



**LICENSING SUB-COMMITTEE**

To: Councillors Pacey, Lowe and Tillotson  
(Reserve Member - Councillor Savage)  
(For attention)

All other members of the Council  
(For information)

You are requested to attend the meeting of the Licensing Sub-committee to be held in Preston Room - Woodgate Chambers on Monday, 24th September 2018 at 10.00 am for the following business.

Chief Executive

Southfields  
Loughborough

6th September 2018

**AGENDA**

1. INTERESTS

Members of the Sub-committee are asked to confirm that they are not aware of any interests or other reason which might prejudice the ability to hold a fair hearing and make a sound determination of the matters to be considered.

2. INTRODUCTIONS AND PROCEDURE FOR MEETING

The Chair is asked to introduce the various parties and explain the procedure to be followed in conducting the hearing.

3. SAFFRON IVY LTD, 1120 MELTON ROAD, SYSTON - APPLICATION FOR A PREMISE LICENCE

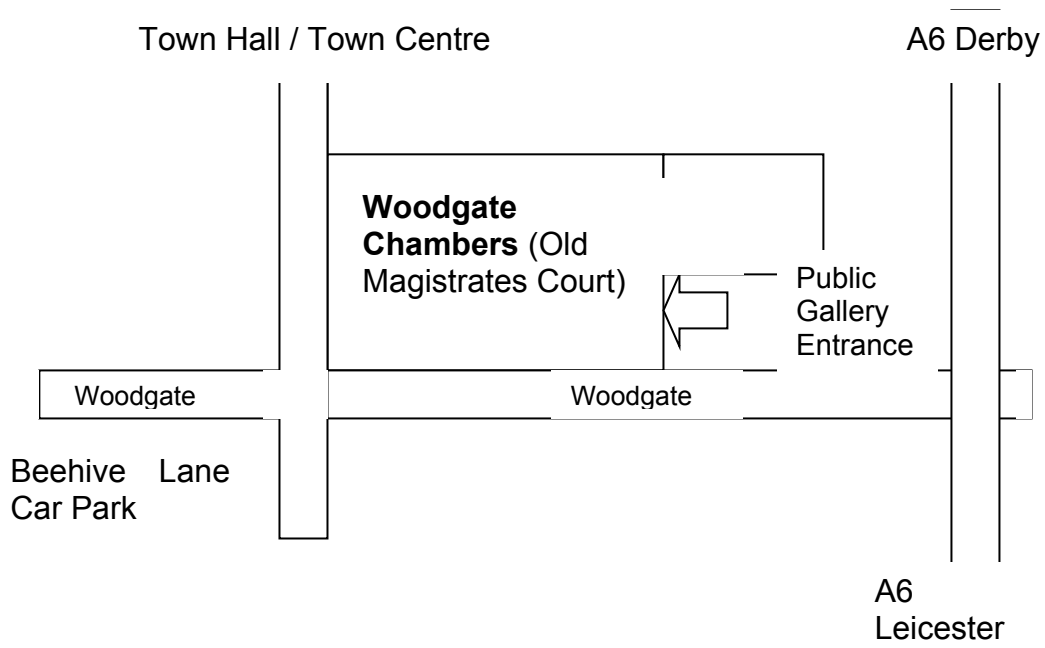
3 - 91

To consider an application for a new premise licence (Saffron Ivy Ltd, 1120 Melton Road, Syston), to which representations from residents have been received.

Papers in respect of the matter are attached for the Sub-committee's consideration.

**WHERE TO FIND WOODGATE CHAMBERS AND PUBLIC ACCESS**

Woodgate Chambers  
70 Woodgate  
Loughborough  
Leics  
LE11 2TZ





**APPLICATION FOR A NEW PREMISE LICENCE – SAFFRON IVY LTD, 1120 MELTON ROAD, SYSTON, LEICS LE7 2HA**

**BUNDLE INDEX**

	<u>Pages</u>
<b>Licensing Manager's Report</b>	<b>4-6</b>
<b>Appendix 1:</b> Application	7-33
<b>Appendix 2:</b> Advert	34-35
<b>Appendix 3:</b> Mandatory Conditions	36-39
<b>Appendix 4:</b> Model Pool of Conditions	40-53
<b>Appendix 5:</b> Representations	54-63
<b>Appendix 6:</b> Relevant Extracts from Charnwood's Licensing Policy	64-89
<b>Appendix 7:</b> Relevant Extracts from the Guidance Issued under Section 182 of the Licensing Act 2003	90-91

**TITLE OF REPORT:**    **Application for a new Premises Licence:**  
Saffron Ivy Ltd, 1120 Melton Road, Syston, Leicestershire,  
LE7 2HA

**REPORT OF:**            **Licensing Manager – Regulatory Services**

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## 1.    **PURPOSE OF THE REPORT**

The Sub-Committee is asked to consider an application from Saffron Ivy Ltd, ('Applicant') for a new Premises Licence for 1120 Melton Road, Syston, Leicester, LE7 2HA. Two representations have been received from residents on Melton Road, Syston and these are to be considered with the application.

## 2.    **CURRENT APPLICATION**

This application was submitted by Saffron Ivy on 27<sup>TH</sup> July 2018 and is attached at **Appendix 1**.

The application was advertised in accordance with the provisions of the Licensing Act Regulations 2005. Copies of the advertising are attached at **Appendix 2**.

This application for a new Premises Licence was made under s17 of the Licensing Act 2003 for the:

- (a)    **Live Music** ( indoors)  
Monday to Friday 11.00 to 23.00  
Saturday            11.00 to 24.00  
Sunday             11.00 to 22.00
  
- (b)    **Recorded Music** ( indoors)  
Monday to Friday 11.00 to 23.00  
Saturday            11.00 to 24.00  
Sunday             11.00 to 22.00
  
- (c)    **Performances of Dance** (indoors)  
Monday to Friday 11.00 to 23.00  
Saturday            11.00 to 24.00  
Sunday             11.00 to 22.00
  
- (d)    **Late Night Refreshment** (indoors)  
Monday to Friday 11.00 to 23.00  
Saturday            11.00 to 24.00  
Sunday             11.00 to 22.00

- (e) **Supply of alcohol** (On the premises)
- |                  |                |
|------------------|----------------|
| Monday to Friday | 11.00 to 23:00 |
| Saturday         | 11.00 to 24:00 |
| Sunday           | 11.00 to 22:00 |
- (f) **Hours premises are open to the public**
- |                  |                |
|------------------|----------------|
| Monday to Friday | 08.00 to 23.30 |
| Saturday         | 08:00 to 24.30 |
| Sunday           | 08.00 to 22:30 |

Mandatory (compulsory) Conditions are issued by the Secretary of State and are applied (where relevant) to all Premises Licences selling alcohol. A full list of all Mandatory Conditions is attached at **Appendix 3**.

The Licensing Authority may attach conditions to any licence which are necessary for the promotion of the Licensing Objectives. A copy of the Model Pool of Conditions from Charnwood Council's Statement of Licensing Policy is attached at **Appendix 4**.

