

Licensing Act 2003

Policy Statement 2011 – 2014



South Tyneside Council

South Tyneside Council's Licensing Policy Statement

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Preface

The Licensing Act 2003 (The Act) replaced six previous licensing regimes concerning the sale of alcohol, public entertainment, theatres, cinemas, night cafes and late night refreshment, and introduced a unified system of regulation for the sale and supply of alcohol, the provision of regulated entertainment and late night refreshment. It transferred the licensing of pubs, clubs, restaurants, hotels and temporary events from the Magistrates' Courts to local authorities. The Act has now been in place for over 5 years and has provided an opportunity to introduce flexibility for business and consumer choice into what was hitherto an inflexible, restrictive and prescriptive regime. The modernisation process introduced by the Act presents both businesses and the community with the opportunity to contribute to the new licensing regime operated by the Council.

This statement of Licensing Policy has been operated effectively for a period of 3 years and has recently been updated in accordance with Section 5 of the Licensing Act 2003 and the associated guidance. This is the second revision of the Policy, which has taken place. The Policy has far-reaching implications and it is vital that businesses and residents contribute to its content. The Policy provides guidance to applicants, objectors and other interested parties on the approach that the Council will take on licensing matters. Its purpose is to guide officers and members in reaching decisions, and it sets out the matters that will normally be taken into account in determining applications. The Policy does not undermine the right of any individual to apply for a variety of permissions and have any such application considered on its individual merits. Nor does it seek to override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act.

The Act has provided greater choice and flexibility for the licensed trade and public by modernising licensing systems. It seeks to improve prosperity through employment, tourism and culture, and balance the rights of leisure seekers against those of neighbouring residents. It provides for blending in the Policy to meet other new Government and local needs such as reducing crime and disorder.

Whilst allowing greater freedom to local businesses the Act also provides very strong powers to permit the temporary or permanent removal of licences where a premises is causing detrimental affects on their local community. The Council have made and will continue to make decisions to remove or suspend licences where persons fail to uphold the licensing objectives.

This current Policy seeks to build on the experience the Council has gained in the management of its licences to ensure that licensed premises in South Tyneside are safe, well managed and culturally diverse establishments which have a positive impact on the lives of all those living, working and visiting the Borough.

Advice and guidance contained in this Statement of Licensing Policy is intended only to assist readers and should not be interpreted as legal advice. Readers are strongly advised to seek their own legal advice if they are unsure of the requirements of the Licensing Act 2003 or of the Guidance or Regulations issued under the Act.

Introduction

The aims of the Council's Licensing Policy are to meet the licensing objectives and support the Council's community aims for a safe caring and tolerant place and a great place to learn for everyone. The policy helps to make the area an enterprising place where people have a choice of job opportunities, a place where people are healthy and helped to care for themselves, a clean and attractive place and a place where people feel included and involved; through consultation, balancing the different rights of leisure seekers and communities. The Policy helps the process of modernisation and transformation, and its existence satisfies the Council's legal responsibilities under the Licensing Act 2003.

The Council, as a Licensing Authority, is responsible for approving the Licensing Policy Statement and appointing the Licensing Committee. The Licensing Committee has 15 members but will generally sit as a sub-committee of 3 members to hear licensing applications where any responsible authority or interested party has made representations or where reviews of licensed permissions are requested. Regeneration and Resources Housing and Regulatory Services supports the delivery of compliance at the highest level and appropriate Officers in Housing and Regulatory Services are authorised officers for the purpose of acting in accordance with the Council's responsibilities under the Act in satisfying all administrative and enforcement functions. Legal Services advise on the application of the legislation.

The policy was initially effective from 7th January 2005 and this redraft will be applicable from 7th January 2011 for a period of 3 years if not reviewed earlier. In accordance with the requirements of the Act and prior to the publication of this policy the Council has consulted with and has taken account of the views of:

- the Chief Officer of Police;
- the Fire Authority;
- persons/bodies representative of holders of local premises licences, club premises certificates, and/or personal licences;
- persons/bodies representative of businesses and residents in the Borough of South Tyneside. (Accident and Emergency Departments, Consumer Bodies/Promoters of Tourism, The Passenger Transport Authority, The Passenger Transport Executive, The Port of Tyne Authority, Local Performers, Performers Unions, Entertainers and Theatres and Cinemas)

In preparing the Policy the Council has given due regard to the Guidance under Section 182 of the Act, issued by the Secretary of State for Culture, Media and Sport and to its duty to promote the four principal licensing objectives:

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance;
- (d) the protection of children from harm.

The Licensing Authority has written this policy to help the Licensing Committee and Council employees apply the law fairly. It will also help applicants for licences understand the principles involved and the framework it is working to. The policy applies to all premises and all types of licences available under the Act unless otherwise stated. The policy is designed to be open and transparent and focused on the granting of licences and certificates and not on other matters. The Council's authorised officers and Licensing Committee Members are provided with training so that they can make the right decisions.

1. General Duties

1.1 Under the Licensing Act 2003 the Council acting as a Licensing Authority must:

- Carry out its functions with a view to promoting the licensing objectives.
- Publish its statement of licensing policy.
- Review that policy every 3 years.
- Appoint a Licensing Committee of 10-15 Council members.
- In carrying out its licensing functions have regard to the Licensing Policy Statement.
- In carrying out its licensing functions have regard to the Licensing Guidance issued by the Secretary of State under section 182 of the Act.

1.2 If the Council, acting as the Licensing Authority, departs from the Statutory Guidance in making a decision it will give reasons for doing so. It will always consider the circumstances of each application. It may make exceptions to its own policies where it is appropriate to do so in order to promote the Licensing Objectives and it will give reasons for doing this.

2. Purpose and Scope of Licensing Act 2003

2.1 The Licensing Act 2003 (the Act) provides a unified regulation system for:

- the sale by retail of alcohol (this does not include wholesale sale to a trader for the purposes of his trade);
- the supply of alcohol by or on behalf of a club to, or to the order of a member of a club;
- the provision of regulated entertainment (see paragraph 28 of this Policy for further information and Schedule 1 to the Act for a full definition); and
- the provision of late night refreshment (the supply of hot food or drink for consumption on or off the premises from refreshment outlets between 11.00 p.m. and 5.00 a.m. excluding work's canteens, hotels and camping sites – see Schedule 2 to the Act for full details).

2.2 In the Act, these activities are referred to collectively as the "licensable activities". The Act provides a system of authorisations for these activities through a number of licences namely:

Premises Licences;

Club Premises Certificates;

Provisional Statements; and, where appropriate

Personal Licences;

Temporary Event Notices.

2.3 The Act provides a focus of 4 statutory licensing objectives, which the Licensing Authority has a duty to provide when determining its functions under the Act and these underpin the aims of the Act.

3. Licensing Objectives

3.1 The licensing objectives are:

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

3.2 The Council must consider all matters raised in this document in the context of the promotion of the Licensing Objectives in reaching a decision on any licensing application, whether it is for a new licence, a variation, a provisional statement or a review hearing. However, if a licensing applicant complies with all the legal requirements of making an application and there are no relevant representations, then the Licensing Authority's discretion is not engaged and it must grant the application, subject only to attaching conditions which are consistent with the statements contained in the Operating Schedule and any mandatory conditions which apply because the Act says they must. There is no provision for the Licensing Authority to raise representations itself so the Licensing Objectives are only pertinent where relevant representations (objections) are raised by "responsible authorities" (see paragraph 28) and "interested parties" (local residents and businesses).

3.3 Each of the Licensing Objectives is considered to be of equal importance, and they are examined in greater detail in sections 9 to 12 below.

4. Representations

- 4.1 Relevant representations can be raised by responsible authorities and interested parties. For a representation to be relevant it must concern the effect of the application on the licensing objectives.
- 4.2 The Licensing Authority is obliged to treat any representation from a responsible authority as relevant in the event that it relates to one or more of the licensing objectives. However, representations from interested parties must not only be relevant, but the Licensing Authority must be satisfied that they are not frivolous or vexatious or, in the case of a review hearing, repetitious also.
- 4.3 It is for the Licensing Authority to determine what is frivolous or vexatious on the basis of what might ordinarily be considered to be frivolous or vexatious. Officers have delegated authority in this regard. In borderline cases the benefit of the doubt will be given to the party making the representation.
- 4.4 Representations will generally be considered to be repetitious where the same evidential basis is raised as an issue in relation to an application for the same premises.
- 4.5 Details of all relevant representations are provided to the Applicant. In exceptional circumstances the Licensing Authority may consider withholding certain personal details to avoid identification of individuals whilst ensuring that the Applicant has sufficient information to be satisfied that the party has a business interest or resides within the vicinity of the premises.
- 4.6 Relevant representations may be positive in support of an application as well as negative however, the Council would warn Applicants to be cautious when endeavouring to gain support from 'patrons' of their premises who may not qualify as interested parties if they do not reside within the vicinity of the premises, but rather travel to use the premises.
- 4.7 "Vicinity" has not been defined within the Licensing Act. The Licensing Authority has not attempted to determine the term vicinity by reference to any particular distance, but rather will judge each application on its individual merits.
- 4.8 The Council expect all representations, no matter the source, to be evidentially based and preferably supported by attendance at any hearings when the applications are being considered. This means that if there is no real evidence upon which the Licensing Authority can come to a view on a matter then they will be prevented from accepting the representations at face value. A fear that things may or could happen is not evidence that they will.
- 4.9 The Council recognises that the licensing function is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the Licensee of any premises. However, in exercising its licensing function once its discretion is engaged through relevant representations, the Council would wish to emphasise that it will conduct its licensing function whilst having full regard to its responsibilities under the Crime and Disorder Act 1998 Section 17 and do all that it reasonably can to prevent crime and disorder whether or not such representations have been raised by the Police. In addition, the Council recognise that if there are serious problems of nuisance and disorder arising or beginning to arise outside, or some distance from, premises licensed to serve alcohol, because of the number of premises in the area causing a general increase in the number of persons gathering in that area, then this could be seen as a cumulative impact. Each application will be viewed on their individual merits.
- 4.10 In recognition of the partnership approach encouraged within the Statutory Guidance, where representations are raised, the Council expect the premises licence holder, through the Licensing Officers if necessary, to make contact with those persons raising representations with a view to entering into discussion to address the issues through mediation.
- 4.11 **The Council acknowledges** (in accordance with para 13.23 of the Statutory Guidance) that **"need" in the sense of the commercial demand for licensed premises is not a Licensing Policy matter**. Accordingly, representations based on need will not be considered to be relevant representations and licensing decisions will not therefore be based upon this issue.

5. Types of Licence

5.1 Premises Licence

- 5.1.1 A premise licence is required for any "licensable activity" (see paragraph 2 above and 28 below).
- 5.1.2 For example almost all premises selling alcohol will need a premises licence. These might be pubs, off-licences and other retail outlets for alcohol sales, wholesale supply of alcohol to the public (but not trade), theatres, the Shields ferries or other public UK cruise vessels moored in South Tyneside, casinos, bingo clubs (that are not qualifying clubs) and outdoor and indoor sports stadiums.

5.1.3 Late night refreshment places (even if they are not selling alcohol) such as casinos, bingo clubs, takeaways and night cafes serving hot food or hot drink between the hours of 11 pm and 5 am.

5.1.4. Premises licences will also be required for places providing regulated entertainment (even if they are not selling or supplying alcohol) such as boxing and wrestling events, theatres, cinemas, bingo clubs, indoor sporting venues, music or dancing venues, pubs and qualifying members' clubs. These lists are merely examples and are not exhaustive

5.1.5. Premises licences last generally for the lifetime of the business but there is a fee for acquiring a licence and a fee payable annually thereafter. There are provisions for the transfer of premises licences (ss 42-46 of the Act). Premises licences will lapse upon the holder's death, incapacity or insolvency but there are provisions for an interim authority notice and re-instatement of the premises licence (ss 47-49 of the Act).

5.1.6 The terms and conditions of a premises licence and its authority to allow licensable activities to take place at all, can be changed or determined by a Licensing Authority following an application to review the premises licence made by a responsible authority or interested party in the same way that they can raise objections to an initial application.

5.1.7 When considering whether any licensable activity under a premises licence should be permitted the Licensing Authority will assess the likelihood of it causing any adverse impact. In this regard the Licensing Authority will consider such matters as:

- the nature of the premises, the style and type of use, the potential number and profile of the customers likely to attend the premises, seating and capacity figures;
- the hours of operation of each of the proposed licensable activities and the proposed closing times for the premises;
- the nature and use of the property within the vicinity of the premises;
- the level of public transport accessibility for customers either arriving or leaving the premises and the likely means of public or private transport that will be used by the customers;
- the means of access to the premises including the location of customer entrances and exits;

- the level of likely car parking demand on principal roads and surrounding residential streets and its affect on local residents, in comparison with the existing situation, and the affect on residential parking and emergency access;

- the outcome of any risk assessment conducted by the Applicant with regard to each of the Licensing Objectives prior to preparing their applications and the steps proposed to be taken by the Applicant to address and to promote each of the Licensing Objectives;

- in respect of a review of an existing licence or an application for previously licensed premises the Council will take into account any evidence in respect of past demonstrable adverse impact from a licensable activity, especially on local residents.

