensed premises should be aware of this order and ensure they do what they can to discourage on street drinking.

Important information relating to applications:

1.43 This policy should be read in conjunction with the Licensing Act 2003, Section 182 guidance, the application form, mandatory conditions and any other relevant guidance.

Incomplete applications will be returned to the applicant.

Applicants should be aware that applications that do not show that all the relevant points have been addressed may result in a representation from the appropriate responsible authority.

Reviews

1.44 Reviews of Premises Licences and Club Premises Certificates represent a key protection for the community where problems associated with the licensing objectives occur once a licence has been granted, if relevant representations are made about a

current licence. A review can be requested by the any of the Responsible Authorities (such as GMP, Environmental Health etc), Councillors, persons living or involved in a business in the vicinity of the premises, or their representative.

1.45 The Council views particularly seriously applications for the review of any premises licence where it involves the:

- use of licensed premises for the sale and distribution of illegal drugs and the laundering of the proceeds of drugs crimes
- use of licensed premises for the sale and distribution of illegal firearms
- evasion of copyright in respect of pirated films and music
- underage purchase and consumption of alcohol
- use of licensed premises for prostitution or the sale of unlawful pornography
- use of licensed premises for unlawful gaming
- use of licensed premises as a base for organised criminal activity
- use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks
- use of licensed premises for the sale of smuggled tobacco or goods
- the use of licensed premises for the sale of stolen goods
- where the police are frequently called to attend to incidents of disorder
- prolonged and/or repeated instances of public nuisance
- where serious risks to public safety have been identified and the management is unable or unwilling to correct those
- where serious risks to children have been identified
- use of licensed premises in relation to child sexual exploitation
- continuous breaches or contraventions of licence conditions
- Not operating the premises according to the agreed operating schedule.

Trading Hours

1.46 This Policy recognises that longer and more flexible licensing hours can contribute to easing crime and disorder problems by ensuring that concentrations of customers leaving premises simultaneously are avoided thus helping to reduce friction at taxi ranks and private hire offices, fast food outlets etc.

1.47 The Policy will not set fixed trading hours within any designated area though the Policy recognises that stricter conditions with regard to noise control will be necessary in more densely populated residential areas. Additional security measures may need to be

considered on premises which remain open to the public after 3:00am. Each application will be judged on its merits with the discharging of the licensing objectives being paramount in every case.

1.48 Unless there are good reasons to the contrary on the grounds of public disorder or crime prevention, shops, stores and supermarkets that sell alcohol will be permitted to do during the times that they would ordinarily sell other goods. It would be for interested persons or the responsible authorities to prove why this should not be so in any particular case.

1.49 As a general presumption, applications for licences to sell alcohol for consumption on the premises (including club premises) who wish to open between 10 am and midnight Sunday to Thursday and 10 am to 1 am Friday and Saturday will have their licence granted - subject to the rights of interested parties to object and thereby require a hearing.

1.50 Any premises wishing to open for longer hours, or where amplified music is to be a feature of the entertainment which is provided, will need to demonstrate specifically within their operating schedule, how they will discharge the Licensing Objectives.

1.51 Applicants should be aware that there is no automatic presumption In favour of longer hours and all cases which are referred to the Licensing Committee the Committee will consider if the hours requested by the applicant undermine the licensing objective. Where the Committee concludes that they do, the Committee may reject the application, or impose conditions and/or grant the licence with permitted hours which are different to those requested.

1.52 In the interests of reducing crime, disorder and anti-social behaviour, the Council will prefer applications for public houses, nightclubs and registered clubs that demonstrate in their operating schedules a responsible approach to alcohol sales by ending such sales some time before the premises themselves are closed (‘drinking-up time’). There is no obligation on the holder of a premises licence or club premises certificate to remain open for the entire period permitted by his licence or certificate.

Integration with other policies & strategies

1.53 While the overarching aim of this policy is to promote the licensing objectives, it is acknowledged that there are other key Council policies in place to help Bolton realise its vision. Therefore, this Licensing Policy integrates as far as is reasonably possible with those strategies in order to help Bolton realise that vision.

Please note – non-compliance with conditions attached to the licence or failure to meet any of the following requirements is likely to result in a review of the premises licence or application.

2.0 Prevention of Crime & Disorder

Additions and amendments may be made to this section following the consultation period.

Introduction & Partnership Working

2.1 The licensing authority looks to the police as the main source of advice on crime and disorder, but where appropriate, we will also seek to involve the local Community Safety Partnership (CSP). Bolton Licensing Department has built close links with Greater Manchester Police and other partner organisations such as HMRC and the Home Office Immigration Authority. We will continue to build on these existing partnerships, and to forge new partnerships in order to ensure that all available compliance and enforcement powers are used where appropriate, and to ensure that all relevant information from partner organisations and responsible authorities are taken into account when making licensing decisions.

The Security Industry Authority

2.2 In the exercise of its functions, the licensing authority seeks to co-operate with the Security Industry Authority ("SIA") as far as possible and will consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.

Conditions

2.3 Conditions will be targeted on deterrence and preventing crime and disorder. For example, where there is good reason to suppose that crime or disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

2.4 When addressing crime and disorder, an applicant for a premise licence should initially identify any particular issues (having regard to their particular type of premises and/or activities), which are likely to adversely affect the promotion of the crime and disorder objective. Such steps, as are required to deal with these identified issues, should be included within the applicant's Operating Schedule, and will be translated into appropriate, enforceable conditions by the licensing officer.

2.5 A comprehensive list of potential conditions is attached at Appendix 2.

CCTV

2.6 Although it is not the policy of the Council to impose blanket conditions on all licensed premises, the benefits of good CCTV systems in licensed premises are clear and such systems have proved invaluable in both preventing crime and disorder, and in helping to detect crimes, ranging from minor shoplifting through to murder. All applicants for new premises licences to allow the sale or supply of alcohol by retail for consumption on or off the premises are therefore encouraged to consider installing a CCTV system and where appropriate, such applicants will be encouraged to add the Council's CCTV condition to their licence. The CCTV condition can be viewed in Appendix 2.

2.7 In addition, where incidents of crime and/or disorder have occurred at licensed premises, the Licensing Department, together with Greater Manchester Police and other partners, may request a premises licence holder to amend their premises licence by way of a minor variation to add the CCTV condition if it is felt it is appropriate. The use of minor variation as an alternative to a review of a premises licence will be offered in some circumstances where officers from responsible authorities have sufficient evidence to apply for a review of the premises licence, but the premises licence holder is willing to negotiate an appropriate outcome such as the addition of conditions to the licence, reduction of licensed hours etc.

Door Supervision

2.8 Conditions relating to the provision of door supervisors and security teams are valuable in town centre locations and premises operating after 9.00pm in:

- preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder;
- keeping out excluded individuals (subject to court bans or imposed by the licence holder or local Pubwatch scheme);
- searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons; and
- maintaining orderly queuing outside of venues prone to such queuing.

2.9 Where door supervisors conducting security activities are to be a condition of a licence, conditions may also need to deal with the number of such supervisors, the displaying of name badges, the carrying of proof of registration, where and at what times they should be stationed on the premises, and whether at least one female supervisor should be available (for example, if female customers are to be the subject of body searches). Door supervisors also have a role to play in ensuring public safety.

Glass Control

2.10 Glass can be a major factor in disturbances around licensed premises and the Council may impose special conditions on certain types of venue in relation to glass

control both within the premises, at disposal points and through unauthorised removal of glass from the premises.

2.11 In particular, the Authority may consider it appropriate to ensure licensed premises have regular glass collection services in certain types of venue and keep control of waste bottles & glasses.

2.12 It should be noted that the use of plastic, polycarbonate or paper drinks containers and toughened glass may also be relevant as measures appropriate to promote the reduction of crime and disorder and public safety.

Pubwatch

2.13 Bolton Council recognises that voluntary schemes can be an effective alternative method of reducing crime and disorder and improving the collective licensed trade within particular localities.

2.14 Pubwatch schemes have been introduced across the Borough.

2.15 The Council will continue to actively encourage holders of premises licences and designated premises supervisors to attend their local Pubwatch groups, and to set up such groups where they do not currently exist. Members are encouraged to take a "barred from one, barred from all" approach in dealing with disruptive customers. Pubwatch members will also be encouraged to subscribe to the Pubwatch online service which allows members to share photographs and information about barred members whilst remaining compliant with data protection legislation.

Drugs

2.16 All Licensed premises within Bolton are expected to adopt a "zero tolerance" policy in respect of the sale, supply and use of illegal drugs. Operators of premises which are licensed to sell or supply alcohol for consumption on the premise are expected to be aware of any drug activity which may be taking place within their premises and to take appropriate action to stop such activity, and prevent it from taking place.