### **Representations**

Two representations have been received from residents on Melton Road, Syston, Leicester on the grounds of the following licensing objectives:

- Prevention of public nuisance

Full details of the representations are attached at **Appendix 5**.

### **Parties**

The Parties to the hearing will be:

- a) The Applicant, Saffron Ivy Ltd
- b) Interested Parties – Residents of Melton Road, Syston.

## **3. FOR CONSIDERATION**

The areas for consideration by the Sub-Committee are:

- The application for a Premises Licence;
- The representations from the residents of, Melton Road, Syston
- Additional Information
- Whether or not the application should be granted; and
- The conditions to be attached to the Premises Licence (if granted).

## **4. POLICY & GUIDANCE**

When carrying out its functions the Sub-Committee must have regard to:

- (a) the Statement of Charnwood Council's Licensing Policy, and
- (b) the Amended Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State.

Relevant parts of the Policy and Amended Guidance are reproduced in **Appendices 6 & 7**. The parties may refer to the Policy and Guidance during the hearing.

## **5. FOR DECISION**

The Sub-Committee is asked to consider the application, decide whether or not it should be granted, and if relevant, attach such conditions as it deems necessary for the promotion of the Licensing Objectives.

27 JUL 2018

**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We SAFFRON IVY LTD  
*(Insert name(s) of applicant)*

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description			
1120 MELTON ROAD SYSTON LEICESTER			
<b>Post town</b>	LEICESTERSHIRE	<b>Postcode</b>	LE72HA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 7900

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i as a limited company/limited liability partnership  please complete section (B)
  - ii as a partnership (other than limited liability)  please complete section (B)
  - iii as an unincorporated association or  please complete section (B)
  - iv other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - statutory function or
  - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		



Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes	
Nationality			
Current residential address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	SAFFRON IVY LTD
Address	21 HIGH VIEW CLOSE HAMILTON OFFICE PARK HAMILTON, LEICESTER LE4 9LJ
Registered number (where applicable)	11241738
Description of applicant (for example, partnership, company, unincorporated association etc.)	
Telephone number (if any)	
E-mail address (optional)	

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
01	08	2018

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)



**Supply of alcohol** (if ticking yes, fill in box J)



**In all cases complete boxes K, L and M**

A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Tue			
Wed			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
Thur								
Fri						<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat								
Sun								

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon	18:00	23:00			
Tue	18:00	23:00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5) CHRISTMAS EVE - MIDNIGHT BANK HOLIDAYS - MIDNIGHT NEW YEARS EVE - MIDNIGHT		
Wed	18:00	23:00			
Thur	17:00	23:00	<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Fri	18:00	23:00			
Sat	18:00	24:00			
Sun	18:00	22:00			

**F**

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon	11:00	23:00						
Tue	11:00	23:00						
Wed	11:00	23:00				<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) CHRISTMAS EVE – MIDNIGHT BANK HOLIDAYS – MIDNIGHT NEW YEARS EVE – MIDNIGHT		
Thur	11:00	23:00						
Fri	11:00	23:00				<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	11:00	24:00						
Sun	11:00	22:00						

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	11.00	23.00			
Tue	14:00	23:00			
Wed	18:00	23:00	State any seasonal variations for the performance of dance (please read guidance note 5) CHRISTMAS EVE – MIDNIGHT BANK HOLIDAYS – MIDNIGHT NEW YEARS EVE – MIDNIGHT		
Thur	18:00	23:00			
Fri	18:00	23:00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	16:00	24:00			
Sun	14:00	22:00			



# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur					
Fri			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Sat					
Sun			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	17:00	23:00			
Tue	17:00	23:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5) CHRISTMAS EVE – MIDNIGHT BANK HOLIDAYS – MIDNIGHT NEW YEARS EVE – MIDNIGHT		
Wed	17:00	23:00			
Thur	17:00	23:00	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri	17:00	23:00			
Sat	17:00	24:00			
Sun	17:00	22:00			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption</b> – <b>please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)  CHRISTMAS EVE – MIDNIGHT BANK HOLIDAYS – MIDNIGHT NEW YEARS EVE – MIDNIGHT		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00			
Fri	11:00	23:00			
Sat	11:00	24:00			
Sun	11:00	22:00			
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name KAMINIBEN MANDALIA	
Date of birth 10/01/1990	
Address 34 ROSEDALE AVENUE	
Postcode	LE4 7AU
Personal licence number (if known) LEIPRS 4098	
Issuing licensing authority (if known) LEICESTER CITY COUNCIL	



K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).**

N/A

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	08:00	23:30	CHRISTMAS EVE - MIDNIGHT BANK HOLIDAYS - MIDNIGHT NEW YEARS EVE - MIDNIGHT
Tue	08:00	23:30	
Wed	08:00	23:30	
Thur	08:00	23:30	
Fri	08:00	23:30	
Sat	08:00	24:30	
Sun	08:00	22:30	

**Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list** (please read guidance note 6)

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

NO SERVING ALCOHOL TO UNDERAGE CUSTOMERS AND ENSURING TO CHECK ID IN ALL CIRCUMSTANCES. NO SORT OF AGGRESSIVE BEHAVIOUR SHOULD BE PERMITTED ON SITE. NO ENTRY FOR PEOPLE WHO ARE DRUNK AND BEHAVING ABNORMALLY. NO HARM SHOULD BE CAUSED TO CHILDREN IN ANY FORM. VIOLENCE AND AGGRESSIVE BEHAVIOUR STRICTLY BEING PROHIBITED FROM PREMISES.

**b) The prevention of crime and disorder**

CCTV SYSTEMS TO MONITOR AND OBSERVE ANY SORT OF ACTIVITY WHICH COULD TAKE PLACE AT OR THE SURROUNDING OF THE PREMISES. STAFF WILL BE TRAINED TO SUPERVISE AND MANAGE SITUATIONS IN THE MOST APPROPRIATE WAY. ENSURE APPROPRIATE REJECTION POLICIES ARE IN PLACE I.E. TO DISCARD ENTRY TO ANY CUSTOMER WHO MAY CAUSE NUISANCE AWARENESS OF NO DRINK DRIVING WOULD BE MADE VIA PROMOTING ALTERNATIVE USE OF TRANSPORT I.E. TAXI SERVICE.

**c) Public safety**

APPROPRIATE EMERGENCY SIGNS PUT UP FOR SAFETY SUCH AS FIRE EXIT SIGNS. FIRST AID KIT IS EASILY ACCESSIBLE IN CASE OF EMERGENCIES. SUSPICIONS OF CRIMINAL ACTIVITY COULD BE DETECTED AND KEPT CLOSE ATTENTION VIA CCTV. HEALTH AND SAFETY HAZARDS MINIMISED E.G. CORRECT AND QUICK CLEARANCE, DISPOSAL OF BROKEN GLASS TO PREVENT RISK TO PUBLIC. ENSURING SUITABLE SPACE IS AVAILABLE FOR EMERGENCY ASSISTANCE.