5.1.8 The Council recognise that with any adverse impact it may be possible to take steps to mitigate or prevent the impact and if such measures are reliable an activity may be licensed. Each application will be considered on its merits.

5.2 Club Premises Certificates

5.2.1 A qualifying club may apply for a Club Premises Certificate. The Licensing Act 2003 stipulates the requirements of a qualifying club in Sections 61 to 64. The club/organisation members must be joined together for a particular social, sporting or political purpose and then have combined to purchase alcohol in bulk as members of the organisation for supply to members and their guests. The Council must be satisfied that these conditions have been met, including evidence to support the position that any gain from its activities is applied for the benefit of the club and its members. There must be a minimum of 48 hours delay between application and acceptance of new club members. The club must have a minimum of 25 members.

5.2.2 A Club Premises Certificate authorises the supply of alcohol and provision of other licensable activities on club premises. Unlike with a premises licence there is no requirement to specify a Designated Premises Supervisor when applying for a Club Premises Certificate but the Authority would expect applicants to supply the Club Secretary's current contact details with every application.

5.2.3 Where representations are raised in relation to any application for a Club Premises Certificate the Council will take into account in determining the application all relevant matters including those listed in paragraph 5.1.7 above.

5.2.4 Where a club intends to provide licensable activities to the general public or for example to permit the general public to hire out a room within the club premises, then a premises licence (see para 5.1 above) or a Temporary Events Notice (see para 5.5 below) is required. A premises licence will also make it necessary for the club to nominate a Designated Premises Supervisor (see para 13 below).

5.2.5 Previously registered members' clubs enjoyed the privilege of being outside the normal licensing regime and had the freedom to sell alcohol to minors and allow them to consume it on the club premises. Although in recent years most clubs have operated voluntary rules, which prohibit the sales and supply of alcohol to those under 18 years the 2003 Act has removed this privilege and the sale and supply of alcohol to children in such clubs is now unlawful. The Council recognise the present position.

5.3 Provisional Statements

5.3.1 Applicants can apply for a provisional statement where premises are being constructed whether under construction or about to be constructed, extended or substantially changed structurally for the purpose of licensable activities. Such applications should be accompanied by a Schedule of Works, details of the proposed licensable activities, proposed operating hours for which the premises are proposed to be used, plans etc. In essence applications for provisional statements should be made and will be dealt with in the same way as a premises licence and/or club premises certificate application.

5.3.2 A provisional statement does not convert to a premises licence and therefore before premises may trade, an application for a full premises licence or club premises certificate must be made.

5.4 Personal Licences

5.4.1 A personal licence is a Licence which:

- (a) is granted by a Licensing Authority to an individual in the Local Authority area where they usually reside; and
- (b) authorises that individual to supply alcohol, or authorises the supply of alcohol, in accordance with the premises licence (Part 6 Section 111(1) Licensing Act 2003).

5.4.2 Section 19(3) of the 2003 Licensing Act specifies that every supply of alcohol under a premises licence must be made or authorised by a person who holds a personal licence. **A personal licence is therefore required wherever alcohol is sold or supplied.**

5.4.3 The Council recognises that this does not mean that only a personal licence holder can make sales of alcohol or that he/she must be personally present at every transaction. The Council acknowledges that personal licence holders may authorise staff to make sales of alcohol on their behalf but also that the personal licence holder will always remain responsible for the actions of anyone making those sales, unless that person is a personal licence holder in their own right.

5.4.4 The Licensing Authority acknowledge that whether an "authorisation" has taken place will be a question of fact in each case, but in line with the Statutory Guidance, (para 10.50) consider the following factors to be relevant in considering whether or not an authorisation has been given:

- the person(s) authorised to sell alcohol at any particular premises should be clearly identified;
- the authorisation should have specified the acts which may be carried out by the person being authorised;
- there should be an overt act of authorisation, for example, a specific written statement given to the individual being authorised; and
- there should be in place sensible arrangements for the personal licence holder to monitor the activity that they have authorised on a reasonably regular basis.

5.4.5 As required by the 2003 Act the Council will liaise with Northumbria Police if an Applicant has any unspent convictions for a relevant offence. If the Police object to the Applicant the matter will proceed to a Licensing Hearing. At the hearing the sub-committee will give careful consideration to whether or not the grant of the licence will be detrimental to the interests of the Crime Prevention Objective taking into account the seriousness and relevance of any conviction together with the period which has elapsed since the offence occurred and any mitigating circumstances. The Council is aware that the advice in paragraph 4.9 of the Statutory Guidance cannot be followed as a consequence of the decision in R (on the application of South Northamptonshire Council) v Towcester Magistrates Court [2008] EWHC 381.

5.5 Temporary Event Notices (TEN's)

5.5.1 The Licensing Act allows small scale events (for less than 500 hundred people at a time and lasting no longer than 96 hours) and permits any licensable activities to be held without the need for a premises licence. However, a Temporary Event Notice must be completed giving advance notice of the event to both the Licensing Authority and the Police. Payment of a fee must also be made.

5.5.1 Temporary Event Notices are further subject to the following limitations:

(a) The notice must be received by the Council and Police at least 10 clear working days before the 1st day of the event. This excludes the day on which the notice is received. **Applicants are asked to note that it is unlawful for the Council to accept a Temporary Event Notice outside of this time.**

(b) The same premises can only be used for up to 12 occasions per calendar year but the aggregate number of days must not exceed 15 (ie the longer the duration of each event the lower the number of events per calendar year).

(c) A personal licence holder may submit a maximum of 50 (fifty) Temporary Event Notices per year.

(d) A person who does not hold a personal licence is limited to 5 (five) Temporary Event Notices per year.

5.5.2 For events involving more than 499 people over a longer period than 96 hours a premises licence will be needed.

5.5.3 It should also be noted that a Temporary Event Notice is treated as being from the same premises user if it is given by an associate, defined as including a person's spouse or civil partner etc. (see paragraph 28 below).

5.5.4 Provided the Statutory Limits on the Provision of TEN'S are not being exceeded then representations against TEN can only be raised by the Police on crime prevention grounds. Nevertheless, applicants should be aware that, the giving of a Temporary Event Notice does not relieve the premises user from any requirements under any other laws to which the holding of the event may be subject eg planning permission, health and safety regulations, fire safety regulations, noise nuisance etc.

6. Conditions of Licence

6.1 Within each application for a Premises Licence, Club Premises Certificate or Provisional Statement there is a requirement to complete an "Operating Schedule". Within the Operating Schedule applicants are required to describe the steps they intend to take to promote the 4 Licensing Objectives both generally and individually.

6.2 Where there are no relevant representations in relation to an application the Licensing Authority must, in accordance with Section 18(2) of the Licensing Act 2003, grant the licence in accordance with the application, subject only to:

(a) such conditions as are consistent with the Operating Schedule accompanying the application; and

(b) any conditions which must, under Sections 19, 20 or 21 be included in the licence.

Similar provisions under Sections 31 and 34 apply to the granting of applications for provisional statements and variations to a licence and under Sections 72, 73(2) to (5) and 74 with regard to granting club premises certificates and attaching mandatory conditions to the same.

6.3 In the first instant conditions to be attached to a licence will be derived from the Licensee's Operating Schedule. These will be conditions, which, upon their own assessment, applicants considered to be necessary, to demonstrate, to all bodies working in partnership for the provision of the Licensing Objectives, that they will manage, administer and operate the premises in such a way as to assure all persons concerned with the operation of the Licence of the promotion of the Licensing Objectives. Accordingly if an applicant wishes to reassure the residents in the locality that they have addressed issues, which have arisen in relation to the operation of a licence previously, or about which people have fears for the future, they may voluntarily attach conditions to allay those fears. For example, an applicant could confirm in their Operating Schedule that they will cease use of any external drinking areas from a given time or that all windows and doors will be kept closed during live performances or that no sexual entertainment of any nature will take place on the premises etc.

6.4 It is the Council's experience that where applicants do not conduct a proper risk assessment, especially in relation to new licences, and simply apply for a licence as broad as the scope of the Act allows, without reference to the concerns of local residents or responsible authorities and the individual circumstances of the premises concerned, then they can be faced with a significant amount of objections and delay in the issue of the licence which could possibly have been avoided in its entirety by the attachment of conditions in the Operating Schedule or by giving proper consideration to limiting the scope of the licence applied for, to that which is genuinely required.

6.5 It is for the Council's Licensing Officers to interpret any prohibition or restriction, which has been included on the application form by the applicant as a condition on the licence. Applicants should be clear that any condition attached to their licence in this way will be enforceable as such. The penalty for operating a licence in breach of a condition is, upon conviction, punishable by a fine of up to £20,000.00 or six months imprisonment or both.

6.6 There are certain mandatory conditions which may apply to a licence. These are set out in sections 19, 20 and 21 of the Act. Section 19 applies where the licence authorises the supply of alcohol. Section 20 where the licence authorises the exhibition of films and Section 21 where the licence includes a condition regarding door supervision.

Mandatory Conditions

6.7 Applicants should be aware that the Council accepts the Secretary of States guidance in paragraph 10.50 regarding the authorisation of staff and will expect to see a written document in place for every individual "authorised" for the purposes of section 19.

6.8 The Council will only specify the application of these mandatory conditions on a licence if they are relevant at the time of the preparation of the licence.

New Mandatory Conditions

6.9 In contrast to the original mandatory conditions the Licensing Act 2003 (Mandatory Licence Conditions) Order 2010 (Statutory Instrument No. 860) has introduced certain new mandatory conditions in section 19A of the Act, which **do not** have to be physically included in the licence or certificate issued by the Licensing Authority but which nevertheless apply to every premises licence and club premises certificate authorising the sale and supply of alcohol for consumption on the premises.

6.10 For ease of reference the new mandatory conditions are attached at Appendix 5 of this Policy. As stipulated in paragraph 10.55 of the Statutory Guidance "the new mandatory conditions override any pre-existing conditions already included in the licence or certificate insofar as the new mandatory conditions are identical to, or inconsistent with and more onerous than, any pre-existing conditions".

6.11 However licence holders should be aware that if their premises do not operate the new mandatory conditions effectively the Council may impose tighter and more prescriptive requirements for the promotion of the Licensing Objectives. The Council recognises that this is particularly relevant in relation to the requirement to operate an age verification policy and consider that Challenge 21 or Challenge 25 Policies, which have been imposed or volunteered as conditions in the past, may continue to be relevant to the successful promotion of the Licensing Objectives in some instances in the future.

Imposed by a Committee

6.12 It is only when the Licensing Authority's discretion is engaged, following the making of relevant representations, that any other conditions other than the mandatory ones or those imposed by the Applicant upon themselves in their Operating Schedule may be attached to a licence. In such circumstances, and when it has been satisfied at a hearing of the necessity to impose conditions due to the representations raised, the Licensing Authority will impose such conditions as are necessary to promote the Licensing Objectives. Conditions will be focused on matters that are within the control of individual licensees and will centre on the premises and the vicinity of those premises. The primary focus will be on the direct impact of the licensed premises activities on members of the public living, working or engaged in normal activity in the area concerned.

6.13 Where existing legislation already places certain statutory responsibilities on an employer or operator of premises these will not be duplicated as conditions. However these general duties will not always adequately cover specific issues that arise on the premises in connection with certain entertainment and in these cases additional measures in the form of conditions will be imposed if necessary to promote the Licensing Objectives.

6.14 The Licensing Authority will not impose conditions which replicate matters that constitute the offences set out in Part 7 of the Licensing Act (eg unauthorised licensable activities; allowing disorderly conduct; sale of alcohol to any person who is drunk or underage) nevertheless, the Licensing Authority will take into account any breaches of conditions and offences under the Licensing Act when considering the imposition of conditions in reviews and the variation of licences.

6.15 The Council will utilise “works conditions” to the effect that the premises will not be operated until specified works are completed or measures put in place to the satisfaction of the relevant responsible authorities. This is an expedient way of resolving technical matters, which cannot be readily determined at hearings.

Example Conditions

6.16 Attached at Appendices 1-4 to this Policy are various “model conditions” which may be used either by the Applicant when completing an Operating Schedule or by the Council when considering granting an application, to identify conditions which may be appropriate in the individual circumstances of an application. These conditions supplement the pools of conditions in Annex D of the Statutory Guidance. The Council recognise that it is important that they should not be applied universally and treated as standard conditions irrespective of circumstances but their wording gives uniformity to the application of specific measures where the wording does not need to be varied to suit the individual circumstances of a particular licence.