2.17 Steps which licensees are expected to take include regular checks of the toilet areas, monitoring of suspicious behaviour and the display signage which makes clear that drug use will not be tolerated within the premises. A written policy around this is encouraged.

2.18 Operators of premises which are licensed to sell or supply alcohol for consumption off the premises must also adopt a zero tolerance approach towards the sale, supply and use of illegal drugs. In particular, the Council discourages any licensed premises to sell, supply or advertise any drug-related paraphernalia such as bong pipes, grinders and small plastic "snap" bags commonly used for the supply of drugs.

2.19 Premises licence holders, designated premises supervisors and any other staff employed at licensed premises within Bolton are expected to report any instances of drug supply or use within or in the vicinity of their premise to the police or the local authority as soon as practicable.

New Psychoactive Substances (Legal Highs)

2.20 Section 10.25 of the guidance issued under s182 of the Licensing Act 2003 states:

New psychoactive substances (NPS) mimic the effects of illegal drugs (like cocaine, cannabis and ecstasy) while being designed to evade controls. The sale of new psychoactive substances (NPS) – so called "legal highs" – is not regulated under the 2003 Act. However, licensing authorities may wish to consider whether conditions are appropriate to prevent the sale of such products alongside the sale of alcohol at a licensed premises, including at off-licences, or, for example, for on-trade premises to impose a door policy. Some NPS products may contain controlled drugs, and therefore be illegal, in which case the licensing authority should involve the police and consider applying for a review of the premises licence on crime and disorder grounds. But some NPS are not illegal. There is evidence that such NPS products can cause harms, particularly if taken in combination with alcohol.

2.21 Although the Government is in the process of developing new legislation to ban all new psychoactive substances, a zero tolerance approach will be taken to ensure no licensed premises will be allowed to sell, supply, advertise or keep as stock any type of NPS. This includes any substance which mimics the effects of illegal drugs, irrespective of whether the substance is labelled as "not for human consumption" and also includes nitrous oxide in any form.

2.22 In addition, any other substance, item or other thing which may, from time-to-time be identified as having an intoxicating effect by the police or local authority must not be sold, supplied, advertised or kept in stock at any licensed premise. Where appropriate, conditions in respect of NPS will be attached to premises licences.

Supply of Illegal, Illicit, Smuggled or Counterfeit Alcohol

2.23 The supply of illegal, illicit, smuggled and counterfeit alcohol puts the public at risk of serious harm and is linked to serious and organised criminal gangs. The Council expects the holders of premises licences which permit the sale and supply of alcohol by retail to have strong policies and procedures in place to prevent such activity.

2.24 In particular, premises licence holders, designated premises supervisors and anyone else employed at licensed premises must ensure that alcohol sold or supplied to the public has only been obtained from legitimate sources.

2.25 As a minimum, the council expects such stock to only be purchased from legitimate and recognised suppliers, and for premises to keep a record of where they have obtained the stock and to retain all receipts for such stock and produce them for inspection by any responsible authority on request.

2.26 Stock must not be purchased from any unidentified individuals travelling from premise-to-premise selling alcohol from a vehicle.

2.27 Where appropriate, conditions in respect of such activity will be attached to premises licences.

Employment of illegal immigrants

2.28 The Council expects holders of premises licences, designated premises supervisors and anyone else associated with the management of licensed premises to have sufficient policies and procedures in place to ensure that no person who is unlawfully in the UK, or who cannot lawfully be employed as a result of a condition on their leave to enter, is employed at a licensed premise.

2.29 The Immigration Bill 2015 received its first reading in Parliament on 17th September 2015. Parts 2 and 3 of Schedule 1 of the Bill contain a series of amendments to the Licensing Act concerning powers over personal and premises licences. If this Bill becomes enacted the changes will need to be reflected in the Policy.

3.0 Public Safety

Additions and amendments may be made to this section following the consultation period.

Fire Safety

3.1 Fire precautions and means of escape from licensed premises are particularly important. Large numbers of people, some of whom may be under the influence of alcohol, must be safely contained, managed and, if necessary, evacuated from premises. The attachment of conditions to a premises licence or club premises certificate will not in any way relieve employers of the statutory duty to comply with the requirements of other legislation including the Health and Safety at Work etc. Act 1974, associated regulations and especially the requirements under the Management of Health and Safety at Work Regulations 1999 and the Regulatory Reform Fire Safety Order 2005 to undertake risk assessments. Employers should assess the risks, including risks from fire, and take measures necessary to avoid and control these risks.

3.2 Consideration should be given to conditions which deal with Living accommodation attached to or accessed via Licensed Premises, such as:

- ensuring that sufficient fire safety arrangements are in place to detect and warn occupants and all other relevant persons
- ensuring adequate fire separation and means of escape is provided between the mixes use premises.

Risk Assessments

3.3 When addressing public safety, an applicant or licence holder should initially identify any particular issues (having regard to their particular type of premises and/or activities), which are likely to adversely affect the promotion of the public safety objective. Such steps as are required to deal with these identified issues should be included within the applicant's Operating Schedule.

3.4 It is also recognised that special issues may arise in connection with outdoor and large scale events. Risk assessment must be used to assess whether any measures are necessary in the individual circumstances of any premises.

Disability

3.5 Consideration should be given to conditions that ensure that:

- when disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency; and
- disabled people on the premises are made aware of those arrangements.

Special Effects

3.6 The use of special effects in venues of all kinds being used for regulated entertainment is increasingly common and can present significant risks. Any special effects or mechanical

installation should be arranged and stored so as to minimise any risk to the safety of the audience, the performers and staff. Specials effects which should be considered include:

- dry ice machines and cryogenic fog;
- smoke machines and fog generators;
- pyrotechnics, including fireworks;
- real flames;
- firearms;
- motor vehicles;
- strobe lighting;
- lasers (see HSE Guide The Radiation Safety of lasers used for display purposes [HS(G)95] and BS EN 60825: Safety of laser products), and;
- explosives and highly flammable substances.

3.7 It may be appropriate to require that certain special effects are only used with the prior notification of the licensing authority or the fire authority.

Transport

3.8 Consideration should be given to conditions that deal with:

- the adequacy of transportation arrangements to ensure customers are able to travel safely to and from the premises (including procedures for preventing people from consuming excess alcohol and driving);

Hypnotism

3.9 The Licensee shall not suffer or permit any person to give at the premises (otherwise than as provided by Section 5 of the Hypnotism Acts 1952) any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which the susceptibility of the mind of that person to suggestion or direction is increased or is intended to be increased.

4.0 The Prevention of Public Nuisance

Additions and amendments may be made to this section following the consultation period.

Introduction

4.1 The Licensing Act 2003 covers a wide variety of premises that require licences, including cinemas, concert halls, theatres, nightclubs, public houses, cafes, restaurants, fast food outlets and takeaways. Each of these premises presents a mixture of risks, with many common to most premises and others unique to specific operations. It is important that premises are constructed or adapted and maintained so as to acknowledge and safeguard occupants and neighbours against these risks as far as is practicable.

4.2 When addressing public nuisance an applicant should initially identify any particular issues (having regard to their particular type of premises and/or activities), which are likely to adversely affect the promotion of the public nuisance objective. Such steps as are required to deal with these identified issues should be included within the applicant's Operating Schedule.

4.3 If relevant representations are received, the Authority may impose conditions to prevent nuisance, noise, disturbance, light pollution, noxious smells, vermin and pest infestations and accumulations of rubbish and litter.

4.4 A comprehensive list of potential conditions is attached at Appendix 2.

4.5 The following options should be considered as measures which, if appropriate, would promote the prevention of public nuisance.

4.6 Noise or vibration should not emanate from the premises so as to cause a nuisance to nearby properties. This might be achieved by a simple requirement to keep doors and windows at the premises closed, or to use noise limiters on amplification equipment used at the premises.

4.7 Prominent, clear and legible notices should be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

4.8 Conditions may include restrictions on the times when music or other licensable activities may take place and may include technical restrictions on sound levels at the premises.

4.9 The council is particularly keen to encourage responsible business owners to deal with waste and litter effectively and responsibly. In particular, it expects that the responsible person ensures that the areas outside of premises are kept clean, tidy and free from litter and the premise provides sufficient litter/cigarette bins.

4.10 In addition, holders of premises licences and club premise certificates are expected to fully comply with all legal requirements in relation to the disposal of their trade waste and to ensure they have an appropriate trade waste contract with an approved disposal company.

5.0 Protection of Children from Harm

Additions and amendments may be made to this section following the consultation period.