**d) The prevention of public nuisance**

NOISE IS KEPT LOW IN TERMS OF CUSTOMERS AND MUSIC. CLEANING ACTIVITIES SUCH AS REMOVAL OF RUBBISH AND WASTE BINS OFF SITE IS DONE IN A TIMELY MANNER TO MINIMISE THE DISTURBANCE CAUSED TO LOCAL RESIDENTS.

**e) The protection of children from harm**



CHALLENGE 18/21 SIGNS TO PROMOTE 'NO ID, NO SALE' KEEPING CHILDREN RESTRICTED FROM BEING ABLE TO PURCHASE AND CONSUME ALCOHOL. RESTRICTING CONSUMPTION OF ALCOHOL TO ADULTS WHOM ARE WITH CHILDREN.

**Checklist:**

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
Signature	
Date	27/07/18.
Capacity	DIRECTOR

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

#### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.



- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
- 3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
- 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
- 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
- 10. Please list here steps you will take to promote all four licensing objectives together.
- 11. The application form must be signed.
- 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
- 14. This is the address which we shall use to correspond with you about this application.
- 15. **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a

licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

#### **Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.



- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;

- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

**Consent of individual to being specified as premises supervisor**

I MISS KAMINIBEN MANDALIA  
*[full name of prospective premises supervisor]*

of 34 ROSEDAL E AVENUE  
LE4 7AU  
LEICESTER

*[home address of prospective premises supervisor]*

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

PREMISES LICENCE  
*[type of application]*

by

MISS KAMINIBEN MANDALIA  
*[name of applicant]*

relating to a premises licence   
*[number of existing licence, if any]*

for SAFFRON IVY LTD  
1120 MELTON ROAD  
LE7 2HA  
SYSTON  
LEICESTER

*[name and address of premises to which the application relates]*

and any premises licence to be granted or varied in respect of this application made by

KAMINIBEN MANDALIA  
*[name of applicant]*

concerning the supply of alcohol at

SAFFRON IVY LTD  
1120 MELTON ROAD  
LE7 2HA  
SUSTON

*[name and address of premises to which application relates]*

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

LE1PRS4098  
*[insert personal licence number, if any]*

Personal licence issuing authority

LEICESTER CITY COUNCIL  
*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed

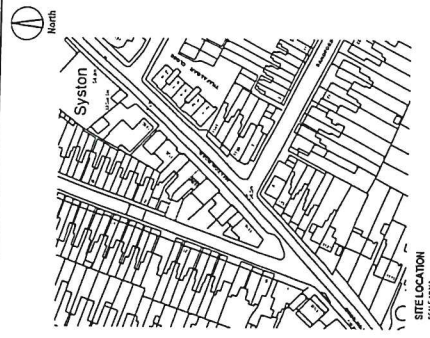
Name (please print)

MISS KAMINIBEN MANDALIA

Date

27/07/18





Design Stage	FEASIBILITY	DESIGN	TENDER	CONSTRUCTION
Planning	PLANNING	PLANNING	PLANNING	PLANNING
Building Regulations	AS BUILT	AS BUILT	AS BUILT	AS BUILT

Local Site Area = 125 Sqm  
 Existing Ground Floor Print = 81 Sqm  
 Proposed Ground Floor Print = 81 Sqm  
 Total Sqm Increase = Ground Floor = 0.0 Sqm

Notes:  
 Red Line = Site Boundary  
 Blue Line = Adjacent Council Site

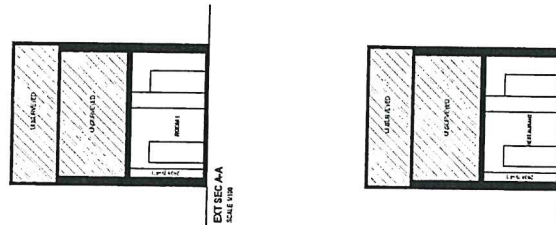
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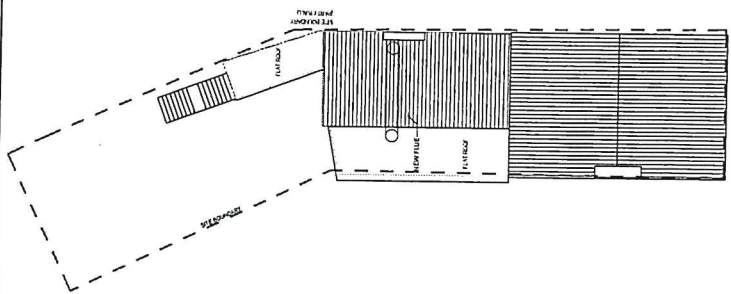
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 Leamington Spa  
 CV32 3JF  
 Tel: 01922 521174  
 Email: info@designstudioarchitects.co.uk  
 Web: www.designstudioarchitects.co.uk

Project: 17112 - 11231 Station Road, Syston, LE12 7NA  
 Client: Mr. James Pugh  
 Sheet Title: Planning Application Information  
 Ref: 0244/17112/PROJ-AL-01/A  
 Scale: Version Q. 01  
 Date: 26/10/2017  
 Checked: K.S.  
 Drawn: A.K.

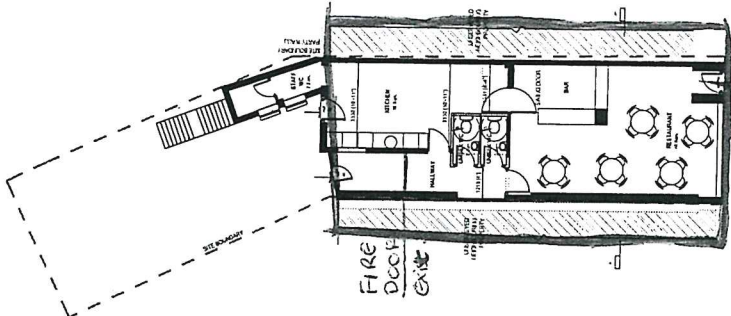
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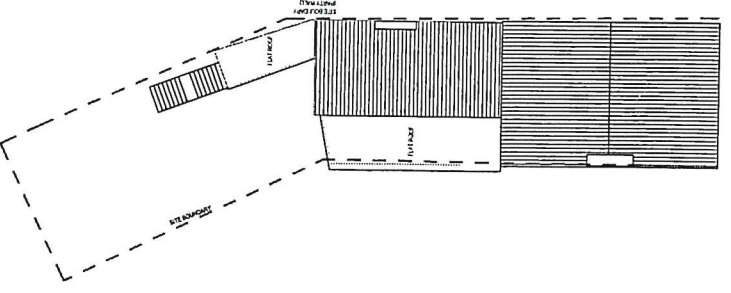
PRO SEC A-A  
SCALE 1/10