7. Reviews of Licences

7.1 The terms and conditions of a premises licence or club premises certificate and its authority to allow licensable activities to take place at all can be changed or determined by a Licensing Authority following an application to review the licence made by a responsible authority or interested party in the same way that they can raise objections to an initial application. Again without such representations, the Licensing Authority cannot review a licence.

7.2 Proceedings under the Licensing Act 2003 for reviewing a premises licence or club premises certificate are provided as a key protection for the community where problems associated with crime and disorder, public safety, public nuisance or the protection of children from harm are occurring (Statutory Guidance paragraph 11.1).

7.3 The grounds for a review of a licence must be relevant to one or more of the Licensing Objectives and must not, in the case of an interested party, be frivolous, vexatious or repetitious.

7.4 A repetitious representation is one that is identical or substantially similar to:

- a ground for review specified in an earlier application for review made in relation to the same premises licence which has already been determined; or
- representations considered by the Licensing Authority when the premises licence was first granted; or

- representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement; and

in addition to any of the above grounds a reasonable interval has not elapsed since that earlier review or the grant of the licence.

7.5 Except in exceptional circumstances or following a Closure Order the Licensing Authority accept the suggestion in the Statutory Guidance, that no more than one review from interested parties should be permitted on the same or similar grounds in any 12 month period. (Statutory Guidance paragraph 11.13).

7.6 Where the Council receives a request for a review in accordance with the closure procedures set out in Part 8 of the Act they will arrange a hearing in accordance with the Regulations set out by the Secretary of State. (Statutory Guidance paragraph 11.15).

7.8 In every review case an evidential basis for the allegations made will need to be submitted to the Council as the Licensing Authority.

7.9 In determining a review the Licensing Authority may exercise any of the range of powers given to them to promote the Licensing Objectives namely:

- take no action;
- modify the conditions of the premises licence (which includes adding a new condition or any alteration or omission of an existing condition) temporarily or permanently;
- exclude a licensable activity from the scope of the licence;
- remove the Designated Premises Supervisor;
- suspend the licence for a period not exceeding 3 months;
- revoke the licence.

7.10 Other steps which the Council recognise may be taken include:

- issuing an informal warning;
- recommending improvements within a particular time;
- monitoring by regular inspection; and
- invitation to seek a further review if problems persist.

7.11 Nevertheless the Council are aware of the content of paragraph 11.17 of the Statutory Guidance, which states "However, where responsible authorities like the Police or Environmental Health Officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, Licensing Authorities should not merely repeat that approach". Accordingly unless a significant period of time has elapsed since an initial application or earlier review which has given rise to a particular course of action by the Licensing Authority then the Council would not expect the Licensing Authority merely to repeat that initial approach if the matter has come before them on a second or subsequent occasion.

7.12 The Council recognise the seriousness of certain offences accruing under the Licensing Act 2003 including the selling of alcohol to persons under the age of 18. The Council accept, as stipulated in paragraph 11.26 of the Statutory Guidance that the consumption of alcohol by minors impacts on the health, educational attainment, employment prospects and propensity for crime of young people. Accordingly the Council will expect the Licensing Committee to treat representations that offences concerning the sale of alcohol to minors have occurred, seriously, when they arise in connection with the granting or review of a premises licence or club premises certificate.

7.13 If a review arises and the Licensing Committee considers that the crime prevention objective is being undermined through the premises being used to further crimes the Council expects that the revocation of the licence, even in the first instance, will be seriously considered (Statutory Guidance paragraph 11.26). Where revocation is not merited in the first instant but the issues have involved the crime prevention objective, the Council direct the Licensing Committee to have regard to the communications of the Secretary of State dated September 2008 and September 2009, which promotes a yellow card/red card approach to monitoring licensing reviews in these circumstances.

7.14 The Council further recognise that, depending upon the circumstances of the case, revocation is always an option where other licensing objectives are also being undermined.

8. Criteria influencing consideration of the Licensing Objectives

8.1 There are many issues which arise or are influenced by the provision of licensed establishments which impact directly upon the lives of persons living and working in the immediate vicinity of the same or, in cases of cumulative impact, further afield.

These include:-

- (a) Crime and disorder commonly taking the form of drunkenness/ disorderly conduct, fights at taxi queues and late night refreshment outlets, vandalism and drug dealing or taking and spiking of drinks. Many of these particular issues arise as a consequence of youths and other children under the age of 18 years acquiring alcohol either directly or through proxy sales and consuming the same on the street or on other public open spaces.
- (b) Noise nuisance from music, people leaving premises or queuing for taxis and takeaways, car doors slamming, cars hooting, patrons talking whilst smoking outside, patrons making noise when leaving premises or causing nuisance by urinating in the vicinity of premises.
- (c) Public safety from overcrowding in venues or poor management of crowd control.

8.2 In the following four sections the Council has set out criteria and other considerations which applicants should be alert to when drawing up their operating schedules. The criteria relate to all four licensing objectives and so to some extent will be relevant to every application but obviously depending on the nature of the particular application, different aspects of each may apply to a lesser or greater extent in the individual circumstances of the case.

8.3 It should also be noted that the criteria are not exhaustive or exclusive but are designed to be of general assistance in the usual circumstances of licensing applications so that if a particular application is unique in its very nature then such issues as are specific to the matter in question will need to be considered. Applicants know their premises best and will be expected to address all aspects relevant to the individual style and characteristics of their premises and the licensable activities for which they are seeking a licence.

8.4 In any hearing the Council will expect the Licensing Sub-Committee to examine what arrangements are in place to demonstrate effective and responsible management of the proposed licensable activities at the premises, given the need to promote the licensing objectives. It is only if the controls volunteered are not adequate that it is expected that conditions necessary for the promotion of the licensing objectives will be attached to the licence or if such measures cannot be controlled through conditions, a licence may be refused or revoked.

9. The Prevention of Crime and Disorder

9.1 Issues include :-

- Installation of CCTV in and around premises
- Use of licensed door supervisors
- Capacity limits
- Use of text or radio pagers for instant communication with the Police
- Search facilities/measures to exclude the admission of items by patrons that could be used as weapons
- Facilities/measures to exclude the use and supply of illegal drugs by patrons at the premises
- The provision of toughened or plastic drinking vessels or restriction of drinking from bottles
- Ratios of tables and chairs to customers
- Layout, lighting and fittings of the premises
- Use of happy hours and other alcoholic drink promotions
- Displaying of alcohol awareness information
- Other advertising and use of promotional leaflets, posters etc.
- Provision of litter bins
- Membership of local "Pubwatch" schemes or similar organisation
- Adoption of best practice guidance or voluntary codes of conduct (e.g. safer clubbing, drug strategy, national alcohol harm reductions strategy, the point of sale promotions etc.)
- Policies/procedures for handling special events
- Restrictions of drinking in areas within and outside the premises
- The nature of age verification policies operated on the premises

9.2 Draft model conditions are attached to this policy at Appendix 1, which may be of assistance to applicants when considering the above issues.

9.3 The steps any licence holder or club may take to prevent crime and disorder are as varied as the premises or clubs where licensable activities take place. The Licensing Authority will therefore look to the Police as the main source of advice on these matters (Statutory Guidance paragraph 2.1).

9.4 Whether or not the Police raise representations the Council expect that the Licensing Sub-Committee will act in accordance with the aims of Section 17 of the Crime and Disorder Act 1998 to minimise crime and disorder in exercising their functions under the 2003 Act (Statutory Guidance paragraph 1.28).

9.5 Regard will be had to the levels of crime and disorder in and around the premises; the proposals contained in the operating schedule; the levels of compliance to conditions on existing licences and the proximity of the premises to residential accommodation.

9.6 The Licensing Sub-Committee will exercise its discretion in such manner as is a necessary and proportionate response to the individual matter before it.

10. The Prevention of Public Nuisance

10.1 Issues include:-

- The location of premises and proximity to residential and other noise sensitive premises such as hospitals, hospices, care homes and places of worship.
- The hours of opening and times of operation of given activities particularly between 2300 hours and 0700 hours and the control of operating hours for all parts of the premises particularly outside areas.
- The adoption of Best Practise Guidance (eg good practise guide on the control of noise from pubs and clubs produced by Institute of Acoustics, Licensed Property: Noise, published by BBPA.. Proposals for the management of patrons and resulting queues).
- The availability of public transport and car parking facilities.
- The siting of external lighting including security lighting.
- The presence of effective ventilation systems to prevent nuisance from odour.
- Management arrangements for the storage, handling and collection of refuse and recyclable materials. Controls for the prevention of litter and noise from vehicles associated with providing services to the premises (e.g. deliveries of supplies and removal of waste/recycled materials)

- Arrangements for dedicated taxis or licensed mini-cabs to collect patrons in a manner so as to minimise any disturbance.
- Management of queues external to the premises and potential obstructions caused to the highway as a consequence of the same.
- Measures to restrict the generation of noise within the premises and from activities associated with premises in the vicinity, or from an open-air site.
- Measures to restrict noise emissions to below levels that could affect people in the vicinity including the presence and management of sound limitation devices, the presence of any sound proofing materials, air conditioning systems and acoustic lobbies at the premises
- Measures to minimise and control noise from customers arriving at the premises, utilising areas outside it (external drinking and smoking areas) and departing from it.

10.2 Draft Model Licence Conditions relating to the prevention of public nuisance are attached at Appendix 2 which may be of assistance to applicants when considering the above issues.

10.3 The Council accepts the interpretation of “public nuisance” in paragraph 2.33 of the Statutory Guidance and accordingly the Licensing Committee will give the expression its broadest common law meaning and will take it to include such issues as light, noise, odour, litter and anti-social behaviour etc where these matters impact on the lives of persons living working or being otherwise engaged in normal activity in the area concerned. The Council further acknowledge the Statutory Guidance at paragraphs 10.19 to 10.21 concerning nuisance and anti-social behaviour caused by hours of trading and applicants should have regard to paragraph 15 below in addressing the nuisance their premises may cause by the activities proposed.

10.4 Applicants should be aware that the Licensing Authority will apply stricter controls on licensing hours for all or some licensable activities where the potential for nuisance associated with the style, characteristics or activities of the business to be carried on at the premises are in closer proximity to areas with a denser residential accommodation or have residential accommodation close to them.

10.5 The Licensing Sub-Committee will exercise its discretion in such manner as is a necessary and proportionate response to the individual matter before it.

11. Public Safety

11.1 Issues include:-

- Safe capacities – if no fire or other certificate specifies maximum numbers of person that may be present on the premises whether a risk assessment has been undertaken to ascertain the maximum number of people who can be present in various parts of the premises so that they can be operated safely and be evacuated safely in the event of an emergency.
- Procedures to record and limit the number of people on the premises with opportunities for “pass outs” and readmission.
- Whether patrons can arrive and depart from the premises safely
- Overcrowding within particular parts of the premises.
- Whether special effect equipment is used within the premises which may affect public safety (e.g. moving equipment, vehicles, pyrotechnics/strobe lights, smoke machines).
- Issues concerning ventilation and overheating combated by air conditioning.
- Whether there are defined responsibilities and procedures for medical and other emergencies and for calling the emergency services
- The levels of compliance with conditions on existing licences relating to public safety.

11.2 The public safety objective is concerned with the physical safety of people working in and using the relevant premises but not with public health or building control or fire safety aspects of legislation. As stated previously the Licensing Authority do not seek to replicate other statutory controls and would not therefore seek to impose conditions concerning fire safety issues etc. Nevertheless the Council expects that the Licensing Authority should be satisfied that all general and technical risk assessments, management procedures and safety certificates are in place at a premises which demonstrate that the public will be safe within and in the vicinity of the premises. If representations about a particular application suggest otherwise then if the circumstances necessitate the same the Licensing Authority may seek to attach conditions which:-

- Impose checks on equipment at specified intervals
- Require the use of equipment of a given standard
- Limit the number of people on the premises appropriate to the activities taking place
- Impose reliable systems for monitoring the numbers of persons attending the premises

Or such other measures as are appropriate in the circumstances of the case. (Statutory Guidance paragraph 2.26 and 2.27)

- 11.3 It should be noted that South Tyneside Building Control Officers are available to provide advice and guidance on any licensing matter should applicants voluntarily wish to discuss an application with them.
- 11.4 Draft Model Licence Conditions relating to public safety are attached at Appendix 3 which may be of assistance to applicants when considering the above issues.
- 11.5 The Licensing Sub-Committee will exercise its discretion in such manner as is a necessary and proportionate response to the individual matter before it.