Introduction

5.1 The protection of children from harm is a key licensing objective and one which Bolton Council seeks to promote rigorously. Holders of premises licences, club premises certificates and other permissions under the licensing act are expected to ensure that their activities are always carried out with the intention of protecting children from harm.

5.2 The council particularly expects licensed businesses to work actively to prevent:

- Child sexual exploitation;
- The sale or supply of alcohol to persons under the age of 18;
- The sale or supply of alcohol to adults seeking to purchase on behalf of persons under the age of 18;
- The sale or supply of any other age restricted products to underage persons;
- Access by children to gambling activities;
- Access by children to any entertainment of a sexual nature.

Child Sexual Exploitation

5.3 Child sexual exploitation involves children being groomed and then sexually abused. Bolton Council recognises that child sexual exploitation is a major child protection issue both locally and across the UK.

5.4 The council takes a strict “zero tolerance” approach in respect of child sexual exploitation (CSE) and expects licensed businesses to do the same. Conditions may be added by way of review of licence if there is a specific CSE issue at a premise.

5.5 Measures designed to prevent underage sales and other harmful activities will have the secondary effect of preventing child sexual exploitation by reducing or removing opportunities for abusers to groom children for sexual purposes. Further advice is available from the EXIT team on preventing CSE.

Underage Sales & Age Verification

5.6 The council expects licenced businesses to work rigorously to prevent the sale or supply of alcohol to children. The mandatory licence conditions include a condition which requires all premises which are licensed to sell or supply alcohol to adopt an age verification policy whereby those who appear to be under 18 will be asked to provide photographic I.D. to prove their age before selling or supplying them with alcohol.

5.7 The council encourages licensed businesses to go further than the requirements of the mandatory conditions and asks premises which are licensed for the sale or supply of alcohol to adopt the voluntary “challenge 25” scheme. This scheme requires members of

staff who carry out sales of alcohol to request photographic I.D. from anyone who appears to be under the age of 25 years. This does not preclude anyone over the age of 18 from purchasing alcohol, but does provide a much clearer framework for staff members in deciding when to ask for I.D.

5.8 Applicants for premises licences or other permissions to sell or supply alcohol are encouraged to include the challenge 25 scheme within their operating schedules and it will be included as a condition where appropriate.

5.9 Holders of premises licences and other permissions to sell or supply alcohol and their designated premises supervisors must ensure that all staff employed at their premises receive regular training. Training must include child protection issues and the prevention of underage sales and proxy sales. Where appropriate this policy will be added as a condition to premises licences or other permissions.

5.10 When asking for photographic I.D. the council expects licensed businesses and their staff to only accept the following forms of identification:

- Passport;
- Photocard driving licence, or;
- PASS accreditation system, which aims to approve and accredit various 'proof of age' schemes which are in existence

Access to Premises by Children

5.11 Under the Licensing Act, a wide variety of licensable activities can take place at various types of premises and at different times of the day and night. Whilst it may be appropriate to allow children unrestricted access at particular times and when certain activities are not taking place, the council will consider a range of conditions which can be tailored to a particular premises where appropriate. These could include:

- The times during which age restrictions should and should not apply. For example, the fact that adult entertainment may be presented at premises after 8.00pm does not mean that it would be necessary to impose age restrictions for earlier parts of the day;
- Types of event or activity in respect of which no age restrictions may be needed, for example family entertainment or non-alcohol events for young age groups, such as under 18s dances;
- Similarly, types of event or activity, which give rise to a more acute need for age restrictions than normal, for example; during "Happy Hours" or on drinks promotion nights.

Display of Films etc.

5.12 In the case of premises giving film exhibitions, the licensing authority expects the holders of premises licences or other permissions to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or the licensing authority itself.

6.0 The Protection and Improvement of Public Health

Additions and amendments may be made to this section following the consultation period.

Headline figures - health

Introduction

6.1 Bolton Council recognises that the instances of alcohol-related health harms across the borough are high and that Bolton ranks highly both regionally and nationally in respect of alcohol-related health harms.

6.2 Since the adoption of the previous statement of licensing policy, the Police Reform and Social responsibility Act 2011 amended the Licensing Act by adding local directors of public health to the list of responsible authorities, meaning that local public health bodies are now consulted in respect of every licensing application processed by the local authority.

6.3 Although the Government did not go as far as introducing a 5th licensing objective of "promoting public health", the introduction of public health as a responsible authority went some way towards starting to reduce alcohol-related health harms through use of licensing legislation. Conditions may be added by way of review of licence if there is a specific public health issue at a premise.

Appendix 1

Delegation of Functions			
Matter to be dealt with	**Full Committee**	**Sub Committee**	**Officers**
Application for personal licence		If a relevant representation made	If no relevant representation made
Application for personal licence with unspent convictions		If a relevant representation made	If no relevant representation made
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 for variation in premises licence/club premises certificate (S34)		If a relevant representation made	If no relevant representation made
Application for minor variation in premises licence/club premises certificate (S41A)			All cases
Application to vary designated personal licence holder		If a Police representation	All other cases
Request to be removed as designated personal licence holder			All cases
Application for transfer of a premises licence		If a Police representation	All other cases
Applications for interim authorities		If Police representation	All other cases
Application to review a premises licence/club premises 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 lead authority			All cases
Determination of a Police representation to a temporary event notice.		All cases	
Application for a community event notice *		If relevant representation(s) submitted	If no relevant representation(s) submitted
Application for an ancillary business sales notice *		If relevant representation(s) submitted	If no relevant representation(s) submitted

* when that part of the Deregulation Act comes into force

Appendix 2

List of Pool Conditions for Applicants for Premises Licences and Other Permissions Associated With the Licensing Act 2003

SUPPORTING GUIDANCE – POOLS OF CONDITIONS

The content of this guidance broadly reflects but is not the statutory guidance (or any part of the statutory guidance) issued by the Secretary of State under section 182 of the Licensing Act 2003. This good practice guidance should be viewed as indicative and may be subject to change. Revised statutory guidance issued under section 182 of the Licensing Act 2003 was laid in Parliament on 25 April 2012 and is available on the Home Office website.

CORE PRINCIPLES

1. Licensing authorities and other responsible authorities (in considering applications) and applicants for premises licences and clubs premises certificates (in preparing their operating schedules) should consider whether the measures set out below are appropriate to promote the licensing objectives.

2. Any risk assessment to identify appropriate measures should consider the individual circumstances of the premises and the nature of the local area, and take into account a range of factors including:

- the nature, type and location of the venue;
- the activities being conducted there and the potential risk which these activities could pose to the local area;
- the location (including the locality in which the premises are situated and knowledge of any local initiatives); and
- the anticipated clientele.

Under no circumstances should licensing authorities regard these conditions as standard conditions to be automatically imposed in all cases.

3. Any individual preparing an operating schedule or club operating schedule is at liberty to volunteer any measure, such as those below, as a step they intend to take to promote the licensing objectives. When measures are incorporated into the licence or certificate, they become enforceable under the law and breach could give rise to prosecution.

4. Licensing authorities should carefully consider conditions to ensure that they are not only appropriate but realistic, practical and achievable, so that they are capable of being met. Failure to comply with conditions attached to a licence or certificate could give rise to a prosecution, in particular, as the provision of unauthorised licensable activities under the 2003 Act, which, on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both. As such, it would be wholly inappropriate to impose conditions outside the control of those responsible for the running of the premises. It is also important that conditions which are imprecise or difficult to enforce must be excluded.

PART 1. CONDITIONS RELATING TO THE PREVENTION OF CRIME AND DISORDER

RADIO LINKS AND TELEPHONE COMMUNICATIONS

Two-way radio links and telephone communications connecting staff of premises and clubs to local police and other premises can enable rapid responses to situations that may endanger the customers and staff on and around licensed premises. It is recommended that radio links or

telephone communications systems should be considered for licensed premises in city and town centre leisure areas with a high density of premises selling alcohol. These conditions may also be appropriate in other areas. It is recommended that a condition requiring a radio or telephone link to the police should include the following requirements:

- the equipment is kept in working order (when licensable activities are taking place);
- the link is activated, made available to and monitored by the designated premises supervisor or a responsible member of staff at all times that the premises are open to the public;
- relevant police instructions/directions are complied with where possible; and
- instances of crime or disorder are reported via the radio link by the designated premises supervisor or a responsible member of staff to an agreed police contact point.

DOOR SUPERVISORS

Conditions relating to the provision of door supervisors and security teams may be valuable in relation to:

- keeping out individuals excluded by court bans or by the licence holder;
- searching those suspected of carrying illegal drugs, or carrying offensive weapons;
- assisting in the implementing of the premises' age verification policy; and
- ensuring that queues outside premises and departure of customers from premises do not undermine the licensing objectives.