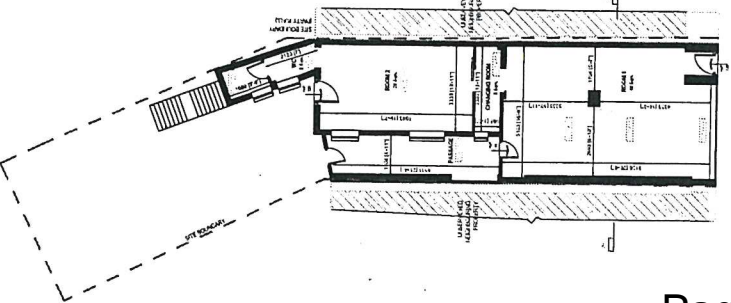
PROPOSED ROOF PLAN  
SCALE 1/100



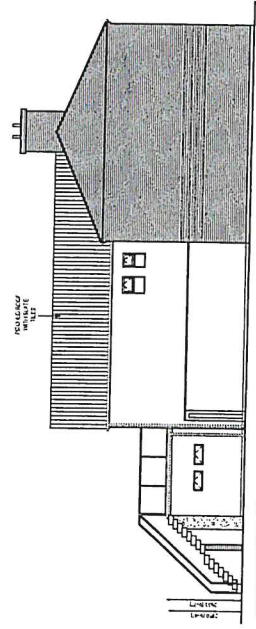
PROPOSED GROUND FLOOR PLAN  
SCALE 1/100



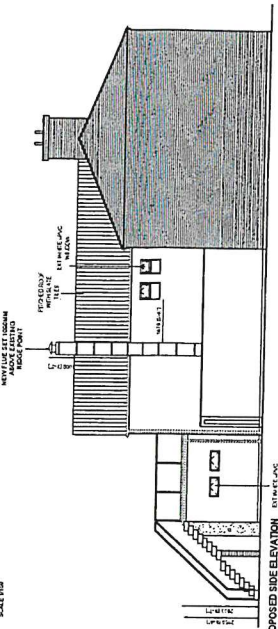
EXISTING ROOF PLAN  
SCALE 1/100



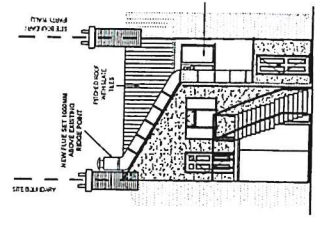
EXISTING GROUND FLOOR PLAN  
SCALE 1/100



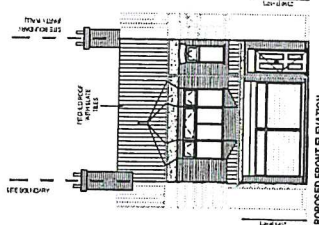
PROPOSED SIDE ELEVATION  
SCALE 1/100



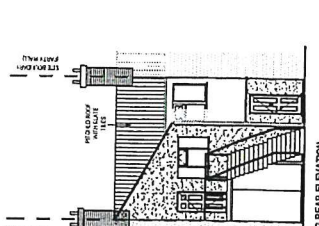
EXISTING SIDE ELEVATION  
SCALE 1/100



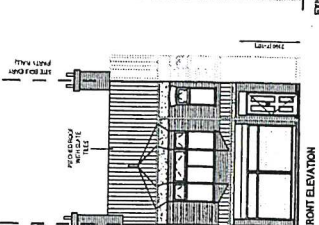
PROPOSED REAR ELEVATION  
SCALE 1/100



EXISTING REAR ELEVATION  
SCALE 1/100



PROPOSED FRONT ELEVATION  
SCALE 1/100



EXISTING FRONT ELEVATION  
SCALE 1/100



Loughborough Echo - 1.8.18.

# Business

## Public Notices

**AN APPLICATION HAS BEEN SUBMITTED TO CHARNWOOD BOROUGH COUNCIL AS FOLLOWS:-**

Type of Application	Grant	
Name of Applicant	Saffron Ivy Ltd	
Premises Name	Saffron Ivy Ltd	
Address of premises	1120 Melton Road, Syston, Leicester, LE7 2HA	
Type of activity to be licensed	Days & times Licensable activities are to take place	
Sale of alcohol on Premises. Provision of entertainment: Recorded music, live music, performances of dance. Provision of late night refreshments.	Monday	Seasonal Variations: Christmas Eve - Midnight Bank Holiday - Midnight New Years Eve - Midnight
	11:00 - 23:00	
	Tuesday	
	11:00 - 23:00	
	Wednesday	
	11:00 - 23:00	
	Thursday	
11:00 - 23:00		
Friday	11:00 - 23:00	
Saturday	11:00 - 24:00	
Sunday	11:00 - 22:00	

**LICENSING ACT 2003  
NOTICE OF APPLICATION FOR A PREMISES LICENCE**

Application has been made by Stores Limited to the Licensing Authority of Charnwood Borough Council for a Premises Licence for the Aldi Store at Allendale Loughborough, LE11 2LN. The proposed licensable activity is the sale by retail of alcohol for consumption off the premises each day of the week between 11:00 and 23:00. Full details of the Application can be viewed at the offices of the Licensing Authority at Charnwood Borough Council Offices, Southfield Road, Loughborough, Leicestershire LE11 2TX ([www.charnwood.gov.uk](http://www.charnwood.gov.uk)). Written representations can be made to the Licensing Authority at any time and including 22 August 2018. It is an offence for anyone knowingly or recklessly to make a false statement in connection with a Licence Application. The maximum fine on summary conviction is £5,000. Dated 24 July 2018  
**Freeths LLP, Solicitors.**

**HILARY MORRISS  
(Deceased)**

Pursuant to the Trustee Act 1925 any persons having a claim or an interest in the Estate of the aforementioned deceased of 42 Burton Walk East Leicestershire LE12 6LB, who died on 05/07/2018, are required to provide particulars thereof in writing to the undersigned Solicitors on or before 05/10/2018, after which date the Estate will be distributed. This regard only to claims and interests which they have had notice.