12. Protection of Children from Harm

12.1 Issues include:-

- whether there are effective measures such as proof of age cards put in place relating to age verification to ensure that alcohol is not sold to persons under 18 and to ensure that persons under 16 are accompanied by a responsible adult in alcohol led premises;
- whether adult entertainment is provided and if so what measures are taken to prohibit children from access to the same.
- where a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider in the company of adults during a table meal);
- where it is known that unaccompanied children have been allowed access;

- where requirements for proof of age cards or other age identification to combat the purchase of alcohol by minors is not being administered effectively,
- with a known association with drug taking or dealing;
- where there is a strong element of gambling on the premises (but not small numbers of cash prize machines);
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises;

12.2 Draft Model Conditions which are attached to this Policy at Appendix 4 may be of assistance to applicants when considering the above issues.

12.3 Unaccompanied children under 16 are not allowed on premises selling or supplying alcohol for drinking on the premises under a premises licence, club premises certificate or temporary event notice between the hours of midnight and 5.00 a.m. Outside these hours unaccompanied children under 16 may be admitted to licensed premises where alcohol consumption is not the exclusive or primary activity. This might include restaurants, hotels, cinemas and even pub restaurants where the main business activity is the consumption of both food and drink.

12.3 The Licensing Authority has an overriding duty to prevent harm to children, however subject to the Licensee's discretion and any conditions included in premises licences or club premises certificates, the Act does not ban children from having free access to licensed premises of all kinds.

12.4 This Policy does not set out any general rules regarding the admission of children to any premises and the Council acknowledges that it is up to the individual licensee or club or temporary event organiser to set their own rules about permitting or denying access to children dependant upon the nature of the activities taking place on their premises. The Council acknowledges that the Statutory Guidance promotes a general relaxation in giving accompanied children greater access to licensed premises aimed at promoting family friendly environments.

12.5 Nevertheless applicants should be aware that the protection of children from harm includes the protection of children from moral, psychological and physical harm and this includes the protection of children from exposure to strong language, sexual expletives and gambling. In certain circumstances children are more vulnerable and their needs will require special consideration. This vulnerability includes their susceptibility to suggestion, peer group influences, inappropriate example, the unpredictability of their age and their lack of understanding of danger.

12.6 The Licensing Sub-Committee may, if the circumstances necessitate the same, seek to attach conditions which:-

- where alcohol is sold requirements for the production of proof of age cards or other age identification before sales are made to ensure that sales are not made to individuals under 18 years (whether the age limit is 18 or 16 as in the case of the consumption of beer, wine and cider in the company of adults during a table meal);
- impose limits on the hours when children may be present;
- impose age limitations (below 18) limit or ban children when certain activities are taking place, limit access by children to certain parts of the premises, impose requirements for an accompanying adult (including for example a combination of requirements which provide that children under a particular age must be accompanied by an adult);
- a full ban on persons under 18 years from the premises when any particular licensable activities take place.

12.7 The Council recognises that the South Tyneside Area Child Protection Committee represents those who are responsible for and interested in matters relating to the protection of children from harm and are best placed to be able to advise the Licensing Committee on such matters. The South Tyneside Area Child Protection Committee is accordingly a responsible Authority under Section 13 of the 2003 Act and applicants for new or variations of premises licences or club premises certificates must give details of their proposals to this Committee. The contact address is Chichester House, Stanhope Parade, South Shields, Tyne and Wear, NE33 4BA.

12.8 In the case of film exhibitions the Council will expect licence and certificate holders and also those giving notice of temporary events within the terms of the 2003 Act to

implement measures that restrict children from viewing age restricted films classified according to the recommendations of the British Board of Film Classification or the Council. In the case of a film exhibition that has not been classified, the Council will expect the Licensee to conduct an assessment of the suitability of the film for exhibition to children and to implement measures that restrict viewing by children if necessary.

12.9 The Council recognises that the Secretary of State considers that representations made by the Child Protection Bodies and the Police in respect of individual applications should be given considerable weight when they address necessary issues regarding the admission of children (Statutory Guidance paragraph 2.48).

12.10 The Licensing Sub-Committee will exercise its discretion in such manner as is a necessary and proportionate response to the individual matter before it.

13. Designated Premises Supervisors

13.1 Where the licensable activity includes the sale of alcohol the premises must have a Designated Premises Supervisor who holds a valid Personal Licence. This is a mandatory condition (see section 19 Licensing Act 2003 and paragraph 4.19 Statutory Guidance). Club Premises are exempt from this mandatory requirement but nevertheless the Licensing Authority expect the Club Secretary's details to be provided as a point of contact for each club premises certificate.

13.2 The Government's intention (as set down in paragraph 4.20 of the Statutory Guidance) is that the Designated Premises Supervisor (DPS) should have day to day responsibility for management of the premises and can be readily contacted by the Police, Local Authority or other statutory officers in the execution of their duties when there are any issues in relation to the premises.

13.3 Details of the DPS are stipulated on the premises licence and it is the responsibility of both the Premises Licence Holder and the DPS themselves to notify the Licensing Authority immediately of any change of DPS, which may occur. Where the DPS is not available for a significant period of time the Premises Licence Holder should consider nominating an individual as a point of contact in the interim and advising the Licensing Authority and Police accordingly.

14. Films

14.1 It is the responsibility of the license holder to ensure that no film exhibited at the licensed premises is likely to lead to disorder and/or stir up hatred or incite violence towards any section of the public on grounds of colour, race or ethnic or national origin, disability, religious beliefs, sexual orientation or gender.

14.2 The admission of children to any film exhibition must be restricted in accordance with the recommendations given to films by the British Board of Film Classification or by the Council. The Licensing Authority will attach the appropriate mandatory condition to any premises licence where films are shown in accordance with section 20 of the 2003 Act. The British Board of Film Classification or the Licensing Authority must classify non-classified films before showing. Where a licence holder is intent upon requesting the Council to classify a film they must arrange for the Council viewing, a minimum of 28 days prior to the proposed public exhibition of the film.

14.3 If the Council is concerned about the classification given by the British Board of Film Classification to a particular film it may give notice to the holders of the premises licenses that the film may not be exhibited until it has been viewed and classified by the Council. In such circumstances the Council will view and classify the film as a matter of urgency.

14.4 Where any video works are shown on premises with a licence they should be suitable for the age group of the children permitted in the Operating Schedule, having regard to the official age classification of the work given by the Council, British Board of Film Classification or other film classification board approved by the Council.

15. Licensing Hours

15.1 The government says longer licensing hours for the sale of alcohol should help disperse large numbers of customers over a longer period through leaving at different times rather than them all leaving premises simultaneously. This should help avoid friction at late night food outlets, taxi ranks, metro stations, and bus stops and over the booking of private hire vehicles. However the Council recognises that the four licensing objectives are paramount considerations at all times and the individual merits of each application will always be examined.

15.2 Zoning means setting fixed trading hours within a stated area. The Council will not use licence zoning, as this will encourage customers to move between areas to the zone with the latest opening hours increasing the number of people and potential for trouble and noise in those areas.

15.3 The Council will not have staggered closing times through licensing, for example allocating closing times of 11 pm, midnight, 1 am, 2 am and 3 am and so on to particular premises. This would create several smaller peaks of movement for causing disturbance.

15.4 Generally when considering the issue of hours the Council expects the Licensing Authority to:

- make stricter conditions where relevant representations are received, on licensing hours for pubs, clubs and other licensed entertainment to control noise in mainly residential areas where larger numbers of people live, than in mainly commercial areas;
- consider what public transport is available nearby, what car parking is available and whether vehicles cause disturbance when driving away, for example slamming car doors, playing loud music, using the horn, revving engines, squealing tyres and so on when considering applications, where relevant representations are received;
- limiting the hours when children (persons under 18 years) may be present on licensed premises where necessary;
- generally permit shops, stores and supermarkets to sell alcohol for drinking off the premises at any time when the outlet is open for shopping, unless there are good reasons for restricting the hours. It may be appropriate to limit hours where for example a shop has become the focus of disorder or disturbance;
- not limit opening hours without having regard to the points made in any individual application.

16. Integration of the Licensing Policy with Local Strategies

- 16.1 The Licensing Authority asks the views of the police on its policy statement regarding local crime prevention. It considers any relevant protocols made with the police under the Crime and Disorder Act 1998, for example CCTV in the town centre. The police also have the right to make representations on licence applications and reviews and make reference to relevant strategies. It has regard to the South Tyneside Crime and Disorder Reduction and Community Safety Strategy where it refers to alcohol related crime and disorder, drug related crime and disorder and any other relevant issues and the Drug Action Team Strategic Plan.
- 16.2 The Council participates in Pubwatch.
- 16.3 The Licensing Committee may use appropriate conditions, following relevant representations, to assist in safer clubbing strategies produced by the Council's Drug Action Team
- 16.4 The Council operates planning and building controls; licensing applications will not be a re-run of planning applications. The planning, building control and licensing regimes will be properly separated to avoid duplication and inefficiency.
- 16.5 Applicants for premises licences and club premises certificates should have obtained the relevant planning permissions, Building Control approval and certificates of satisfactory completion prior to making their applications except in exceptional circumstances such as seeking a provisional statement.
- 16.6 The Licensing Authority consults the Development Control Group when writing its licensing policy.
- 16.7 Public transport policy is decided by the Tyne & Wear Passenger Transport Authority and implemented by the Tyne & Wear Passenger Transport Executive, known as Nexus. Nexus is also the operator of the Metro system and the Shields Ferry Service. It seeks their views on its policy.
- 16.8 The Council has in place both tourism and cultural strategies, these have been considered in the drafting of this policy statement. Where appropriate the Licensing Committee considers the needs of the local tourist economy and the cultural strategy for the area in considering licensing applications.
- 16.9 Live music, theatre, dancing, street art, circuses and other similar artistic live entertainment are welcomed and encouraged in the South Tyneside area.
- 16.10 The Council has festivals of live music, dancing, theatre etc to benefit the wider community and aid social inclusion and provide venues where children can learn about and enjoy different cultural activities. Local residents as well as the wider community generally enjoy these activities but the Licensing Committee will always carefully balance the potential for limited disturbance in the nearby neighbourhoods with the wider benefits for all of its people, when licensing such events.
- 16.11 The Council will consider applying for appropriate licences for public open spaces within Council control as venues for live music, dancing, theatre, street art, circuses and other similar artistic live entertainment. Where such applications are granted with or without conditions performers and entertainers will not need to obtain their own licence. They will of course have to enter into an appropriate agreement with the Council to use the venue and comply with the conditions if any.
- 16.12 The impact of licensing on regulated entertainment and particularly live music, dancing, theatre etc is monitored. The Licensing Committee only uses necessary, proportionate and reasonable licensing conditions to impose restrictions on such events.
- 16.13 When it attaches conditions to licences and certificates in order to promote the licensing objectives it considers the need to avoid measures that limit the performance of live music, dancing, theatre etc by imposing indirect costs of a substantial nature.
- 16.14 The Council also considers the opportunities produced by new licensed premises for new investment and employment in its area and keep the Licensing Committee apprised of the employment situation and the need for new investment and employment in the area.

17. Human Rights Act 1988

17.1 The Human Rights Act 1988 incorporates the European Convention on Human Rights and makes it unlawful for a Local Authority to act in a way that is incompatible with a Convention Right. The Council accepts that the Licensing Authority will have particular regard to the following relevant provisions for European Convention on Human Rights when determining applications:-

- Article 6 - that in determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law;
- Article 8 – that everyone has the right to respect for their home and private life; and
- Article 1 – of the first protocol that every person is entitled to the peaceful enjoyment of their possessions, including for example the possession of a licence.

18. The Disability Discrimination Act 1995

18.1 The Disability Discrimination Act 1995 introduced measures to tackle discrimination encountered by disabled people in the areas of employment, access to goods, facilities and services and the management, buying or renting of land or property.

18.2 For service providers, such as licensees, this means:-

- it has been unlawful to treat disabled people less favourably than other people for a reason related to their disability;
- reasonable adjustments should be made for disabled people such as providing extra help or making changes to the way they provide their services; and
- reasonable adjustments should be made to the physical features of premises which are open to the public.

19. Government Drinking Strategy

19.1 The Government has published an Alcohol Harm Reduction Strategy for England, in this it outlines how the Licensing Act can be used to address some of the social health and crime and disorder issues raised by the misuse of alcohol when a Licensing Authority is considering applications for any relevant licence made under the Act. The Council acknowledges that this strategy must be taken into account specifically with regard to the sale of alcohol to under 18s and the impact of the lack of effective steps to tackle anti-social behaviour.

20. Discrimination and Race Equality

20.1 The Council, the Licensing Authority and the Licensing Committee do not discriminate against you on the grounds of disability, gender, sexual orientation, religion or belief, or race (or where there is any other relevant legal obligation) in the application of the Licensing Policy.