Where the presence of door supervisors conducting security activities is to be a condition of a licence, which means that they would have to be registered with the Security Industry Authority, it may also be appropriate for conditions to stipulate:

- That a sufficient number of supervisors be available (possibly requiring both male and female supervisors);
- the displaying of name badges;
- the carrying of proof of registration; and
- where, and at what times, they should be in operation.

Door supervisors also have a role to play in ensuring public safety (see Part 2) and the prevention of public nuisance (see Part 4).

RESTRICTING ACCESS TO GLASSWARE

Traditional glassware and bottles may be used as weapons or result in accidents and can cause very serious injuries. Conditions can prevent sales of drinks in glass for consumption on the premises. This should be expressed in clear terms and can include the following elements:

- no glassware, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff service away from the bar; or
- no customers carrying glassware shall be admitted to the premises at any time that the premises are open to the public (note: this needs to be carefully worded where off-sales also take place).

In appropriate circumstances, the condition could include exceptions, for example, as follows:

- but bottles containing wine may be given to customers for consumption with a table meal by customers who are seated in an area set aside from the main bar area for the consumption of food.

The banning of glass may also be a relevant and appropriate measure to promote public safety (see Part 2).

ALTERNATIVES TO TRADITIONAL GLASSWARE

Where appropriate, consideration should therefore be given to conditions requiring the use of safer alternatives to prevent crime and disorder, and in the interests of public safety. Location and style of the venue and the activities carried on there are particularly important in assessing whether a condition is appropriate. For example, the use of glass containers on the terraces of some outdoor sports grounds may obviously be of concern, and similar concerns may also apply to indoor sports events such as boxing matches. Similarly, the use of alternatives to traditional glassware may be an appropriate condition during the showing of televised live sporting events, such as international football matches, when there may be high states of excitement and emotion.

OPEN CONTAINERS NOT TO BE TAKEN FROM THE PREMISES

Drinks purchased in licensed premises or clubs may be taken from those premises for consumption elsewhere. This is lawful where premises are licensed for the sale of alcohol for consumption off the premises. However, consideration should be given to a condition preventing customers from taking alcoholic and other drinks from the premises in open containers (e.g. glasses and opened bottles) for example, by requiring the use of bottle bins on the premises. This may again be appropriate to prevent the use of these containers as offensive weapons, or to prevent consumption of alcohol, in surrounding streets after individuals have left the premises. Restrictions on taking open containers from the premises may also be appropriate measures to prevent public nuisance (see Part 4).

CCTV

The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises. Conditions should not just consider a requirement to have CCTV on the premises, but also the precise location of each camera, the requirement to maintain cameras in working order, to retain recordings for an appropriate period of time and produce images from the system in a required format immediately to the police and local authority. The police should provide individuals conducting risk assessments as part of preparing their operating schedules with advice on the use of CCTV to prevent crime.

RESTRICTIONS ON DRINKING AREAS

It may be appropriate to restrict the areas of the premises where alcoholic drinks may be consumed after they have been purchased. An example would be at a sports ground where it is appropriate to prevent the consumption of alcohol on the terracing during particular sports events. Conditions should not only specify these areas, but indicate the circumstances and times during which the ban would apply.

Restrictions on drinking areas may also be relevant and appropriate measures to prevent public nuisance (see Part 4).

CAPACITY LIMITS

Capacity limits are most commonly made a condition of a licence on public safety grounds (see Part 2), but can also be considered for licensed premises or clubs where overcrowding may lead to disorder and violence. If such a condition is appropriate, door supervisors may be required to ensure that the numbers are appropriately controlled (see above).

PROOF OF AGE CARDS

It is unlawful for persons aged under 18 years to buy or attempt to buy alcohol just as it is unlawful to sell or supply alcohol to them. To prevent the commission of these criminal offences, the mandatory conditions require licensed premises to ensure that they have in place an age verification policy. This requires the production of age verification (which must meet defined criteria) before alcohol is served to persons who appear to staff at the premises to be under 18 (or other minimum age set by premises).

Such verification must include the individual's photograph, date of birth and a holographic mark e.g. driving licence, passport, military ID. Given the value and importance of such personal documents, and because not everyone aged 18 years or over necessarily has such documents, the Government endorses the use of ID cards which bear the PASS (Proof of Age Standards Scheme) hologram. PASS is the UK's national proof of age accreditation scheme which sets and maintains minimum criteria for proof of age card issuers to meet. The inclusion of the PASS hologram on accredited cards, together with the verification made by card issuers regarding the personal detailsof an applicant, gives the retailer the assurance that the holder is of relevant age to buy or be served age-restricted goods. PASS cards are available to people under the age of 18 for other purposes such as access to 15 rated films at cinema theatres so care must be taken to check that the individual is over 18 when attempting to purchase or being served alcohol.

CRIME PREVENTION NOTICES

It may be appropriate at some premises for notices to be displayed which warn customers of the prevalence of crime which may target them. Some premises may be reluctant to voluntarily display such notices for commercial reasons. For example, in certain areas, a condition attached to a premises licence or club premises certificate might require the display of notices at the premises which warn customers about the need to be aware of pickpockets or bag snatchers, and to guard their property. Similarly, it may be appropriate for notices to be displayed which advise customers not to leave bags unattended because of concerns about terrorism. Consideration could be given to a condition requiring a notice to display the name of a contact for customers if they wish to report concerns.

DRINKS PROMOTIONS

Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area. This may be unlawful under current law. It is also likely to be unlawful for licensing authorities or the

police to promote generalised voluntary schemes or codes of practice in relation to price discounts on alcoholic drinks, 'happy hours' or drinks promotions. The mandatory licensing conditions (see chapter 10 of the statutory guidance) ban defined types of behaviour referred to as 'irresponsible promotions'.

SIGNAGE

It may be appropriate that the hours at which licensable activities are permitted to take place are displayed on or immediately outside the premises so that it is clear if breaches of these terms are taking place. Similarly, it may be appropriate for any restrictions on the admission of children to be displayed on or immediately outside the premises to deter those who might seek admission in breach of those conditions.

LARGE CAPACITY VENUES USED EXCLUSIVELY OR PRIMARILY FOR THE "VERTICAL" CONSUMPTION OF ALCOHOL (HVVDS)

Large capacity "vertical drinking" premises, sometimes called High Volume Vertical Drinking establishments (HVVDs), are premises that have exceptionally high capacities, are used primarily or exclusively for the sale and consumption of alcohol, and provide little or no seating for their customers.

Where appropriate, conditions can be attached to licences for these premises which require adherence to:

- a prescribed capacity;
- an appropriate ratio of tables and chairs to customers based on the capacity; and
- the presence of security staff holding the appropriate SIA licence or exemption (see Chapter 10 to control entry for the purpose of compliance with the capacity limit.

PART 2. CONDITIONS RELATING TO PUBLIC SAFETY

The attachment of conditions to a premises licence or club premises certificate will not relieve employers of their duties to comply with other legislation, including the Health and Safety at Work Act 1974 and associated regulations; and, especially, the requirements under the Management of Health and Safety at Work Regulations 1999 and the Regulatory Reform (Fire Safety) Order 2005 to undertake risk assessments. Employers should assess the risks, including risks from fire, and take measures necessary to avoid and control them. Conditions enforcing these requirements are therefore inappropriate.

From 1 October 2006 the Regulatory Reform (Fire Safety) Order 2005 replaced previous fire safety legislation. Licensing authorities should note that under article 43 of the Regulatory Reform (Fire Safety) Order 2005 any conditions imposed by the licensing authority that relate to any requirements or prohibitions that are or could be imposed by the Order have no effect. This means that licensing authorities should not seek to impose fire safety conditions where the Order applies. See Chapter 2 of the statutory guidance for more detail about the Order or http://www.communities.gov.uk/fire/firesafety/firesafetylaw/

GENERAL

Additional matters relating to cinemas and theatres are considered in Part 3. It should also be recognised that special issues may arise in connection with outdoor and large scale events.

In addition, to considering the points made in this Part, those preparing operating schedules or club operating schedules; and licensing authorities and other responsible authorities may consider the following guidance, where relevant:

- Model National and Standard Conditions for Places of Public Entertainment and Associated Guidance ISBN 1 904031 11 0 (Entertainment Technology Press – ABTT Publications)
- The Event Safety Guide – A guide to health, safety and welfare at music and similar events (HSE 1999) ("The Purple Book") ISBN 0 7176 2453 6
- Managing Crowds Safely (HSE 2000) ISBN 0 7176 1834 X
- 5 Steps to Risk Assessment: Case Studies (HSE 1998) ISBN 07176 15804
- The Guide to Safety at Sports Grounds (The Stationery Office, 1997) ("The Green Guide") ISBN 0 11 300095 2
- Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances published by the Independent Street Arts Network, copies of which may be obtained through: www.streetartsnetwork.org.uk/pages/publications.htm The London District Surveyors Association's "Technical Standards for Places of Public Entertainment" ISBN 0 9531229 2 1

The following British Standards should also be considered:

- BS 5588 Part 6 (regarding places of assembly)
- BS 5588 Part 9 (regarding ventilation and air conditioning systems)
- BS 5588 Part 9 (regarding means of escape for disabled people)
- BS 5839 (fire detection, fire alarm systems and buildings)
- BS 5266 (emergency lighting systems)

In most premises, therefore, relevant legislation will provide adequately for the safety of the public or club members and guests. However, where this is not the case, consideration might be given to the following conditions.