**HAWLEY and RODGERS**  
19/23 Granby Street Loughborough Leicestershire LE11 3DY

**GERALD JOHN SCOTT  
(Deceased)**

Pursuant to the Trustee Act 1925 any persons having a claim or an interest in the Estate of the aforementioned deceased of Castle Donington Nursing Residential Home Castle Donington Derby, who died on 12/06/2018, are required to provide particulars thereof in writing to the undersigned Solicitors on or before 05/10/2018, after which date the Estate will be distributed. This regard only to claims and interests which they have had notice.  
**BIRD WILFORD & SALES**  
20 Church Gate Loughborough Leicestershire LE11 1UD

Dated: 27.07.18  
Any objections in respect of the application should be made in writing to: Licensing Manager, Charnwood Borough Council, Council Offices, Southfield Road, Loughborough, Leicestershire, LE11 2TX, and must be made by the following date:- 24.08.2018

A record of the application can be inspected at the Council Offices at the aforementioned address during normal office hours. It is an offence to knowingly or recklessly make a false statement in or in connection with an application. Any person found guilty of such offence shall be liable on summary conviction to a maximum fine in the sum of £5000.00. Guidance for making objections can be found at: [https://www.charnwood.gov.uk/files/documents/premises licence representation form from interested parties/Representation%20Form%20From%20Interested%20Parties.doc](https://www.charnwood.gov.uk/files/documents/premises%20licence%20representation%20form%20from%20interested%20parties/Representation%20Form%20From%20Interested%20Parties.doc)

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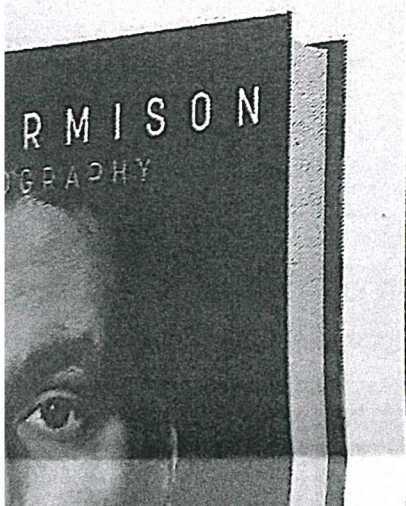
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SPECIMEN PUBLIC NOTICE FOR A NEWSPAPER/NOTICE FOR DISPLAY ON THE PREMISE

**AN APPLICATION HAS BEEN SUBMITTED TO CHARNWOOD BOROUGH COUNCIL AS FOLLOWS:-**

Type of application (grant or variation)	GRANT
Name of Applicant	SAFFRON IVY LTD
Premises Name	SAFFRON IVY LTD
Address of premises	1120 MELTON ROAD SYSTON LEICESTER LE7 2HA
Type of activity to be licensed	Days and times Licensable activities are to take place
SALE OF ALCOHOL ON PREMISES PROVISION OF ENTERTAINMENT - RECORDED MUSIC - LIVE MUSIC - PERFORMANCES OF DANCE PROVISION OF LATE NIGHT REFRESHMENTS	Monday 11:00 - 23:00 Tuesday 11:00 - 23:00 Wednesday 11:00 - 23:00 Thursday 11:00 - 23:00 Friday 11:00 - 23:00 Saturday 11:00 - 24:00 Sunday 11:00 - 22:00

Dated: 27/07/18

Any objections in respect of the application should be made in writing to:  
Licensing Manager, Charnwood Borough Council, Council Offices, Southfield Road, Loughborough, Leicestershire, LE11 2TX, and must be made by the following date:- 24/08/18.

A record of the application can be inspected at the Council Offices at the aforementioned address during normal office hours. It is an offence to knowingly or recklessly make a false statement in or in connection with an application. Any person found guilty of such offence shall be liable on summary conviction to a maximum fine in the sum of £5000.00. Guidance for making objections can be found at:

[https://www.charnwood.gov.uk/files/documents/premises\\_licence\\_representation\\_form\\_from\\_interested\\_parties/Representation%20Form%20From%20Interested%20Parties.doc](https://www.charnwood.gov.uk/files/documents/premises_licence_representation_form_from_interested_parties/Representation%20Form%20From%20Interested%20Parties.doc)

## MANDATORY CONDITIONS

### Mandatory Conditions applicable to all Premises Licences & Club Premises Certificates under the Licensing Act 2003

#### Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

#### Exhibition of Films

3. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
4. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
5. Where-
  - (a) The film classification body is not specified in the licence, or
  - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,admission of children must be restricted in accordance with any recommendation made by that licensing authority.
6. In this section “Children” - means persons aged under 18; and “Film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

#### Door Supervision

7. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, that licence must include a condition that each such individual must:
  - (a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001;
  - (b) Be entitled to carry out activity by virtue of section 4 of the Act.

8. But nothing in subsection (1) requires such a condition to be imposed:
- (a) In respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films); or
  - (b) In respect of premises in relation to:
    - (i) Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
    - (ii) Any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
9. For the purposes of this section:
- (a) "Security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and which is licensable conduct for the purposes of that Act.
  - (b) Paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

#### **Age Verification**

10. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
11. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
12. 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 either:
- (a) a holographic mark, or
  - (b) an ultraviolet feature.

#### **Permitted Price**

13. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
14. For the purpose of this condition set out in paragraph 1:
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);
  - (b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$



Where:

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) 'relevant person' means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(b).

15. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

16. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**Irresponsible Drink Promotions (applicable to 'on' & 'off' sales)**

17. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

18. 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:



- (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 in a manner which carries a significant risk of undermining a licensing objective;
  - (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 in a manner which carries a significant risk of undermining a licensing objective;
  - (d) 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;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
19. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

### **Alcoholic Drink Measures**

20. The responsible person must 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: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”



## POOL OF MODEL CONDITIONS – Licensing Act 2003

### CONDITIONS RELATING TO THE PREVENTION OF CRIME AND DISORDER

#### 1. Text/Radio Pagers.

The Licensee will join the Pubwatch scheme operating in the area and will ensure that

- The text/pager equipment is kept in working order at all times
- The pager link be activated, made available to and monitored by the designated premises supervisor or a responsible member of staff at all times that the premises are open to the public
- Any police instructions/directions are complied with whenever given, and
- All instances of crime and disorder are reported via the text/radio pager link by the designated premises supervisor or a responsible member of staff to an agreed police contact point

#### 2. Door Supervisors.

Where the condition is imposed on the provision of door supervisors the following may also be applied depending upon the circumstances affecting the premise

- (a) The Licensee will employ sufficient registered door staff to deal with any likely contingency.
- (b) Any employed door staff will wear a name badge as identification.
- (c) Each door supervisor will carry proof of his/her registration with the Security Industry Authority.
- (d) Door supervisors will be stationed at a location either inside or outside the premises and at times to be determined by the licensee as being appropriate.
- (e) If Door supervisors are required to undertake body searches then at least one female supervisor should be available to undertake the body searches of female customers.
- (f) Where door supervisors are required the Licensee will keep records showing the names of the supervisor and the date/time that they were employed.

#### 3. Bottle bans

The licensee will ensure that:

- (a) No bottles containing beverages of any kind, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff serving away from the bar.
- (b) No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public (Note: this will not include those customers carrying sealed bottles for the purposes of consumption off the premises i.e. at off-licences).

An exception to these conditions will be bottles containing wine sold for consumption with a table meal by customers who are seated in an area set aside from the main bar area for the consumption of food.

#### **4. Plastic containers and toughened glass**

The licensee will ensure that only plastic or toughened glass containers will be used for the supply of beverages.

#### **5. CCTV**

The licensee will ensure that CCTV is installed following advice from the Leicestershire Constabulary Crime Reduction Officer and maintained in accordance with the Information Commissioner's CCTV Code of Practice.

#### **6. Open containers not be taken from premises**

The licensee will ensure that no customers shall take glasses or open bottles from the premises.