20.2 The Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000 requires us to have a race equality scheme.

20.3 The Local Authority have due regard to the need to eliminate unlawful discrimination and promote equality of opportunity and good relations between persons of different racial groups.

21. Planning Legislation and Building Regulations

21.1 The planning, building control and licensing regimes are properly separated to avoid duplication and inefficiency. The revised Statutory Guidance states (paragraph 13.64) that applications for premises licences for permanent commercial premises should normally be from businesses with planning consent of the property concerned. Licensing applications will not be a re-run of the planning application.

21.2 The granting by the Licensing Committee of any variation of a licence which involves a material alteration to a building does not relieve the applicant of the need to apply for planning permission or building regulation control where appropriate (Statutory Guidance paragraph 13.66). South Tyneside Building Control Officers are available to discuss any alterations to premises which are the subject of initial or variation applications.

22. Cumulative Impact

- 22.1 The Licensing Guidance refers to cumulative impact “which means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area”.
- 22.2 The Licensing Authority need to consider where the number, type and closeness of premises selling alcohol are unusual and serious problems of nuisance and disorder have sometimes started or arisen outside or some distance from licensed premises. For example the area is a focal point for large groups of people to gather and move away from the premises themselves and this creates problems of disorder and nuisance over and above the effect of individual premises.
- 22.3 The Licensing Committee will always consider the individual points made in any application, not just the cumulative impact.
- 22.4 It will consider the effect on the licensing objectives of any facts given to it by responsible authorities and interested parties before it decides a particular application. These facts must include evidence that extra premises would add to the overall cumulative impact on any of the licensing objectives in the area.
- 22.5 Different premises will have different styles and characteristics, which it will take into account in looking at any cumulative impact.
- 22.6 Where the Council establishes a special policy of cumulative impact any applicant will need to show through their operating schedule that a new premise licence or club premises certificate will not add to the cumulative impact already being experienced.
- 22.7 Where there is a special policy of cumulative impact it is not necessarily the case that responsible authorities or interested parties must produce new evidence of negative impact on the licensing objectives, it may be sufficient that the written representation states that it is necessary to refuse the application for the purpose of promoting the licensing objectives, referring to the relevant information which had been before the Council when it developed its Licensing Policy Statement.

23. Implications of a Special Policy of Cumulative Impact

- 23.1 A special policy of cumulative impact raises a rebuttable presumption that applications for premises licences or club premises certificates will be refused if relevant representations are received.
- 23.2 The Licensing Authority will not impose conditions on or refuse to grant or vary a premises licence or club premises certificate in an area in which a Special Policy applies unless relevant representations from responsible authorities and/or interested parties have been made regarding the licensing objectives.
- 23.3 If no relevant representation is received any application must be granted in terms that are consistent with the operating schedule submitted.
- 23.4 Where a licence or certificate has been granted or varied, a complaint relating to crime and disorder or nuisance in an area would generally not be regarded as a relevant representation if it cannot be positively tied or linked by a causal connection to a particular premises, which would allow for a proper review of its licence or certificate.
- 23.5 Where premises are situated in an area of Cumulative Impact a review must relate specifically to individual premises; where it becomes clear after a premises licence or club premises certificate has been granted or varied that there is a problem in that area the licence or certificate may only be reviewed if representations are made by a responsible authority or interested party that a licensing objective is undermined because of those premises.
- 23.6 A special policy will not be used as a ground to remove a licence or certificate following complaints about problems at the relevant premises.
- 23.7 A special policy will not be used to justify rejecting applications to vary an existing licence or certificate except where the variation is directly relevant to the policy and this is strictly necessary for the promotion of the licensing objectives; for example the variation is intended to increase the capacity limits of the premises.
- 23.8 It will not impose conditions that are outside the control of the licensee and the vicinity of the premises.

23.9 If there is no special policy, a responsible authority or interested party is not prevented from making representations on a new application for the grant of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.

23.10 A special policy will not include provisions for a terminal hour or otherwise seek to impose limitations on trading hours in a particular area neither will it impose quotas - based on either the number of premises in the area or the capacity of those premises - to restrict the consideration of an application on its individual merits.

23.11 In assessing whether to adopt a special policy the Council will:

- identify concern about crime and disorder or public nuisance;
- consider whether the crime and disorder and nuisance alleged is happening and is caused by customers of the licensed premises;
- identify the area and its boundaries where customers of relevant premises cause problems or that the risk factors are such that the area is reaching a point when the cumulative impact is imminent;
- consult with relevant authorities or interested parties as part of the general consultation process required for the whole Licensing Policy Statement;
- subject to that consultation, where necessary adopt a special policy about future licence or certificate applications for that area;
- publish any special policy as part of the Licensing Policy Statement.

24. Special Policy

24.1 The Council carried out an extensive consultation during August and September 2010. Northumbria Police made representations on the cumulative impact of a significant number of licensed premises concentrated in the town centre area.

24.2 In the South Shields town centre the Police have referred to the growth in licensed premises and capacity, type and density as causing problems of crime and disorder and nuisance not only in the immediate vicinity of the premises but also some distance away.

24.3 It is possible that the impact on the surrounding area by the behaviour of the customers of all premises taken together is greater than the impact of customers of individual premises.

24.4 The Licensing Authority in 2010 mainly but not exclusively considered the following:

- There are mainly residential areas immediately to the north and east of the town centre area.
- There have been complaints of noise in the town centre area relating to licensed premises from music, people shouting and car horns late at night and in the early hours. Noise has more impact when the general background noise is lower, particularly at night when residents are trying to sleep or relax.
- At the time that the previous Licensing Policy was written, there were twenty one premises in the Special Policy area which held a total capacity of 10,580 persons.
- At this current time there are twenty five premises concentrated within the immediate Town Centre area with a total capacity of approximately 10,140 which breaks down as follows:
 1. Twelve high-volume vertical drinking establishments with an approximate capacity of 6,640,
 2. Seven large pubs with an approximate capacity of 2,870,
 3. With the remaining six licensed premises having an approximate capacity of 630.

- The capacity has decreased slightly, however several premises are now open even longer with the natural consequence of patrons remaining in the area longer.
- The opening times of the premises range from 9am until 4am the following day; of the twenty five premises:
 1. Four premises are open until 4 am
 2. Three premises are open until 3am
 3. Eight premises are open until 2am
 4. Three premises are open for eighteen hours
 5. Two premises are open for seventeen hours
 6. Five premises are open for sixteen hours
 7. The average length of opening is 16 hours

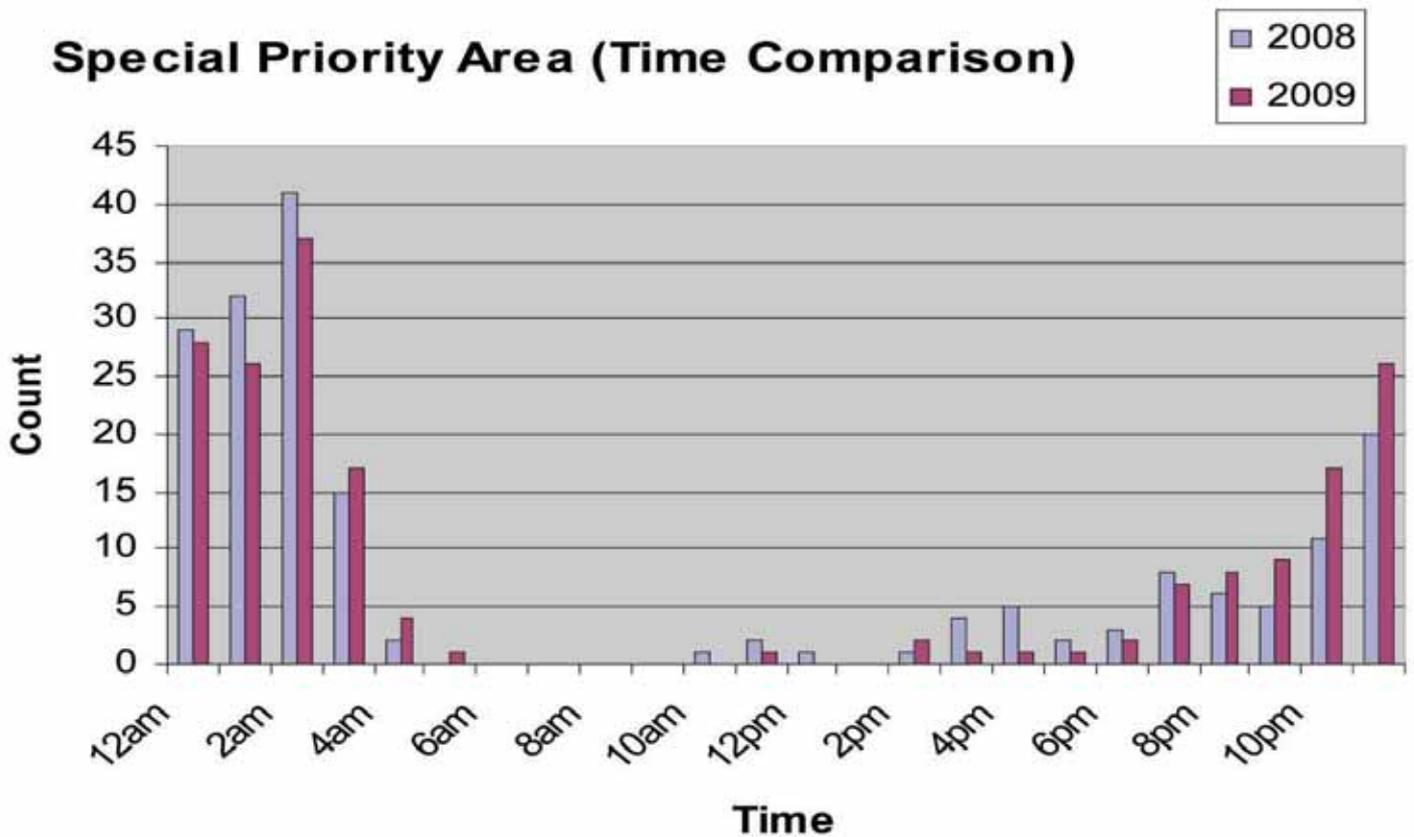
- Twelve of the premises only open after 6pm although the premises licences allow them to open earlier.
- The Police use foot beat codes to identify adjoining areas in order to monitor incidents and allocate resources. The Town Centre is allocated between four foot beats which are identified as A1, A2, A3, and A4. The centre of the Special Policy Area is also where these four foot beats converge.
- A comparison analysis of these four foot beats over the same twelve month period from April to March during the years 2008 and 2009 reveals that there has been a decrease in incidents relating to violence, drunkenness and disorder within the four foot beats.
- This number of incidents relating to violence, drunkenness and disorder has remained static within the Special Policy Area as identified in the map at appendix '2'. The below table represents this.

	2008	2009	Difference
Violence, Drunkenness and disorder over all four foot beats	425	382	-10%
Violence, Drunkenness and disorder in Special Policy Area only	188	188	0
% of total incidents over 4 x foot beats occurring within Special Policy Area	44%	49%	

- Temporal analysis of the same period indicates that numbers of incidents has reduced slightly in line with the reduction in capacity of premises within the Special Policy Area as shown below:

Time period	2008	2009	Difference
20.00hrs – 23.59 hrs	71	88	24%
00.00hrs – 04.00hrs	90	84	-7%