SAFETY CHECKS

- Safety checks are carried out before the admission of the public.
- Details of such checks are recorded and available to the relevant authorities for inspection.

ESCAPE ROUTES

- Exits are not obstructed (including by curtains, hangings or temporary decorations), and accessible via non-slippery and even surfaces, free of trip hazards and clearly identified.
- Where chairs and tables are provided in restaurants and other premises, internal gangways are kept unobstructed.
- All exits doors are easily opened without the use of a key, card, code or similar means.
- Doors at such exits are regularly checked to ensure that they function satisfactorily and a record of the check kept.

- Any removable security fastenings are removed whenever the premises are open to the public or occupied by staff.
- The edges of the treads of steps and stairways are maintained so as to be conspicuous.

DISABLED PEOPLE

That adequate arrangements exist to enable the safe evacuation of disabled people in the event of an emergency; and that disabled people on the premises are made aware of those arrangements.

LIGHTING

- That lighting in areas accessible to the public, members or guests shall be adequate when they are present.
- That emergency lighting functions properly.
- In the event of the failure of normal lighting, where the emergency lighting battery has a capacity of one hour, arrangements are in place to ensure that the public, members or guests leave the premises within 20 minutes unless within that time normal lighting has been restored and the battery is being re-charged; and, if the emergency lighting battery has a capacity of three hours, the appropriate period by the end of which the public should have left the premises is one hour.

CAPACITY LIMITS

- Arrangements are made to ensure that any capacity limit imposed under the premises licence or club premises certificate is not exceeded.
- The licence holder, a club official, manager or designated premises supervisor should be aware of the number of people on the premises and be required to inform any authorised person on request.

ACCESS FOR EMERGENCY VEHICLES

- Access for emergency vehicles is kept clear and free from obstruction.

FIRST AID

Adequate and appropriate supply of first aid equipment and materials is available on the premises.

If necessary, at least one suitably trained first-aider shall be on duty when the public are present; and if more than one suitably trained first-aider that their respective duties are clearly defined.

TEMPORARY ELECTRICAL INSTALLATIONS

- Temporary electrical wiring and distribution systems are not provided without notification to the licensing authority at least ten days before commencement of the work and/or prior inspection by a suitable qualified electrician.
- Temporary electrical wiring and distribution systems shall comply with the recommendations of BS 7671 or where applicable BS 7909.

- Where they have not been installed by a competent person, temporary electrical wiring and distribution systems are inspected and certified by a competent person before they are put to use.

In relation to the point in the first bullet above, it should be recognised that ten days notice may not be possible where performances are supported by outside technical teams (for example, where temporary electrical installations are made in theatres for television show performances). In such circumstances, the key requirement is that conditions should ensure that temporary electrical installations are only undertaken by competent qualified persons (for example, those employed by the television company).

INDOOR SPORTS ENTERTAINMENTS

- If appropriate, a qualified medical practitioner is present throughout a sports entertainment involving boxing, wrestling, judo, karate or other sports entertainment of a similar nature.
- Any ring is constructed by a competent person and/ or inspected by a competent authority.
- At any wrestling or other entertainments of a similar nature members of the public do not occupy any seat within 2.5 metres of the ring.
- At water sports entertainments, staff adequately trained in rescue and life safety procedures are stationed and remain within the vicinity of the water at all material times (see also Managing Health and Safety in Swimming Pools issued jointly by the Health and Safety Executive and Sport England).

SPECIAL EFFECTS

The use of special effects in venues being used for regulated entertainment can present significant risks. Special effects or mechanical installations should be arranged and stored so as to minimise any risk to the safety of the audience, the performers and staff. Further details and guidance are given in Part 3.

ALTERATIONS TO THE PREMISES

Premises should not be altered in such a way as to make it impossible to comply with an existing licence condition without first seeking a variation of the premises licence to delete the relevant public safety condition. The applicant will need to propose how they intend to take alternative steps to promote the public safety objective in a new operating schedule reflecting the proposed alteration to the premises.

The application for variation will enable responsible authorities with expertise in safety matters to consider whether the proposal is acceptable.

OTHER MEASURES

Other measures previously mentioned in relation to the Prevention of Crime and Disorder may also be appropriate to promote public safety. These might include the provision of door supervisors, bottle bans, and requirements to use plastic or toughened glass containers (see Part 1 for further detail).

PART 3.THEATRES, CINEMAS, CONCERT HALLS AND SIMILAR PLACES (PROMOTION OF PUBLIC SAFETY)

In addition to the points in Part 2, there are particular public safety matters which should be considered in connection with theatres and cinemas.

PREMISES USED FOR CLOSELY SEATED AUDIENCES

ATTENDANTS

(a) The number of attendants on each floor in a closely seated auditorium should be as set out on the table below:

Number of members of the audience present on a floor	**Minimum number of attendants required to be present on that floor**
1 – 100	One
101 – 250	Two
251 – 500	Three
501 – 750	Four
751 -1,000	Five
And one additional attendant for each additional 250 persons (or part thereof)	

(b) Attendants shall not be engaged in duties that would prevent them from promptly discharging their duties in the event of an emergency or require their absence from that floor or auditorium where they are on duty.

(c) Attendants shall be readily identifiable to the audience (but this need not entail the wearing of a uniform).

(d) The premises shall not be used for a closely seated audience except in accordance with seating plan(s), a copy of which is available at the premises and shall be shown to an authorised person on request.

(e) No article shall be attached to the back of any seat which would reduce the clear width of seatways or cause a tripping hazard or obstruction.

(f) A copy of any certificate relating to the design, construction and loading of temporary seating shall be kept available at the premises and shall be shown to an authorised person on request.

SEATING

Where the potential audience exceeds 250 all seats in the auditorium should be securely fixed to the floor or battened together in lengths of not fewer than four and not more than twelve.

Standing and sitting in gangways etc.

(a) Sitting on floors shall not be permitted except where authorised in the premises licence or club premises certificate.

(b) Waiting or standing shall not be permitted except in areas designated in the premises licence or club premises certificate.

(c) In no circumstances shall anyone be permitted to-

(i) sit in a gangway;

(ii) stand or sit in front of an exit; or

(iii) stand or sit on a staircase, including landings.

DRINKS

Except as authorised by the premises licence or club premises certificate, no drinks shall be sold to, or be consumed by, a closely seated audience except in plastic and paper containers.

BALCONY FRONTS

Clothing or other objects shall not be placed over balcony rails or upon balcony fronts.

SPECIAL EFFECTS

Special effects or mechanical installations should be arranged and stored so as to minimise risk to the safety of the audience, the performers and staff.

Specials effects include:

- dry ice machines and cryogenic fog;
- smoke machines and fog generators;
- pyrotechnics, including fireworks;
- real flame;
- firearms;
- motor vehicles;
- strobe lighting;
- lasers; and
- explosives and highly flammable substances.

In certain circumstances, it may be appropriate to require that certain special effects are only used with the prior notification of the licensing authority. In these cases, the licensing authority should notify the fire and rescue authority, who will exercise their inspection and enforcement powers under the Regulatory Reform (Fire Safety) Order. Further guidance can be found in the following publications:

- HSE Guide 'The radiation safety of lasers used for display purposes' (HS(G)95
- 'Smoke and vapour effects used in entertainment' (HSE Entertainment Sheet No 3);

- ‘Special or visual effects involving explosives or pyrotechnics used in film and television production’ (HSE Entertainment Sheet No 16);
- ‘Electrical safety for entertainers’ (HSE INDG 247)
- ‘Theatre Essentials’ – Guidance booklet produced by the Association of British Theatre Technicians 8

CEILINGS

Ceilings in those parts of the premises to which the audience are admitted should be inspected by a suitably qualified person, who will decide when a further inspection is necessary, and a certificate concerning the condition of the ceilings forwarded to the licensing authority.