#### **7. Restrictions on drinking areas**

The licensee will ensure that no alcoholic drinks will be consumed in the area marked (in red) on the plan (numbered.....) whilst activity is taking place.

#### **8. Proof of age cards**

The licensee shall introduce a policy requiring the production of "proof of age" for any sale that takes place where there is any suspicion that the customer is under 18. Such proof may include a pass conforming to the PASS accreditation system, photo driving licence, student cards and passports.

#### **9. Crime prevention notices**

The licensee will ensure that suitable notices are displayed warning customers of the prevalence of crime which may target them, for example, pick pockets or bag snatchers, the need to guard their property and leaving property unattended. The licensee will be directed over the provision of such notices by the Police crime prevention officer.

#### **10. Drinks promotions**

The licensee will not introduce or carry on any irresponsible sales promotion or irresponsible discounting of prices of alcoholic beverages.

#### **11. Signage**

The licensee will ensure that:

- (a) A sign indicating the normal hours during licensable activities are permitted to take place to be displayed on or immediately outside the premises.
- (b) Any restrictions of the admission of children to be displayed on or immediately outside the premises.

## **12. High Volume Vertical Drinking establishments (HVVD's)**

The licensee will ensure the adherence to

- A prescribed capacity
- An appropriate ratio of tables and chairs to customers based on the capacity
- The presence of SIA registered security teams to control entry for the purpose of compliance with the capacity limit

## **13. Drugs**

The licensee will adopt the Leicestershire Constabulary's drugs policy.

## **14. Trading Late**

The licensee will adopt the Leicestershire Constabulary's searching policy and conditions of entry.

The licensee will adopt the Leicestershire Constabulary's risk assessment policy in respect of events.

## **CONDITIONS RELATING TO PUBLIC SAFETY (INCLUDING FIRE SAFETY)**

### **15. Disabled people**

The licensee will ensure that

- (a) When disabled people are present adequate arrangements exist to enable their safe evacuation in the event of an emergency.
- (b) Disabled people on the premises are made aware of those arrangements.

### **16. Escape routes**

The licensee will ensure the proper maintenance of all escape routes and exits including external exits. This will require that such exits are kept unobstructed, in good order with non slippery and even surfaces, free of trip hazards and clearly identified. In premises where chairs and tables are provided all internal gangways must be kept unobstructed.

The licensee will ensure that



- (a) All exit doors are easily openable without the use of a key, card, code or similar means.
- (b) Doors at such exits are regularly checked to ensure that they function satisfactorily and a record of such checks are kept.
- (c) Any removable security fastenings are removed whenever the premises are open to the public or occupied by staff.
- (d) All fire doors are maintained effectively self-closing and shall not be held open other than by approved devices (for example, electromagnetic releases operated by smoke detectors).
- (e) Fire resisting doors to ducts, service shafts and cupboards shall be kept locked shut.
- (f) The edges of the treads of steps and stairways are maintained so as to be conspicuous.

#### **17. Safety checks**

The licensee will ensure

- (a) That safety checks are carried out before the admission of the public.
- (b) Details of such checks are kept in a log book.

#### **18. Curtains, hangings, decorations and upholstery**

The licensee will ensure that

- (a) Hangings, curtains and temporary decorations are maintained in a flame retardant condition.
- (b) Any upholstered seating meets on a continuous 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 BS5852:1990.
- (c) Curtains, hangings and temporary decorations are arranged so as not to obstruct exits, fire safety signs or fire fighting equipment.
- (d) Temporary decorations are not used without a review of the Fire risk assessment and prior notification to the Licensing Authority.

#### **19. Accommodation limits**

The licensee will ensure that any capacity limit imposed under this licence/certificate is not exceeded.

The person responsible for the day to day management of the premises should be aware of the number of people on those premises and required to inform any authorised person on request.

#### **20. Fire action notices**

The licensee will ensure that notices detailing the actions to be taken in the event of fire or other emergencies including how the fire brigade are summoned are prominently displayed and protected from damage and deterioration.

**21. Outbreaks of fire**

The licensee will ensure that the Fire Brigade must be called at once to any outbreak of fire, however slight, and the details recorded in a fire log book.

**22. Loss of water**

The licensee will ensure that the local fire control centre are notified 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.

**23. Access for emergency vehicles**

The licensee will ensure that access for emergency vehicles is kept clear and free from obstruction.

**24. First aid**

The licensee will ensure that

- (a) Adequate and appropriate supply of first aid equipment and materials is available on the premises.
- (b) If necessary, at least one suitably trained first aider shall be on duty when the public are present and if more than one suitably trained first aider that their respective duties are clearly defined.

**25. Lighting**

The licensee will ensure that

- (a) In the absence of adequate daylight the lighting in any area accessible to the public, members or guests shall be fully in operation when they are present.
- (b) Fire safety signs are adequately illuminated.
- (c) Emergency lighting is not altered.
- (d) Emergency lighting batteries are fully charged before the admission of public, members or guests.
- (e) In the event of the failure of normal lighting, where the emergency lighting battery has a capacity of one hour, arrangements are in place to ensure that the public, members or guests leave the premises within 20 minutes unless within that time normal lighting has been restored and the battery is being recharged; and, if the emergency lighting battery has a capacity of 3 hours, the appropriate period by the end of which the public should have left the premises is one hour.

**26. Temporary electrical installations**

The licensee will ensure that

- (a) Temporary electrical wiring and distribution systems are not provided without prior inspection by a suitable qualified electrician.
- (b) Temporary electrical wiring and distribution system shall comply with the recommendations of BS 7671 or where applicable BS 7909.
- (c) Where they have not been installed by a competent person, temporary electrical wiring and distribution systems are inspected and certified by a competent person before they are put to use.

## **27. Indoor sports entertainments**

The licensee will ensure that

- (a) If necessary, an appropriately qualified medical practitioner is present throughout the sports entertainment involving boxing, wrestling, judo, karate or other sports entertainment of a similar nature.
- (b) Where a ring is involved it is constructed and supported by a competent person and inspected by a competent authority and any material used to form the skirt around the ring is flame retardant.
- (c) At any wrestling or other entertainment of a similar nature members of the public do not occupy any seat within 2.5 metres of the ring.
- (d) At water sports entertainment, staff are adequately trained in rescue and life safety procedure and stationed and remain within the vicinity of the water at all material times.

## **28. Alterations to the premises**

Premises should not be altered in such a way as to make it impossible to comply with an existing licence condition without first seeking a variation of the premises licence proposing the deletion of the condition relating to the public safety in question.

## **29. Special effects**

Any special effects or mechanical installation should be arranged and stored so as to minimise any risk to the safety of the audience and performers and staff.

Special effects which should be considered include:

- Dry ice machines and cryogenic fog
- Smoke machines and fog generators
- Pyrotechnics including fireworks
- Real flame
- Fire arms
- Motor vehicles
- Strobe lighting
- Lasers
- Explosives and highly flammable substances



These special effects must only be used on the provision of a suitable and sufficient risk assessment and prior notification to the licensing authority.