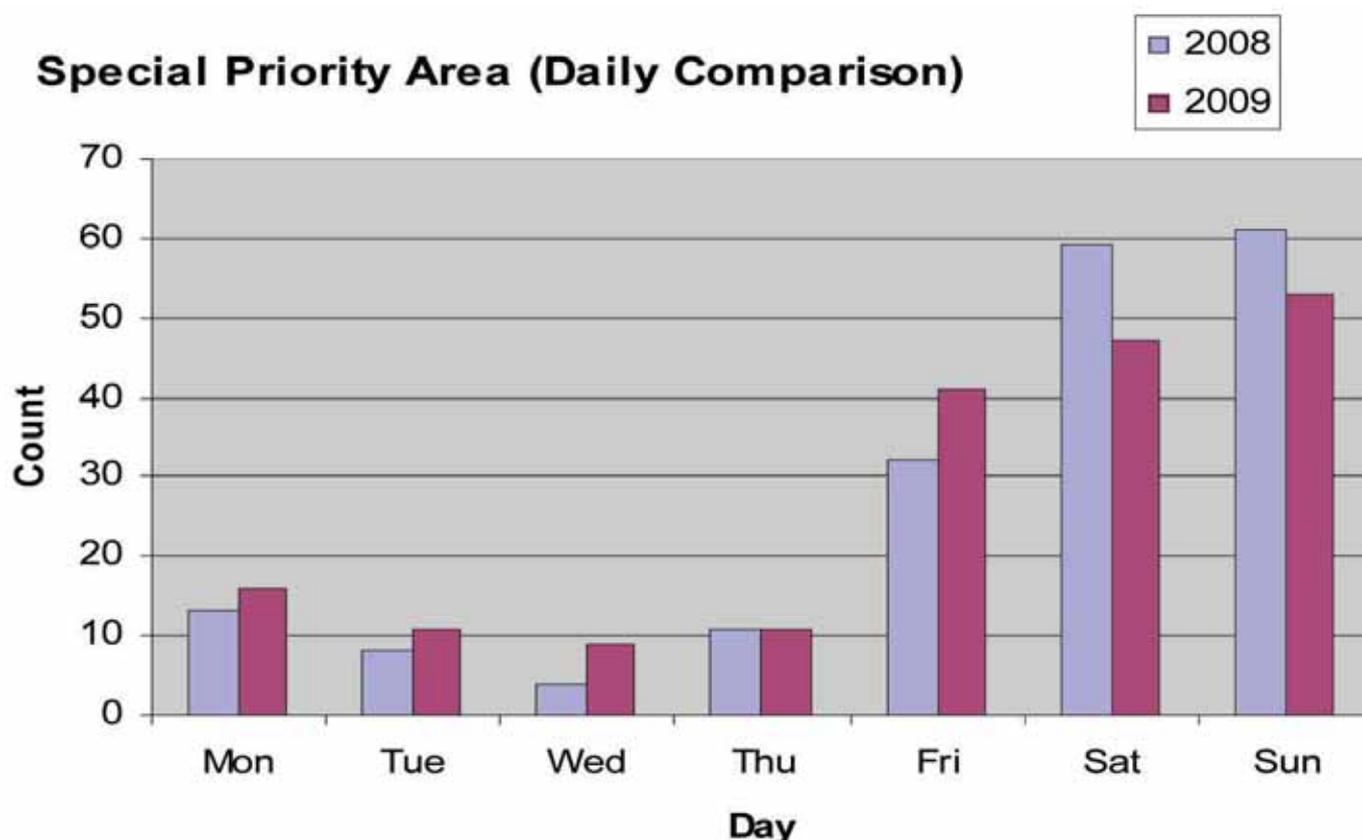
Special Priority Area (Time Comparison)



- Breaking down this information into daily patterns also emphasises that incidents are more likely to occur over the weekend with Saturday evening into Sunday morning being the predominant time for incidents to occur:

Year	Mon	Tue	Wed	Thu	Fri	Sat	Sun
2008	13	8	4	11	32	59	61
2009	16	11	9	11	41	47	54
% Diff	+23%	+38%	+125%	0	+28%	-20%	-11%

Special Priority Area (Daily Comparison)



- Comparing hourly and daily incident levels, it can be seen that levels of incidents peak at midnight on Saturday and after a brief lull, further peak between 2am and 3am on Sunday morning. But in general the majority of incidents occur on Fri, Sat and Sun.
- The fear of crime is something that affects public confidence. During several surveys conducted within South Tyneside it has been revealed that the public have concerns over alcohol misuse, anti-social behaviour caused by alcohol and that some residents have a fear of going out at night, using public transport at night and avoid certain areas.
- There is little or no public transport available after 11pm. The bus companies and Nexus the operator of the Metro and Shields Ferries have not expressed an interest in extending the hours of operation. Visitors to the town centre staying after public transport stops running mainly rely on hackney carriages or private hire vehicles to take them home.
- There are currently two taxi ranks within the Special Policy Area both of which have an effect on the levels of incidents occurring.

24.5 The Licensing Authority concluded that there was and still is a cumulative impact of a significant number of licensed premises concentrated in the town centre and that this cumulative impact has continued to have an adverse effect upon the licensing objectives. The area designated as the special policy area is the south end of Mile End Road and the west end of Ocean Road as shown on the plan attached to this Policy as Appendix 6 and referred to as the Special Policy Area.

24.6 The Licensing Authority considers the rebuttable presumption to apply to nightclubs, pubs and bars and any other premises where the sale of alcohol for consumption on the premises is the main or predominant activity in the Special Policy Area. Applications for other licensable activities (not relating to the sale of alcohol for consumption on the premises) will not be subject to the rebuttable presumption in the Special Policy Area.

25. Enforcement

- 25.1 The Council has established protocols with Northumbria Police to cover enforcement of the licences and certificates and inspection of licensed premises.
- 25.2 These protocols target agreed problem and high-risk premises that require greater attention.
- 25.3 The Act does not require us to undertake annual inspections of licensed premises for public entertainment, theatre, cinemas, night cafe and late-night refreshment houses. Inspections are carried out when considered necessary, they may be more regular for problem premises and less often for low risk premises.

26. Administration and Delegation

- 26.1 The Council is involved in a wide range of licensing decisions and functions and appreciating the need to provide a speedy, efficient and cost effective service to all parties involved in the licensing process has established a Licensing Committee of 15 members to administer them. The powers under the Act also allow for delegation of powers/functions to Licensing Sub-Committees or to one or more officers.
- 26.2 Many of the decisions and functions are largely administrative in nature such as the grant of non-contentious applications including for example those licences and certificates where no representations have been made. These are delegated to Council officers but such delegation does not preclude a decision on any matter being taken to Committee.
- 26.3 Applications where there are relevant representations will be dealt with by the Licensing Committee/Sub-Committee – unless such representations are considered irrelevant, frivolous or vexatious or unless the Council, the Applicant and everyone who has made representations for a premises licence, club premises certificate, variation application or provisional statement agrees that a hearing is not necessary.
- 26.4 The table given in Appendix 7 below sets out the agreed delegation of decisions and functions of the Licensing Committee, Sub-Committees and Officers.
- 26.5 Unless there are compelling reasons to the contrary, the Council will require the Licensing Committee or any of its Sub-Committees to meet in public – although members will retire into private session to consider their decision.

27. Duration of Licensing Policy Statement

- 27.1 This Licensing Policy Statement lasts for a three-year period beginning on the 7 January 2011. The Licensing Authority keeps the policy under review and consultation will take place before there are any revisions.
- 27.2 Where any revisions to the statutory guidance are issued during the currency of this Policy they are taken into account whenever the Licensing Authority is required to consider its Policy Statement

28. Meaning of Words and Phrases

- 28.1 These definitions are to assist in understanding the Policy they are not necessarily legal definitions. You should refer to the Act, the Licensing Guidance and any Regulations issued by the Secretary of State for legal information.
- **Alcohol** includes beer, wine, cider, spirits or other fermented, distilled or spirituous liquor of or exceeding 0.5% strength (alcohol by volume).
 - **Authorised officers** – those employees of the Council authorised by this Policy or by the Council's Constitution.
 - **Cumulative impact** - means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.
 - **Designated premises supervisor** - the individual for the time being specified in the premises licence as the premises supervisor, this can include the premises licence holder. He or she must have a valid personal licence.
 - **Interested parties** -
 - > a person living in the vicinity of the premises in question.
 - > a body representing persons living in that vicinity, for example, a residents association or a parish or town council, a friend, MP or local ward councillor.
 - > a person involved in a business in the vicinity of the premises in question, including partnerships, charities, churches and medical practices
 - > a body representing persons involved in such business, for example a trade association, a lawyer, friend, MP or local councillor.
 - > A member of the relevant licensing authority.

- **Late-night refreshment outlets** include places serving hot food or hot drink or the means to heat it, for example a microwave oven, (but not a coin operated hot drink vending machine where operated by the consumer) to eat in or off the premises between the hours of 11 pm and 5 am.

- **Licensed activities:**

- > The retail sale (to a consumer) of alcohol.
- > The retail supply (to a consumer) of alcohol.
- > Regulated entertainment. (See below)
- > Late-night refreshment outlets between 11 pm and 5 am.

- **Licensing Committee** - a committee of 10 to 15 Councillors, appointed by the Council.

- **Licensing objectives:**

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

- **Pool conditions** – these are examples of conditions that can be selected by applicants for inclusion in their operating schedules, or selected by the Licensing Committee where there are relevant representations. They are not a standard set list of conditions or a checklist. The pool conditions are attached to this policy as Appendix 1-4. The statutory guidance also contains examples of conditions at annex D.

- **Regulated entertainment:**

The provision of regulated entertainment means:

- > The performance of a play.
- > An exhibition of a film.
- > An indoor sporting event.
- > Boxing or wrestling entertainment (indoor or outdoor).
- > A performance of live music.
- > Any playing of recorded music.
- > A dance performance.
- > Entertainment similar to the last three above bullet points

- > Facilities for people to take part in:

- > Making music.
- > Dancing.
- > Other entertainment of a similar description

Where provided to the public or exclusively to members of a qualifying club and their guests or if neither of the above for money or monies worth and with a view to profit.

And where the premises on which the entertainment is or entertainment facilities are provided are made available for that purpose.

It does not include:

- > Films if the sole or main purpose is to demonstrate a product, advertise goods or services or provide information, education or instruction.
- > Films as part of exhibitions in museums galleries etc.
- > Music incidental to something other than a regulated entertainment.
- > TV and radio broadcasts.
- > Religious meetings or services.
- > Places of public religious worship.
- > Garden fetes unless for private gain.
- > Morris dancing or similar dancing or the dance performance is with unamplified live music
- > Vehicles in motion.

- **Responsible authorities include:**

- > Chief officer of police.
- > The fire authority.
- > The enforcing authority for section 18 of the Health and Safety at Work etc Act 1974.
- > The local planning authority.
- > The local authority responsible for environmental health.
- > A licensing authority other than the relevant licensing authority where part of the premises are situated in its area
- > For a vessel, either a navigation authority, the Environment Agency, the British Waterways Board or the Secretary of State as relevant.

- > The Area Child Protection Committee
- > Such others as may be prescribed
- **Special Policy** - addresses the cumulative impact of a concentration of licensed premises selling/supplying alcohol for consumption on the premises which may give rise to large groups/numbers of people who have been drinking alcohol, on the streets in a particular area
- **Sub-committee(s)** - one or more committees of three members appointed from the Licensing Committee to whom the functions of the Licensing Committee can be delegated under the Act.

29. Inconsistency/Ambiguity

- 29.1 If there is any inconsistency or ambiguity in this Licensing Policy Statement in relation to the Act or the Licensing Guidance then the reader is referred to the relevant section of the Act for legal clarification, if the point is not specified in the Act (for example "cumulative impact") then the reader is referred to the Licensing Guidance issued under section 182 of the Act for clarification.
- 29.2 All references to the Statutory Guidance in this document are references to the publication of the Statutory Guidance dated March 2010. However in exercising their functions during the duration of this Policy the Licensing Authority will have regard to the latest publication of the Statutory Guidance in force at the time of making its decisions.

Appendix 1

Conditions

Relating to the Prevention Of Crime and Disorder

1. The licensee, that is the person in whose name the Premises Licence is issued, shall ensure that at all times when the premises are open for any licensable activity, there are sufficient, competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the Licence and for preventing crime and disorder.

(Note. Staffing requirements may vary dependant upon the size and nature of the premises and the licensable activities taking place, and specified in the "operating schedule".)

2. There shall be provided at the premises text and/or radio pager equipment to be operated in conjunction and in liaison with the Police.

3. The text and/or pager system shall be capable of sending and receiving messages to and from the local Police, and other Licensees, designated premises supervisors, door supervisors, managers and club operators, incorporated into any joint and mutually beneficial scheme operating in the area.

4. The text and/or pager system shall be maintained in good working order at all times when the premises are being used for a licensable activity.

5. The text and/or pager system shall be activated, made available to, and monitored by the designated premises supervisor or a responsible member of staff at all times when the premises are being used for a licensable activity.

6. The Licensee, designated premises supervisor or other person having responsibility for monitoring the text and/or pager system provided under the provisions of condition 3 shall comply with any instructions or directions received through the system from the Police.

7. The Licensee, designated premises supervisor or other responsible person shall use the text and/or pager system provided under the provisions of condition 3 to notify and report any incident of crime and disorder to the police as soon as practically possible, in accordance with agreed protocols.

8. The Licensee and designated premises supervisor shall ensure that: -

(either)

- At all times the premises are open for any licensable activity.

(or)

- Between and on (days) when the premises are open for a licensable activity.

There are employed at the premises:-

(either)

- An appropriate number.

(or)

- 'X' number.

of door supervisors (as defined in the Private Security Industry Act 2001).

9. Door supervisors should be stationed in such numbers and in such positions as detailed on the attached schedule and approved plan of the premises.

10. Door Supervisors may be male or female, but where physical searching of a patron is to be undertaken, such searching must be undertaken by staff of the same sex as the patron.

11. Door supervisors shall be provided with 'two-way' radios or similar systems capable of ensuring continuous communication between each other at all times that the premises are open for a licensable activity.