PREMISES USED FOR FILM EXHIBITIONS

ATTENDANTS – PREMISES WITHOUT A STAFF ALERTING SYSTEM

Where the premises are not equipped with a staff alerting system the number of attendants present should be as set out in the table below:

Number of members of the audience present on the premises	**Minimum number of attendants required to be on duty**
1 – 250	Two
And one additional attendant for each additional 250 members of the audience present (or part thereof)	
Where there are more than 150 members of audience in any auditorium or on any floor	At least one attendant shall be present in any auditorium or on any floor

ATTENDANTS – PREMISES WITH A STAFF ALERTING SYSTEM

(a) Where premises are equipped with a staff alerting system the number of attendants present should be as set out in the table below:

Number of members of the audience present on the premises	**Minimum number of attendants required to be on duty**	**Minimum number of other staff on the premises who are available to assist in the event of an emergency**
1 – 500	Two	One
501 – 1,000	Three	Two
1001 – 1,500	Four	Four

1,501 or more	Five plus one for every 500 (or part thereof) persons over 2,000 on the premises	Five plus one for every 500 (or part thereof) persons over 2,000 on the premises

(b) Staff shall not be considered as being available to assist in the event of an emergency if they are:

(i) the holder of the premises licence or the manager on duty at the premises; or

(ii) a member of staff whose normal duties or responsibilities are likely to significantly affect or delay their response in an emergency situation; or

(iii) a member of staff whose usual location when on duty is more than 60 metres from the location to which they are required to go on being alerted to an emergency situation.

(c) Attendants shall as far as reasonably practicable be evenly distributed throughout all parts of the premises to which the public have access and keep under observation all parts of the premises to which the audience have access.

(d) The staff alerting system shall be maintained in working order.

MINIMUM LIGHTING

The level of lighting in the auditorium should be as great as possible consistent with the effective presentation of the film; and the level of illumination maintained in the auditorium during the showing of films would normally be regarded as satisfactory if it complies with the standards specified in BS CP 1007 (Maintained Lighting for Cinemas).

PART 4. CONDITIONS RELATING TO THE PREVENTION OF PUBLIC NUISANCE

It should be noted that provisions of the Environmental Protection Act 1990, the Noise Act 1996 and the Clean Neighbourhoods and Environment Act 2005 provide some protection to the general public from public nuisance, including noise nuisance. In addition, the provisions in Part 8 of the Licensing Act 2003 enable a senior police officer to close down instantly for up to 24 hours licensed premises and premises carrying on temporary permitted activities that are causing nuisance resulting from noise emanating from the premises. These matters should be considered before deciding whether or not conditions are appropriate for the prevention of public nuisance.

HOURS

The hours during which the premises are permitted to be open to the public or to members and their guests can be restricted for the prevention of public nuisance. Licensing authorities are best placed to determine what hours are appropriate. However, the four licensing objectives should be paramount considerations at all times.

Restrictions could be appropriate on the times when certain licensable activities take place even though the premises may be open to the public as such times. For example, the playing of recorded music after a certain time might be prohibited, even though other licensable activities are permitted to continue. Or the playing of recorded music might only be permitted after a certain time where

conditions have been attached to the licence or certificate to ensure that any potential nuisance is satisfactorily prevented.

Restrictions might also be appropriate on the parts of premises that might be used for certain licensable activities at certain times. For example, while the provision of regulated entertainment might be permitted while the premises are open to the public or members and their guests, regulated entertainment might not be permitted in garden areas of the premises after a certain time.

In premises where existing legislation does not provide adequately for the prevention of public nuisance, consideration might be given to the following conditions.

NOISE AND VIBRATION

In determining which conditions are appropriate, licensing authorities should be aware of the need to avoid disproportionate measures that could deter the holding of events that are valuable to the community, such as live music.

Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. The following conditions may be considered:

Noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties. This might be achieved by one or more of the following conditions:

- a simple requirement to keep doors and windows at the premises closed;
- limiting live music to a particular area of the building;
- moving the location and direction of speakers away from external walls or walls that abut private premises;
- installation of acoustic curtains;
- fitting of rubber seals to doorways;
- installation of rubber speaker mounts;
- requiring the licence holder to take measures to ensure that music will not be audible above background level at the nearest noise sensitive location;
- require licence holder to undertake routine monitoring to ensure external levels of music are not excessive and take action where appropriate;
- noise limiters on amplification equipment used at the premises (if other measures have been unsuccessful);
- prominent, clear and legible notices to be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly;
- the use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas are restricted; and
- the placing of refuse – such as bottles – into receptacles outside the premises to take place at times that will minimise the disturbance to nearby properties.

NOXIOUS SMELLS

Noxious smells from the premises are not permitted to cause a nuisance to nearby properties; and the premises are properly vented.

LIGHT POLLUTION

Flashing or particularly bright lights at the premises do not cause a nuisance to nearby properties. Any such condition needs to be balanced against the benefits to the prevention of crime and disorder of bright lighting in certain places.

OTHER MEASURES

Other measures previously mentioned in relation to the crime prevention objective may also be relevant as appropriate to prevent public nuisance. These might include the provision of door supervisors, open containers not to be taken from the premises, and restrictions on drinking areas (see Part 1 for further detail).

PART 5. CONDITIONS RELATING TO THE PROTECTION OF CHILDREN FROM HARM

An operating schedule or club operating schedule should indicate any decision for the premises to exclude children completely. This would mean there would be no need to detail in the operating schedule steps that the applicant proposes to take to promote the protection of children from harm. Otherwise, where entry is to be permitted, the operating schedule should outline the steps to be taken to promote the protection of children from harm while on the premises.

ACCESS FOR CHILDREN TO LICENSED PREMISES – IN GENERAL

The 2003 Act prohibits unaccompanied children from premises that are exclusively pr primarily used for the supply of alcohol for consumption on the premises. Additional restrictions on the access of children under 18 to premises where licensable activities are being carried on should be made where they are appropriate to protect children from harm. Precise policy and details will be a matter for individual licensing authorities.

It is recommended (unless there are circumstances justifying the contrary) that in relation to:

- premises with known associations (having been presented with evidence) with or likely to give rise to: heavy or binge or underage drinking;
- drugs, significant gambling, or any activity or entertainment (whether regulated entertainment or not) of a clearly adult or sexual nature, there should be a strong presumption against permitting any access at all for children under 18 years;
- premises, not serving alcohol for consumption on the premises, but where the public are allowed on the premises after 11.00pm in the evening, there should be a presumption against the presence of children under the age of 12 unaccompanied by adults after that time.

Applicants wishing to allow access under the above circumstances should, when preparing new operating schedules or club operating schedules or variations of those schedules:

- explain their reasons; and
- outline in detail the steps that they intend to take to protect children from harm on such premises.

In any other case, it is recommended that, subject to the premises licence holder's or club's discretion, the expectation would be for unrestricted access for children, subject to the terms of the 2003 Act.

AGE RESTRICTIONS – SPECIFIC

Whilst it may be appropriate to allow children unrestricted access at particular times and when certain activities are not taking place, licensing authorities will need to consider:

- The hours in a day during which age restrictions should and should not apply. For example, the fact that adult entertainment may be presented at premises after 8.00pm does not mean that it would be appropriate to impose age restrictions for earlier parts of the day.
- Types of event or activity that are unlikely to require age restrictions, for example:

—family entertainment; or

—alcohol free events for young age groups, such as under 18s dances,

- Types of event or activity which give rise to a more acute need for age restrictions than normal, for example: during "Happy Hours" or drinks promotions;

AGE RESTRICTIONS – CINEMAS

The British Board of Film Classification classifies films in accordance with its published Guidelines, which are based on research into public opinion and professional advice. It is therefore recommended that licensing authorities should not duplicate this effort by choosing to classify films themselves. The classifications recommended by the Board should be those normally applied unless there are very good local reasons for a licensing authority to adopt this role.

Licensing authorities should note that the provisions of the 2003 Act enable them to specify the Board in the licence or certificate and, in relation to individual films, to notify the holder or club that it will make a recommendation for that particular film.

Licensing authorities should be aware that the BBFC currently classifies films in the following way:

- U Universal – suitable for audiences aged four years and over
- PG – Parental Guidance. Some scenes may be unsuitable for young children.
- 12A – Suitable for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult.
- 15 – Suitable for viewing by persons aged 15 years and over.
- 18 – Suitable for viewing by persons aged 18 years and over.
- R18 - To be shown only in specially licensed cinemas, or supplied only in licensed sex shops, and to adults of not less than 18 years.