Conditions relating to theatres, cinemas, concert halls and similar places (promotion of public safety)

Premises used for closely seated audiences

### 30. Attendants

- (a) The number of attendants on each floor in a closely seated auditorium should be as set out in 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	1
101-250	2
251-500	3
501-750	4
751-1000	5
And one additional attendant for each additional 250 (or part thereof)	

- (b) Attendants shall not be engaged in any duties that would hinder the prompt discharge of their duties in the event of an emergency or entail their absence from that floor or auditorium where they are on duty.
- (c) Any attendant shall be readily identifiable to the audience (but this need not entail the wearing of a uniform).
- (d) The premises shall not be used for a closely seated audience except in accordance with seating plan(s), a copy of which is available at the premises and shall be shown to any authorised person on request.
- (e) No article shall be attached to the back of any seat which would reduce the clear width of seatways or cause a tripping hazard or obstruction.
- (f) A copy of any certificate relating to the design, construction and loading of any temporary seating shall be kept available at the premises and shall be shown to any authorised person on request.

### 31. Standing and sitting in gangways

- (a) Sitting on floors shall not be permitted except where authorised in the premises licence or club premises certificate.
- (b) Waiting or standing shall not be permitted except in areas designated in the premises licence or club premises certificate.
- (c) In no circumstance shall anyone be permitted to
- (i) Sit in any gangway
  - (ii) Stand or sit in front of any exit, or
  - (iii) Stand or sit on any staircase including any landings

### 32. Drinks



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

### **33. Balcony fronts**

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

### **34. Special effects**

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

Special effects include:

- Dry ice machines and cryogenic fog
- Smoke machines and fog generators
- Pyrotechnics including fireworks
- Real flame
- Fire arms
- Motor vehicles
- Strobe lighting
- Lasers (see HSE guide "the radiation safety of lasers used for display purposes [HS(G)95] and BSEN 60825: Safety of Laser Products)
- Explosives and highly flammable substances

In certain circumstances it may be necessary to require that certain special effects are only used with the prior notification of the Licensing Authority or [inspection by] fire authority.

### **35. Scenery**

Any scenery should be maintained as being flame retardant.

### **36. Safety curtain**

Where a safety curtain is provided it should be arranged so as to protect the audience from the effects of a fire or smoke on stage for some sufficient time to enable the safe evacuation of the auditorium.

Where a stage with a proscenium arch is not equipped with a safety curtain, any curtains provided between the stage and the auditorium should be heavyweight and be made of non combustible material inherently or durably treated flame retardant fabric.

### **37. Ceilings**

All ceilings in those parts of the premises to which the audience are admitted should be inspected by a suitably qualified person who will decide whether a further inspection would be necessary and a certificate concerning the conditions of the ceilings forwarded to the Licensing Authority.

### **38. Seating**

Where the potential audience exceeds 250 all seats in the auditorium should, 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 4 or more than 12.

Premises used for film exhibitions

**39. Attendance – premises without a staff alerting system**

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

Number of members of the audience present on the premises	Minimum number of attendants required to be on duty
1-250	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

**40. Attendance – premises with a staff alerting system**

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

Number of members of the audience present on the premises	Minimum number of attendants required to be on duty	Minimum number of other staff on the premises who are available to assist in the event of an emergency
1-500	2	1
501-1000	3	2
1001-1500	4	4
1501 or more	5 plus one for every 500 (or part thereof) persons over 2000 on the premises	5 plus one for every 500 (or part thereof) persons over 2000 on the premises

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

- (i) The holder of the premises licence or the manager on duty at the premises or
- (ii) A member of staff whose normal duties or responsibilities are likely to significantly effect or delay his response in an emergency situation
- (iii) 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.

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

under observations all parts of the premises to which the audience have access.

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

**41. Minimum lighting**

The level of lighting in the auditorium should be as great as possible consistent with the effective presentation of the film and the level of illumination maintained in the auditorium during the showing of films would normally be regarded as satisfactory if it complies with the stands specified in BS CP1007(maintained lighting for cinemas).

**42. Flammable films**

No flammable films should be allowed on the premises without the prior notification of the licensing authority/fire authority.

**CONDITIONS RELATING TO PREVENTION OF PUBLIC NUISANCE**

**43. Hours**

- (a) Any appropriate restrictions on opening hours
- (b) Any appropriate restrictions when certain licensable activities can take place
- (c) Any appropriate restrictions on parts of the premises that might be used for certain licensable activities at certain times.

**44. Noise**

- (a) Noise impact assessment of the licensed activities at the premises must be carried out to the satisfaction of the licensing authority. Proposed steps to prevent noise must, if necessary, also be submitted for inclusion within the operating schedule.
- (b) The following licensed activities that have the potential to create public nuisance shall not be permitted unless they are done so in accordance with the controls below:

For example

Activity	Control
Playing of amplified, pre-recorded music	Music shall only be played in the main function suite and shall go on no later than 23.30

- (i) A noise limiting device shall be installed, fitted and maintained in such a manner as to control all sources of amplified music at the premises. Once set such a device should be inaccessible to the licensee or her staff.
- (ii) All [external doors / windows] must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place. Ventilation or air conditioning may be required in warm weather.



(iii) The [doors / windows] at [specify] shall be fitted with [double /secondary] glazing in order to improve the sound attenuation of the premises.

(iv) No music or speech shall be relayed via external speakers other than for events with the prior approval of the licensing authority.

(vi) A [sound trap lobby / acoustic door / automatic door closer] shall be installed to [describe the location].

(vii) A scheme of soundproofing the [relevant parts] of the premises must be agreed with the licensing authority and the work completed to the licensing authorities satisfaction.

(viii) [Openings / specify] in the external fabric of the premises must be acoustically sealed to the satisfaction of the licensing authority.

(ix) An alarm shall be fitted to [all external windows / fire doors] which alerts staff when [they / it] are opened without authorisation.

(x) The specification, location and orientation of all permanently fixed speakers shall be agreed with the licensing authority.

(xi) No fireworks or other pyrotechnics shall be used other than with the prior consent of the licensing authority.

(xii) Noise from the premises shall not result in exceedences of the following noise levels expressed as[x minute Laeq] at [stated location];

Frequency Range	From a hours to b hours	From y hours to z hours
[Whole range]	x dBA	y dBA
[63Hz octave band]	x dBA	y dBA
[125 Hz octave band]	x dBA	y dBA

(xiii) Prominent, clear notices shall be displayed at [all exits / in the beer garden] requesting customers to respect the needs of local residents and leave the premises and the area quietly.

(xiv) The [garden / patio] must not be used by customers after the hours of xx.xx.

(xv) The car park must be securely locked to prevent access to customers cars between xx.xx and yy.yy. Larger car parks to be managed to prevent disturbance particularly when they are adjacent to residential premises.