12. Door supervisors shall wear clothing of the same style, type and colour, which may be appropriate to the nature of the venue, but which will ensure they are clearly distinguishable and identifiable as door supervisors having regard to the events and activities taking place at the licensed premises.

13. The Licensee shall ensure that on each day that door supervisors are engaged for duty at the premises, their details (names and licence numbers) are recorded in an appropriate book kept at the premises. In conjunction with this record book, the licensee shall also keep an incident book. This record book and incident book must be available for inspection by the Police or Authorised Officer at all times when the premises are open.

14. Glass bottles containing beverages of any kind shall not be left in the possession of any patrons after service and following the discharge of the contents into an appropriate glass or drinking vessel.

15. Glass bottles containing wine may be sold for consumption with a meal taken at a table, by customers who are seated in an area set aside exclusively for patrons taking table meals.
16. No persons carrying open or sealed glass bottles shall be admitted to the premises at any time that the premises are open for any licensable activity.
17. One pint and half pint capacity drinking glasses, and highball (tumbler) drinking glasses, in which drinks are served, shall be of strengthened glass (tempered glassware) or of a material whereby in the event of breakage, the glass will fragment with no sharp edges being left. Alternatively, drinks may be served in non-glassware drinking vessels (e.g. plastic, polystyrene, waxed paper).

(Note. Weights and measures legislation requires the use of "stamped glasses" where "meter-measuring equipment" is not in use.)
18. No glass drinking vessels or glass bottles shall be permitted (in the areas described in the attached schedule and delineated on the approved plan.)
19. No alcoholic drinks may be consumed in the (areas described in the attached Schedule) (following areas) and delineated on the approved plan.
20. No patrons shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle, whether empty or containing any beverage.

(Note. This condition shall not apply to patrons who have purchased beverages for consumption off the premises (within the curtilage of the premises licensed area or in the area covered by a Pavement Café Licence) with the express consent of the Licensee, designated premises supervisor or responsible person.)
21. There shall be no off sales of alcoholic drinks except for consumption in an area which is covered by a "Pavement Cafe Licence"
22. No alcoholic drinks shall be sold or supplied for consumption off the premises.
23. Alcoholic drinks will be only be sold or supplied for consumption on the premises, (and there shall be no off sales)
24. There shall be no sales of alcoholic drinks for consumption off the premises on any day when a "first class" football match is being played at St. James Park/Stadium of Light.
25. There shall be no sales of alcoholic drinks for consumption off the premises on any day when an event is taking place subject to notification in writing from the Licensing Authority (in conjunction with Northumbria Police) at least seven days prior to the event.

(Note. Examples of when such a notice may be given might be if a major outdoor event (sporting or otherwise) or a parade is scheduled to take place in an area of the local Licensing Authority, and where it is considered that alcohol off-sales in that area might give rise to or add to potential crime and disorder problems)
26. The maximum number of persons permitted on the premises at any one time shall not exceed persons
27. The number of persons permitted to assemble on the premises on the same occasion shall at no time exceed the permitted numbers specified on the Premises Licence.
28. The maximum number of persons permitted in each of the following areas at any one time shall not exceed: -
 - (a)
 - (b)
 - (c)
 etc,

but at no time shall the total number of persons on the premises as a whole exceed persons.
29. The Licensee and designated premises supervisor shall ensure that there are effective management arrangement in place to enable them to know how many persons there are in the premises at all times when the premises are open for a licensable activity.
30. The maximum number of persons permitted to assemble on the licensed premises, or relevant part of the licensed premises shall be indicated by a fixed notice bearing the words "Maximum Occupancy" with letters and numbers not less than 20 mm high, conspicuously sited at each relevant part of the premises and at the reception point.
31. Seating for no less than persons shall be provided in the premises at all times the premises are in operation.
32. Seating shall be provided for all customers and alcohol shall only be served to those customers who are seated at tables by way of waiter or waitress service only.

33. Except in the area identified and delineated (e.g., hatched, coloured green) on the deposited plan. Alcohol drinks shall only be sold or supplied to, and consumed by persons seated at a table, by way of waiter or waitress service, save that:-
- (a) No more than (number) persons may stand in the area identified and delineated (e.g. coloured blue) at any one time, and
 - (b) A person may take a drink from the area marked (e.g. coloured green) and sit in the area marked (e.g. coloured blue).
34. All members of staff at the premises including Door Supervisors shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 18 years and who is seeking access to the premises or is seeking to purchase or consume alcohol on the premises. Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.
35. A suitably worded sign of sufficient size and clarity shall be displayed at the point of entry to the premises and in a suitable location at any points of sale, advising customers that they may be asked to produce evidence of their age.
36. The Licensee shall not advertise, promote or supply alcoholic drinks in such a way that is intended or likely to encourage persons to consume alcohol to an excessive extent.
37. The Licensee shall not supply alcoholic drinks at a "reduced price" during any limited period on any day.
- Reduced price means :-
- i) At no cost to the customer, or
 - ii) By the way of exchange for any ticket or voucher, or
 - iii) By inclusion of the price of an alcoholic drink in some other charge or payment for a product, goods or services such as with a 'mixer', food or an entrance/cloakroom charge, or
 - iv) A price less than that being charged either during an earlier or later period of the same day, or
 - v) In such a way whereby types, brands, and mixtures of drinks are sold either singly or in multiples, at a price for greater measures or quantities than those same drinks being sold for the same price but in smaller measures and quantities during an earlier or later period of the same day.
38. The Licensee shall not supply alcoholic drinks in such a way which will enable or which is intended to enable persons to consume unlimited quantities of alcoholic drinks on payment of a single payment or payment arrangement which is not related to the amount or number of alcoholic drinks supplied.
39. The Licensee shall not sell or supply alcoholic drinks at prices less than the "agreed minimum prices". "Agreed minimum prices" are the prices for a variety of specified products or types of drinks, agreed from time to time by all participating members of the "Pubwatch scheme", in conjunction with the Council and Northumbria Police.
40. A conspicuous notice shall be displayed on or immediately outside the premises adjacent to the entrance to the premises which gives details of times when the premises are permitted to be open for any licensable activity.
41. A conspicuous notice shall be displayed on or immediately outside the premises, or which is immediately adjacent to the premises, which gives details of any restrictions relating to the admission of children to the premises.
42. Suitably phrased, clear and conspicuous notices, shall be displayed near the entrance to the premises and in other appropriate locations such as sanitary conveniences advising patrons;
- i) of any risk of theft or possibility of other criminal activity.
- and/ or
- ii) to exercise care with their personal possessions to prevent theft.
- and/or
- iii) how to report any incidents of theft or other criminal activity.
43. All signs required under these conditions shall comply with those conditions, shall be placed in accordance with those conditions and be illuminated or positioned in well-lighted locations.
44. A CCTV system shall be designed, installed and maintained in proper working order, to the satisfaction of the Licensing Authority and in consultation with Northumbria Police. Such a system shall: -
- Ensure coverage of all entrances and exits to the Licensed Premises internally and externally, Ensure coverage of such other areas as may be required by the Licensing Authority and Northumbria Police.
- Provide continuous recording facilities for each camera to a good standard of clarity. Such recordings shall be retained (on tape or otherwise) for a period of two months, and shall be supplied to the Licensing Authority or a Police Officer on request.
- Be in operation at all times the premises are in use.

Appendix 2

Conditions

Relating to Public Nuisance

1. Noise and vibration shall not be audible outside the premises.
2. The internal LAeq 15min and the Leq 15 min for the 63Hz frequency centred octave band shall not be increased within nearby residential properties (measured with windows at the dwellings either open or closed) as a result of noise emissions from the licensed premises.
3. Windows, doors and fire escapes shall remain closed during proposed entertainment events within the premises.
4. Noise generated by amplified music shall be controlled by a noise limiting device set at a level determined by the Local Licensing Authority Environmental Health Officer, such level being confirmed in writing to the Licensee.
5. Noise limiting devices, once set, cannot be reset or adjusted without consultation with the Local Licensing Authority Environmental Health Officer.
6. The lobby doors at the premises shall be kept closed except for access and egress. Door staff shall supervise to ensure that the doors are maintained closed as far as possible when public entertainment is taking place.
7. The use of fireworks and pyrotechnics is restricted to the hours of to
8. Internal and external lighting provided for the purpose of customer and staff safety and for the security of the premises shall be so positioned to not cause nuisance to neighbouring or adjoining properties.
9. Lighting associated with activities of entertainment shall be positioned so as not to cause nuisance to neighbouring or adjoining properties.
10. Lighting provided externally to promote advertising of the premises or activities associated with the premises shall be of an intensity such as not to cause nuisance to neighbouring or adjoining properties.
11. Suitable ventilation and extraction systems shall be provided to eliminate noxious odours. Such systems shall be maintained on a regular basis.
12. Premises shall enter into a waste removal agreement with a licensed waste disposal contractor and keep documented evidence of the agreement.
13. Empty bottles shall be stored in a lidded skip within the curtilage of the premises prior to collection. Operationally bottles shall be removed from the public area on a frequent basis and transferred to the skip. It is recommended that transfer to an external skip shall not be undertaken after 11.00pm to minimise noise disturbance to adjoining properties.
14. Provide clear and legible notices displayed at exits and other circulatory areas requesting patrons to leave the premises having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors and the sounding of car horns shall also be discouraged.
15. The premise personal licence holder, designated premise supervisor and door supervisor shall monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.

Appendix 3

Conditions

Relating to Public Safety

1. When disabled people are present, adequate arrangements shall exist to enable their safe evacuation in the event of an emergency. Staff shall be aware of disabilities and react according to a pre-determined plan.
2. All escape routes and exits shall be kept unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.
3. All exit doors whenever the premises are occupied, shall be easily openable in the case of an emergency, without the use of a key, card, code or similar means. Panic bolts shall not be secured with chains, padlocks or other locking devices when the Licensed Premises are being used for the purposes of the licence. Arrangements must be made to ensure that security-fastening devices are displayed in a prominent position under management control when the premises are open to the public.
4. All exit doors shall be regularly checked to ensure that they function satisfactorily and a record of the check kept on the premises.
5. All fire doors shall be maintained effectively self closing and shall not be held open other than by approved devices. Rising butt hinges do not constitute a self closing device for the purposes of this condition.
6. Fire resisting doors to ducts, service shafts, and cupboards shall be kept locked shut to prevent unauthorised access.
7. The edges of steps and stairs shall be conspicuous. Mats, matting, carpets and other floor coverings shall be secured to the surface they cover and shall be so maintained.
8. Safety checks shall be carried out daily before the admission of the public. These shall correspond with the risk assessment and the conditions of the licence.
9. A written record of all periodic tests, examinations, inspections, staff training and results referred to herein shall be made in the log book provided by the Council. The log book shall be kept on the premises at all times and shall be available for examination by authorised officers of the Council, Northumbria Police and by officers of the Tyne and Wear Metropolitan Fire Brigade.
10. All licensed premises shall have a means of giving warning to persons in the event of an outbreak of fire or other emergency. Where determined by the risk assessment that a mains electrical fire alarm is required, this shall be designed to and installed in accordance with British Standard 5838 Current Edition. Activation of the fire alarm shall operate an electronically linked automatic cut off switch to silence any amplified music, this device shall not infringe compliance of the system with the appropriate British Standard.
11. Fire fighting equipment shall be provided in the licensed premises in accordance with the risk assessment with staff suitably trained as necessary.
12. Curtains and drapes shall be adequately supported and shall not be hung across stairs, stairways or gangways. Curtains and drapes may be hung over doors, but shall be so hung as to draw easily and slide freely. All curtains and drapes shall be hung so that they do not come into contact with the floor, and do not conceal notices. All curtains and drapes shall either be inherently flame proof or shall be treated to be flame proof.
13. Upholstered seating shall meet on a continual basis the pass criteria for smouldering ignition source 0, flaming ignition source 1 and crib ignition source 5 when tested in accordance with section 5 of BS 5852:1990 or equivalent standard.
14. Prior advice shall be sought from the Licensing Authority before temporary decorations are used, and the risk assessment amended accordingly.
15. Notices detailing the actions to be taken in the event of fire or other emergency, including how to summon the fire brigade shall be prominently displayed and protected from damage and deterioration.
16. The Licensee must instruct all members of staff and competent attendants in the protection of the premises from fire, the use of fire fighting equipment, the action to be taken in the event of a fire and the method of summoning the Fire Brigade.
17. The responsible person where there is an outbreak of fire, however slight, shall raise the alarm, evacuate the building, and call the fire brigade. Following the incident, the responsible person shall ensure that the details are recorded in a Fire Log Book. Any remedial work necessary to restore fire precautions to their original standard shall be completed with systems fully functional prior to re-admittance of the public.
18. The responsible person shall notify the Licensing Authority as soon as possible if the water supply to any hydrant, hose-reel, sprinkler, drencher or other fire extinguishing installation is cut off or restricted.