Licensing authorities should note that these classifications may be subject to occasional change and consult the BBFC's website at www.bbfc.co.uk before applying relevant conditions. In addition to the mandatory condition imposed by section 20, conditions restricting the admission of children to film exhibitions should include that:

- where the licensing authority itself is to make recommendations on the admission of children to films, the cinema or venue operator must submit any film to the authority that it intends to exhibit 28 days before it is proposed to show it. This is to allow the authority time to classify it so that the premises licence holder is able to adhere to any age restrictions then imposed;
- immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film;
- when a licensing authority has made a recommendation on the restriction of admission of children to a film, notices are required to be displayed both inside and outside the premises so that persons entering can readily be made aware of the classification attached to any film or trailer.

Such a condition might be expressed in the following terms:

"Where a programme includes a film recommended by the licensing authority as falling into an age restrictive category no person appearing to be under the age specified shall be admitted to any part of the programme; where a programme includes a film recommended by the licensing authority as falling into a category requiring any persons under a specified age to be accompanied by an adult no person appearing to be under the age specified shall be admitted to any part of the programme unaccompanied by an adult, and the licence holder shall display in a conspicuous position a notice clearly stating the relevant age restrictions and requirements. For example:

Persons under the age of [insert Appropriate age] cannot be admitted to any part of the programme

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction. This condition does not apply to members of staff under the relevant age while on-duty provided that the prior written consent of the person's parent or legal guardian has first been obtained."

THEATRES

The admission of children to theatres, as with other licensed premises, is not expected to be restricted normally unless it is appropriate to promote the protection of children from harm. However, theatres may be the venue for a wide range of activities. The admission of children to the performance of a play should normally be left to the discretion of the licence holder and no condition restricting the access of children to plays should be attached. However, theatres may also present entertainment including, for example, variety shows, incorporating adult entertainment. A condition restricting the admission of children in such circumstances may be appropriate. Entertainment may also be presented at theatres specifically for children (see below). Licensing authorities are also expected to consider whether a condition should be attached to a premises licence which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of children during any emergency (See Part 3).

PERFORMANCES ESPECIALLY FOR CHILDREN

Where performances are presented especially for unaccompanied children in theatres and cinemas, licensing authorities will also wish to consider conditions to specify that:

- an attendant to be stationed in the area(s) occupied by the children, in the vicinity of each exit, provided that on each level occupied by children the minimum number of attendants on duty should be one attendant per 50 children or part thereof.

Licensing authorities should also consider whether or not standing should be allowed. For example, there may be reduced risk for children in the stalls than at other levels or areas in the building.

CHILDREN IN PERFORMANCES

There are many productions each year that are one-off shows where the cast is made up almost entirely of children. They may be taking part as individuals or as part of a drama club, stage school or school group. The age of those involved may range from 5 to 18. The Children (Performances) Regulations 1968 as amended prescribe requirements for children performing in a show. Licensing authorities should familiarise themselves with these Regulations and not duplicate any of these requirements. However, if it is appropriate to consider imposing conditions, in addition to these requirements, for the promotion of the protection of children from harm then the licensing authority should consider the matters outlined below.

- **Venue** – the backstage facilities should be large enough to accommodate safely the number of children taking part in any performance.
- **Special effects** – it may be inappropriate to use certain special effects, including smoke, dry ice, rapid pulsating or flashing lights, which may trigger adverse reactions especially with regard to children.
- **Care of children** – theatres, concert halls and similar places are places of work and may contain a lot of potentially dangerous equipment. It is therefore important that children performing at such premises are kept under adult supervision at all times including transfer from stage to dressing room and anywhere else on the premises. It is also important that the children can be accounted for at all times in case of an evacuation or emergency.

THE PORTMAN GROUP CODE OF PRACTICE ON THE NAMING, PACKAGING AND PROMOTION OF ALCOHOLIC DRINKS

The Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older. Complaints about products under the Code are considered by an Independent Complaints Panel and the Panel's decisions are published on the Portman Group's website, in the trade press and in an annual report. If a product's packaging or point-of-sale advertising is found to be in breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point-of-sale material, until the decision has been complied with. The Code is an important mechanism in protecting children from harm because it addresses the naming, marketing and promotion of alcohol products sold in

licensed premises in a manner which may appeal to or attract minors. Consideration can be given to attaching conditions to premises licences and club premises certificates that require compliance with the Portman Group's Retailer Alert Bulletins.

PROOF OF AGE CARDS

Proof of age cards are discussed under Part 1 in connection with the prevention of crime and disorder.

Appendix 3

Additional guidance on preparation of an operating schedule

When preparing an application applicants will be expected to undertake a thorough risk assessment with regard to each point outlined in tables below for their type of business and for each of the licensing objectives.

Applicants should be aware that applications which do not show that all relevant points have been addressed may result in a representation from the appropriate responsible authority.

The guidance which follows the tables is intended to supplement that which is given in the main policy and the Government Guidance and highlights those matters which an applicant might consider should be referred to when preparing an Operating Schedule under the 'General' heading on the application form and for each of the four licensing objectives.

Key: ✓ = you will need to address this point in your Operating Schedule

? = you may need to address this point in your Operating Schedule

- = you are unlikely to need to address this point in your Operating Schedule

Licensing Objective – Prevention of Crime & Disorder										
	✓General	✓CCTV	✓Door Supervisors	✓Communications	✓Drugs	✓Last Entry	✓Extra Door Supervisors	✓Incident Register	✓Sales to Drunks	✓Drink up/ cool down
Music/dance venue	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Large HVVD Pub	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Large Pub (with dancing)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Town Centre Pub	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Out of Town Pub	✓	✓	?	?	✓	✓	?	✓	✓	✓
Local/Community Pub	✓	?	?	?	✓	-	-	✓	✓	?
Members Club & outside functions	✓	✓	?	?	?	-	-	✓	✓	?
Members Club & music events	✓	?	-	?	?	-	-	✓	✓	?
Members Club	✓	-	-	?	?	-	-	✓	✓	-
Restaurant	✓	-	-	-	-	-	-	✓	✓	-
Take away/ Off Licence	✓	✓	?	-	-	-	-	✓	-	-
Theatre/Cinema	✓	-	-	-	-	-	-	✓	✓	-

Licensing Objective – Public Safety

	✓Free water	✓Plastics	✓Venue Capacity	✓First Aid	✓Ventilation	✓Safety Checks	✓No Drinks outside
Music/dance venue	✓	✓	✓	✓	✓	✓	✓

Large HVVD Pub	✓	✓	✓	✓	✓	✓	✓
Large Pub (with dancing)	✓	✓	✓	✓	✓	✓	✓
Town Centre Pub	✓	?	?	?	-	✓	✓
Out of Town Pub	✓	-	✓	?	-	✓	✓
Local/Community Pub	✓	-	-	-	-	✓	?
Members Club & outside functions	✓	?	-	-	-	✓	?
Members Club & music events	✓	-	-	-	-	✓	?
Members Club	✓	-	-	-	-	✓	?
Restaurant	✓	-	-	-	-	✓	-
Take away/ Off Licence	-	-	-	-	-	✓	-
Theatre/ Cinema	✓	-	-	-	-	✓	-

Licensing Objective – Prevention of Public Nuisance							
	Noise Nuisance	Dispersal	Light Pollution	Litter	ASB	Doors/ Windows	Outside noise
Music/dance venue	✓	✓	✓	?	✓	✓	✓
Large HVVD Pub	✓	✓	✓	?	✓	✓	✓
Large Pub (with dancing)	✓	✓	✓	?	✓	✓	✓
Town Centre Pub	✓	✓	✓	?	✓	✓	✓
Out of Town Pub	✓	✓	✓	?	✓	✓	✓
Local/Community Pub	✓	?	?	?	?	?	✓
Members Club & outside facilities	✓	?	?	?	?	✓	✓
Members Club & music events	✓	?	?	?	?	✓	✓
Members Club	✓	?	?	?	?	✓	✓
Restaurant	?	?	?	?	?	?	?
Take away/	✓	?	✓	✓	✓	✓	✓

Off Licence							
Theatre/Cinema	?	✓	?	?	?	?	?

Licensing Objective – Protection of Children from harm

	✓Admission of Children	✓Proof of age	✓Gambling	✓Adult Entertainment	✓Drugs	✓Latest time
Music/dance venue	✓	✓	✓	✓	✓	✓
Large HVVD Pub	✓	✓	✓	✓	✓	✓
Large Pub (with dancing)	✓	✓	✓	✓	✓	✓
Town Centre Pub	✓	✓	✓	✓	✓	✓
Out of Town Pub	✓	✓	✓	✓	✓	✓
Local/Community Pub	✓	✓	✓	✓	✓	?
Members Club & outside facilities	✓	✓	✓	✓	✓	?
Members Club & music events	✓	✓	✓	✓	✓	?
	✓	✓	✓	✓	✓	?