19. Access to the premises for emergency vehicles shall be kept clear and free from obstruction.
20. Adequate and appropriate equipment and materials shall be provided for enabling first aid to be rendered to members of the public if they are injured or become ill whilst at the licensed premises.
21. At least one suitably trained first aider per 500 people shall be on duty at all times when the public are present up to the first 3,000 and then one per 1,000 for the remainder.
22. If, having regard to the nature of the premises, the number of persons visiting it and the location of the premises, it would be adequate and appropriate to do so, then instead of a person for rendering first aid there shall be a person appointed to take charge of the situation relating to an injured or ill member of the public and the first aid equipment and facilities.
23. All areas including circulation areas and exit routes shall be adequately illuminated whenever the premises are being used for the purpose of this licence. Such lighting shall be maintained in working order.
24. Fire safety signs must be illuminated in accordance with BS5266 Part 1 Current Edition.
25. Emergency lighting shall be provided in accordance with BS5266 (current edition) or an equivalent standard approved by the Licensing Authority.
26. Emergency lighting shall not be altered without prior consent of the Licensing Authority.
27. The emergency lighting system shall be checked to ensure it is operating correctly before the admission of the public, members or guests.
28. In the event of the failure of normal lighting arrangements shall be in place to ensure that the public, members or guests leave the premises immediately.
29. An investigation into any failure of the system shall be carried out to ascertain whether it is safe for persons to remain in the premises when only the emergency lighting is operating.
30. Emergency lighting installations shall comply with BS 5266 or equivalent standard.
31. Temporary electrical wiring and distribution systems shall not be provided without notification to the licensing Authority at least ten days before commencement of the work and prior inspection by a suitable qualified electrician. Premises shall not be opened to the public until the work is deemed satisfactory by the above parties.
32. Where it is not possible to give ten days notification to the Licensing Authority of provision of temporary electrical wiring and distribution systems, the work shall be undertaken by competent, qualified persons.
33. Temporary electrical wiring and distribution systems shall comply with the recommendations of BS7671 or where applicable BS7909.
34. All temporary electrical wiring and distribution systems shall be inspected and certified by a competent person before they are put to use.
35. An appropriately qualified medical practitioner shall be present throughout a sports entertainment involving boxing, wrestling, judo, karate or similar.
36. Where a ring is constructed for the purposes of boxing, wrestling or similar sports, it must be constructed by a competent person, and inspected by a Building Control Officer of the Council (at the cost of the applicant). Any material used to form the skirt around the ring must be flame retardant.
37. At any wrestling or other entertainment of a similar nature, members of the public shall not occupy any seat within 2.5 metres of the ring.
38. Any Licensee wishing to hold a 'Total Fighting' event on the licensed premises shall first apply to the Council for a variation of this licence and in the event that such application is granted, shall comply with any additional conditions that may be imposed. The term 'Total Fighting' shall include any 'full contact' martial arts involving the combined codes of judo, karate and ju-jitsu, judo, sombo and Olympic wrestling or any other mixed martial arts.
39. At water sports entertainments, staff adequately trained in rescue and life safety procedures shall be stationed and remain within the vicinity of the water at all material times.
40. No alterations shall be made to the premises which make it impossible to comply with an existing licence condition without first seeking a variation of the premises licence proposing the deletion of the condition in question. The applicant will need to propose a new operating schedule reflecting the proposed alteration to the premises and how he or she intends to take alternative steps to promote the public safety objective and amend the risk assessment accordingly.

Conditions

Relating to Public Safety in Theatres, Cinemas, Concert Halls and Similar Places

41. The number of attendants on each floor in a closely seated auditorium shall 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 - 1000	Five
And one additional attendant for each additional 250 persons (or part thereof)	

42. Attendants shall not be engaged in any duties that would hinder the prompt discharge for their duties in the event of an emergency or entail their absence from that floor or auditorium where they are on duty.
43. All attendants shall be readily identifiable to the audience (but this need not entail the wearing of a uniform).
44. 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 any authorised person on request.
45. 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.
46. A copy of any certificate relating to the design, construction and loading of any temporary seating shall be kept available at the premises and shall be shown to any authorised person on request.
47. Sitting on floors shall not be permitted except where authorised in the premises licence or club premises certificate.
48. Waiting or standing shall not be permitted except in areas designated in the premises licence or club premises certificate.

49. In no circumstances shall anyone be permitted to –

- sit in any gangway;
- stand or sit in front of any exit; or
- stand or sit on any staircase including any landings.

50. 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.

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

52. Any special effects or mechanical installation shall be arranged and stored to minimise any risk to the safety of the audience, the performers and staff.

53. Except with the prior written approval of the Council and subject to any conditions, which may be attached to such approval no special effects shall be used on the premises.

Special effects include:

- dry ice machines and cryogenic fog;
- smoke machines and fog generators;
- pyrotechnics, including fireworks;
- real flame;
- 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);
- explosives and highly flammable substances.

54. In the case of any other special effects with safety implications prior notification shall be given in writing by the responsible licensing Authority at least 10 days before the event with details as to their use to enable the Licensing Authority to consider if further inspection by the Fire Licensing Authority is necessary. It may be required that staff trained in fire prevention and extinction be present during any such performance.

55. Any scenery shall be maintained flame-retardant.

56. Where a safety curtain is provided, it shall be arranged to protect the audience from the effects of a fire or smoke on stage for sufficient time to enable the safe evacuation of the auditorium.
57. Where a risk assessment requires a sprinkler or drencher all safety curtains incorporating a drencher, all smoke ventilators and sprinklers (where fitted) shall be maintained unobstructed and in good working order.
58. Where a stage with a proscenium arch is not equipped with a safety curtain, any curtains provided between the stage and the auditorium shall be heavyweight and be made of non-combustible material or inherently or durably treated flame-retarded fabric.
59. All ceilings in those parts of the premises to which the audience are admitted shall be inspected by a suitably qualified person who will decide when a further inspection would be necessary and a certificate concerning the condition of the ceilings forwarded to the licensing Authority.
60. Where the potential audience exceeds 250 all seats in the auditorium shall, except in boxes accommodating not more than 8 persons, be either securely fixed to the floor or battened together in lengths of not fewer than four or more than twelve.
61. Where premises used for film exhibitions are not equipped with a staff alerting system the number of attendants present shall 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	2
And one additional attendant for each additional 250 members of the audience present (or part thereof)	
Where there are more than 150 members of an audience in any auditorium or on any floor	At least one attendant shall be present in any auditorium or on any floor

62. Where premises used for film exhibitions are equipped with a staff alerting system the number of attendants present shall 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 - 1000	Three	Two
1001 - 1500	Four	Four
1501 or more	Five plus one for every 500 (or part thereof) persons over 2000 on the premises	Five plus one for every 500 (or part thereof) persons over 2000 on the premises

63. Staff shall not be considered as being available to assist in the event of an emergency if they are: -
- the holder of the premises licence or the manager on duty at the premises; or
 - a member of staff whose normal duties or responsibilities are likely to significantly affect or delay his response in an emergency situation; or
 - a member of staff whose usual location when on duty is more than 60 metres from the location to which he is required to go on being alerted to an emergency situation.
64. 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.
65. The staff alerting system shall be maintained in working order and be in operation at all times the premises are in use.
66. The level of lighting in the auditorium shall 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).
67. No flammable films shall be allowed on the premises without the prior notification of the licensing Authority/fire Licensing Authority.

Appendix 4

Conditions

Relating to the Prevention of Harm to Children

1. Children under 18 years will not be allowed access to the premises.
2. Children under 12 unaccompanied by an adult over 18 must not be admitted to the premises after 11 pm.
3. Where the Licensing Authority classifies films for the admission of children under 18 years:
 - a. Any film must be submitted to the Licensing Authority at least 28 days before it is shown for classification.
 - b. The premises licence holder or club premises certificate holder must adhere to the age restriction imposed.
4. Only films that have been classified by the British Board of Film Classification as U, PG, 12A, 15 or 18 or as classified by any other body designated under section 4 of the Video Recordings Act 1984 or as otherwise classified by the Licensing Authority may be exhibited on the premises. The premises licence holder or club premises certificate holder must adhere to the age restriction in accordance with the following classification:
 - "U" Universal - means films suitable for audiences aged 4 years and over
 - "PG" Parental Guidance - means films where some scenes that may be unsuitable for young children
 - "12A" - means films passed only for viewing by persons aged 12 years or older or persons under 12 years when accompanied by an adult
 - "15" - means films passed only for viewing by persons aged 15 years and over
 - "18" - means films passed only for viewing by persons aged 18 years and over
5. Immediately before the exhibition of a film there must be exhibited on screen for at least 5 seconds a representation or written statement of the film's classification in such a manner as can be easily read by all persons attending the entertainment and also in the case of a trailer advertising any film.
6. Where a film is to be shown that has been classified as 12A, 15 or 18 the licence holder must cause a notice to be displayed, in a conspicuous position, at the entrance to the premises or room in which the film is to be shown reading:

PERSONS UNDER THE AGE OF [insert as appropriate] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME.

this notice must refer to the oldest age restriction where films of different categories are included in one programme.
7. Children under the age of 18 years shall not have access to the premises (or specified part thereof) during any time when an activity, entertainment or service of an adult and/or sexual nature is provided. For the purposes of this condition entertainment of an adult or sexual nature includes but is not limited to performances involving feigned violence or horrific incidents, entertainment involving strong, foul, offensive or abusive language, nudity, striptease (sometimes referred to as exotic dancing), lap dancing, table dancing, pole dancing, feigned or actual sexual acts or fetishism, or which is likely to offend against good taste or decency or any other entertainment of a similar nature.
8. Entertainment provided wholly or mainly for unaccompanied children shall have:
 - At least one attendant per 50 children or part thereof who must be on duty in the area(s) occupied by the children and stationed in the vicinity of each exit and at the head of each stairway
 - Attendants must wear distinctive clothing or suitable armbands
 - Attendants must be present throughout the entertainment and while the audience is entering and leaving the building
9. The licensee shall ensure that all staff employed to supervise children have been properly vetted (by an enhanced Criminal Records Bureau check) and have no convictions that would make them unsuitable to supervise children.
10. The Children (Performances) Regulations 1968 SI No 1728 as amended regulates the performance of children in shows. An adult must supervise a child or children at all times. There must be one supervisory adult for every 12 children. The show venue must be large enough to safely accommodate the child or children backstage. All chaperones and production crew must receive the fire instruction procedures applicable to the venue prior to the arrival of the child or children. You must consider the adverse effects of special effects upon the health and safety of any child or children.
11. Compliance with the Portman Group's Retailer Alert Bulletins is required.

Appendix 5

The Licensing Act 2003

(Mandatory Licensing Conditions) Order 2010

The following is the Schedule to the above Order which sets out 5 additional mandatory conditions which apply to any existing or future premises licence which authorises the supply of alcohol or club premises certificate permitting the supply of alcohol to members and guests, in both instances where the alcohol is permitted to be consumed on the premises.

Except where a Licence authorises the 'sale by retail' or 'supply of alcohol for consumption off the premises only' the following mandatory conditions apply to an existing or future premises licence or club premises certificate.

SCHEDULE

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability)
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
5. The responsible person shall ensure that:-
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:-
 - (i) beer or cider: 1/2 pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

Appendix 6

Outline of Special Policy Area



Appendix 7

Delegation of Functions

Matters to be dealt with	Full Committee	Sub-committee	Officers
Application for renewal of personal licence		If a police objection	If no objection
Application for personal licence with unspent convictions		All cases	If no objection
Application for premises licence/club premises certificate		If a relevant representation	If no relevant representation
Application for provisional statement		If a relevant representation	If no relevant representation
Application to vary premises licence/club premises certificate		If a relevant representation	If no relevant representation
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection	All other cases
Applications for interim authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate (including summary review brought by Police)		All cases	
Consideration as to whether to take interim steps following a summary review by Police		All cases	
Decision on whether a representation is irrelevant, frivolous, vexatious etc			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a police representation to a temporary event notice		All cases	

Matters to be dealt with	Full Committee	Sub-committee	Officers
Acknowledgement of a temporary event notice			All cases
Issue of Counter Notice in relation to a temporary event notice where permitted limits are exceeded			All cases
Issue of Counter Notice in relation to a temporary event notice following a Police Objection		All cases	
Determination of Applications for a minor variation			All cases
All licensing functions under The Licensing Act 2003 not otherwise dealt with in this schedule except those not capable of delegation			All cases

Note: The Licensing Committee can consider any application; it is not precluded from doing so by reason of the fact that the relevant column above is devoid of any entry.

If you know someone who would like this information in a different format
contact the communications team on 0191 424 7385