Members Club						
Restaurant	?	-	-	-	-	-
Take away/ Off Licence	✓(off licence)	✓(off licence)	-	-	-	-
Theatre/Cinema	✓	✓	✓	✓	-	-

LICENSING OBJECTIVE – Prevention of Crime & Disorder

General

Description of venue/business

You might describe the type of business, the range of goods and services provided, the target market, the profile of typical customers etc.

e.g. We are part of a national chain of the late night dance clubs offering a full range of alcoholic and non-alcoholic drinks with hot and cold food available at all times. The club plays the latest dance music and provides a safe environment for the under 25's to meet, dance and enjoy themselves.

Or

We are a small local community shop business, family run, providing a range of groceries and alcoholic drinks to the members of the local community who are our customer base.

Management arrangements

Will describe the management structure of the venue for which the PL is sought. This will link to the senior management/head office structure where there is one.

Role of DPS

Will clearly identify the role of the DPS within the management structure and how the DPS will discharge his/her responsibilities under the Act.

e.g. The management of the Company recognises the important role of the DPS and authorised the DPS to take all steps necessary to fully discharge our commitments in this Operating Schedule.

The DPS understands the key role that he/she plays in discharging the commitments continued in this Operating Schedule.

The DPS will ensure that all rules of alcohol are made in accordance with the provision of the Licensing Act and that all staff are competent to make sales on his/her behalf when he/she is absent from the premises. Written authority will be given to another member of staff for (all absences) or (absences exceeding? days).

Internal reporting/monitoring mechanisms

Regular reports will be complied containing details of incidents/referrals/problems/suggestions. The reports will analysed to determine if policies/procedures should be modified. Such reports will be retained as part of the due diligence of premises.

Copies of the reports and any actions will be sent to senior management (if a senior management structure exists for the applicant)

Identification of any recognised problems at venue

If required.

The operators recognise that in the past, this venue has had problems of (identify problems) associated with it. The management and DPS will pay particular attention to ensuring that there is no re-occurrence of these problems. The steps which we will take to secure this are detailed (give details).

Risk Assessments

Management have undertaken risk assessments to determine what steps should be taken to discharge the Licensing objectives at the venue. The risk assessments are submitted as additional information.

Local consultations/contacts with residents

Local consultations/contact with residents often results in the parties agreeing on matters which might otherwise prove contentious. Such contacts give each party an understanding of the position of the other and establish communications links which permit problems to be identified and dealt with at an early stage.

Training

We provide training to all staff involved in the role of alcohol which covers all relevant area including underage sales, sales to persons who are drunk, crime and disorder, public nuisance, safety at XX month intervals (specify time period). Written records are kept; recipients sign to confirm that they have received training.

Training includes all new starters who receive (state number of hours/days) days of training.

CCTV

For Large Venues/ Town Centre venues

- Inside
- immediate area outside

- at all points of entry
- images should be of a quality which will allow identification
- available to authorised person
- retained for 30 days
- notices displayed

For Small/out of Town venues

- inside
- immediate area outside (if required e.g beer garden/car park, problem premises (ASB)).
- Points of entry
- images should be of a quality which will allow identification
- available to authorised person
- retained for 30 days
- notices displayed

Off licence/takeaway

- inside
- immediate area outside
- Points of entry
- images should be of a quality which will allow identification
- available to authorised person
- retained for 30 days
- notices displayed

Door Supervisors

Large/Town Centre venues/other pubs and clubs

- What ratio? (Door Supervisors to customers at maximum capacity)?
- SIA registered Door Supervisors
- Queue management
- Entry policy
- Last entry policy
- Additional Door Supervisors after 3am
- Prevent obstruction of footpath etc.
- Prevent removal of glasses etc. from venue
- Prevent persons who are already drunk from entering
- Detain offenders until police attend
- Assist patrons who are in distress (don't just eject)
- Assist police/council officers
- Provide statements/evidence when required

Communications

Venues will provide details of the mechanisms which they intend to use to communicate with other venues in the same locality to exchange information on persons who are drunk/ troublemakers etc and other intelligence.

Such communication is likely to be in two forms:- generally e.g we have permanently excluded x,y,z and immediately, during opening hours e.g we have just ejected man in blue jacket and red cap for causing trouble etc.

Subscription to a local radio circuit linking venues would be acceptable to provide immediate communications. Membership of 'Pub watch Online' or the Local Licensees Alliance would satisfy the general requirement. Other mechanisms may be acceptable and should be described

Drugs

All venues to confirm zero tolerance.

Procedures when patrons are found in possession of drugs, dealing in drugs within the venue or under the influence of drugs should be outlined.

The police should be informed in all cases.

Care should be given to patrons who are found to be under the influence of drugs.

Last Entry

Venues with licences which permit the sale of alcohol after 2am should have a policy which prevents customers from entering after a certain time, probably 90 minutes before the venue closes to the public.

Post 3am

Venues with licences which permit the sale of alcohol after 3am should provide door supervisors at the reduced ratio of 1:75 customers (at maximum capacity) to take account of the increased incidence of violent crime and disorder which takes place between 3am and 6am. Such door supervisors to remain on duty until 30 minutes after the venue closes to the public (as stated on the premises licence).

Incident Register

All venues to keep an incident /refusals register to records:-

- Any incident of violence or disorder on or immediately outside the venue
- Any incident involving drugs (supply/possession/influence\0
- Any other crime or criminal activity
- Any refusal to serve persons who are drunk
- Any refusal to serve under 18's
- Any call for police assistance
- Any ejection from the premises
- Any first aid/other care given to a patron

Sales to persons who are drunk

Policy on identification of persons who are drunk including preventing entry to the venue and preventing rules of alcohol to those inside the venue including measure to prevent further consumption of alcohol by patrons situated away from the bar area.

Drinking up/ cooling down time

- length of time after sale of alcohol ceases to closing
- music/entertainment policy
- availability of non-alcoholic and hot drinks
- transport links
- bad weather policy

LICENSING OBJECTIVE - Public safety

Free water

All venues to provide drinking water free of charge on request.

Glass bottles

Large/ Town Centre venues

- should use plastic/toughened glass 'glasses'
- should use plastic bottles
- should make provisions to frequently collect all empties
- should prevent all drinks containers from being taken out of the venue
- bottle caps to be removed at point of sale.

Venue capacity

The safe maximum capacity of the venue should be decided by the Premises licence holder and the DPS. This may vary depending on the use of the venue at the time but should not exceed any limit set by the Greater Manchester Fire Service or under other legislation.

The mechanism used to ensure that the maximum is not exceeded should be described.

First Aid

Measures to provide first aid should be described.

Ventilation

What provisions is made to maintain a comfortable temperature inside the venue during periods of hot weather?

Safety Checks

- what routine safety checks are carried out to ensure that the venue is at all times safe?
- emergency escape
- gas and electrical safety

- slips/trips/falls
- broken glass
- bottles on the floor
- frequency

Drinks outside (not off sales)

Outline the measures put in place to prevent drinks, glasses and bottles from being taken outside off the premises where they may be used as a weapon or cause injury if broken on the floor.

LICENSING OBJECTIVE - Public Nuisance

Noise nuisance

Will describe the steps which have been taken to prevent noise nuisance and will probably only be relevant when there are residential properties which might be affected.

Noise nuisance may occur as a result of noise 'breakout' from the premises e.g. amplified music. What steps will you take to prevent this?

Dispersal

What steps will you take to ensure that customers leave the venue and the immediate vicinity in an orderly manner and without causing disorder or disturbance in the area around the venue?

Light Pollution

Could the lighting of the venue cause a nuisance to any nearby property? If it could, what steps have you taken to prevent the nuisance?

Litter

Could your customers be responsible for dropping litter in the area around the venue? What steps have you taken to prevent this?

Antisocial Behaviour

Does the area in which your business is situated suffer from antisocial behaviour? Is your business a focal point for these groups?

What steps will you take to prevent or minimise the problem?

Doors and Windows

Will noise be a problem for your neighbours if you need to open doors and windows during your trading hours? How will you address this?

Outside noise

Noise nuisance may also occur as a result of the use of a beer garden or a smoking area or from customers. How will you prevent this?

LICENSING OBJECTIVE - Protection of children from harm

Admission of children

Will you allow children onto your premises?

If you will, are there age limits or a requirement for them to be with an adult?

Proof of age

If you sell alcohol or other age restricted goods what policies do you employ to prevent their sale to underage 'customers'?

Gambling

If you have gaming machines or if other gambling takes place on your premises, what policies do you have to prevent children from accessing them?

Adult Entertainment

If adult entertainment takes place at the venue you should describe the policies which you employ to ensure that no-one under the age of 18 is present.

Latest time

If children are permitted on the premises at some times, but not at others e.g. not after 8:00pm, you should describe your policy.