(xvi) Disposal of waste bottles into external receptacles where the noise will be audible to neighbouring properties must not occur between xx.xx and yy.yy

(xvii) Arrangements must be put in place to ensure that waste collection contractors do not collect refuse between xx.xx and yy.yy.

(xviii) Staff must be given adequate training to prevent them causing unnecessary noise when they leave the premises and prominent, clear notices displayed at all points where staff leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.



(xix) The licensee or a nominated representative shall receive and respond to complaints throughout the duration of all noisy events.

(xx) No inflatable play equipment shall be used without the agreement of the Licensing Authority with respect to its hours of use and other conditions as may be appropriate.

(xxi) The [car park/ garden] shall be managed to ensure that it is not used for [ball games /skateboarding/ other noisy recreational activities].

(xxii) Acoustic screens/enclosures to be used to prevent the spread of noise from equipment.

(xxiii) External plant to be properly maintained to prevent mechanical deterioration.

#### **45. Litter and Waste**

An adequate number of waste receptacles for use by patrons shall be provided in positions agreed with the licensing authority and it shall be the responsibility of the licensee to empty and dispose of the collected refuse at a frequency to be agreed with the licensing authority.

Such collections should also be carried out at reasonable hours of the day.

The licensee shall comply with the Voluntary Code of Practice For The Fast Food Industry (DEFRA 2003) or any document which supersedes this.

#### **46. Lighting**

Any artificial lighting on the premises must not cause nuisance due to glare unless it is considered necessary by the local Police force to prevent crime and disorder.

#### **47. Noxious smells**

The licensee shall endeavour to ensure that there are no noxious smells emitted from the licensed premise so as to cause a nuisance to nearby properties and that the licensed premise is properly vented.

### **CONDITIONS RELATING TO THE PROTECTION OF CHILDREN FROM HARM**

#### **Access for children to licensed premises – in general**

48. Children under the age of 18 years shall not be permitted to licensed premises where there has been a known association (having been presented with evidence) with or likely to give rise to:

Heavy or binge or under age drinking

Drugs

Significant gambling

Any activity or entertainment (whether regulated entertainment or not) of a clearly adult or sexual nature

49. No child under the age of 12, unaccompanied by an adult, shall be allowed in a premises after 11.00pm to which the public have access after that time but alcohol is not being sold for consumption on the premises.

### **Age restrictions – specific**

50. The hours of the day during which age restrictions should and should not apply.
51. Types of event or activity in respect of which no age restrictions may be needed
52. Types of event or activity which give rise to a more acute need for age restrictions than normal.

### **Age restrictions – cinemas**

53. Films should be classified in the following way:

U – Universal. Suitable for audiences age 4 years and over.

PG – Parental Guidance. Some scenes may be unsuitable for young children.

12A – passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult.

15 – Passed only for viewing by persons aged 15 years and over.

18 – Passed only for viewing by persons aged 18 years and over.

54. The licensee must ensure that immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least 5 seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film.

### **Theatres – performances especially for children**

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

In cases of an event involving a significant number of unaccompanied children, the licensee should have a child protection policy in place to carry out suitable checks on staff before they take up employment.

### **Children in performances**

56. In addition to the requirements of the Children (Performances) Regulations 1968, as amended the licensee shall ensure that with regard to the:-

venue – the back stage facility should be large enough to accommodate safely the number of children taking part in any performance.

Fire safety – all chaperones and production crew on the show should receive instruction on the fire procedures applicable to the venue prior to the arrival of the children.

Special effects – it may be inappropriate to use certain special effects including smoke, dry ice, rapid pulsating or flashing lights which may trigger adverse reactions especially in the case of children

Care of children – theatres, concert halls and similar places are places of work and may contain a lot of potentially dangerous equipment, it is therefore important that children performing at such premises are kept under adult supervision at all times including transfer from stage to dressing room or anywhere else on the premises. It is also important that the children can be accounted for at all times in case of an evacuation or emergency.

The Portman Group: practice on the naming, packaging and promotion of alcoholic drinks

The Portman Group was set up in 1989 by the UK's leading drinks producers and its purpose is

- To promote responsible drinking
- To help prevent misuse of alcohol
- To encourage responsible marketing
- To foster a balanced understanding of alcohol related issues.

60 The licensee shall comply with the Portman Group's retailer alert bulletins.

**Notes:**

- (i) These conditions shall be read in conjunction with the "Guidance issued by the Secretary of State for Culture, Media and Sport under section 182 of the Act issued in October 2014".
- (ii) The conditions shall not be regarded as "standard conditions" which are to be automatically imposed in all cases. They are designed to provide a range of possible conditions which may need to be attached to Premises Licences and Club Premises Certificates depending upon differing situations. The wording of the conditions may need to be modified to suit a particular premises and situations.
- (iii) This is not an exhaustive or exclusive list of conditions. Additional conditions may be drafted and attached to Premises Licences and Club Premises Certificates to meet individual circumstances.
- (iv) Individuals preparing operating schedules are at liberty to use these conditions, or volunteer any other measures(s) to promote the Licensing Objectives.
- (v) When incorporated into a Premises Licence or Club Premises Certificate, any condition becomes enforceable under the law and a breach of such a condition could give rise to prosecution.



20 AUG 2008



**Representations on a Current Application for a Grant/Variation/Review of a Premises Licence or Club Premises Certificate under The Licensing Act 2003**

Before completing this form please read the Guidance Notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We (Insert name) M. ORSINI-MISSO wish to make representation in relation to an application that has been made in respect of the premises described in Part 1 below.

**PART 1 – PREMISES OR CLUB PREMISES DETAILS**

Postal Address of Premises or Club Premises, or if none, ordnance survey map reference or description <u>1120 MELTON ROAD</u> <u>SYSTEM</u>	
Post Town <u>SYSTEM LEICESTER</u>	Post Code <u>LE7 2HA.</u>

Name of premises licence holder or club holding club premises certificate (if known) <u>SAFFRON IVY LTD.</u>
---

Number of premises licence or club premise certificate (if known)
---

**PART 2 – DETAILS OF PERSON MAKING REPRESENTATION**

- |  |                                     |
|--|-------------------------------------|
|  | Please Tick ✓                       |
| 1) A responsible authority (please complete (C) below)                                   | <input type="checkbox"/>            |
| 2) A member of the club to which this representation relates (please complete (A) below) | <input type="checkbox"/>            |
| 3) Other persons (Please complete (A) or (B) below)                                      | <input checked="" type="checkbox"/> |



**(A) DETAILS OF INDIVIDUAL MAKING REPRESENTATION (fill in as applicable)**

Mr  Mrs  Miss  Ms  Other Title (for example, Re )

Surname

ORSINI - MISSO

First Names

MIRELLE.

I am 18 years old or over

Yes  (Please Tick)

Current Address	1759, MELTON ROAD REAR 34 LE		
Post Town	LEICESTER	Post Code	LE7 4NR

Daytime contact telephone number

E-mail address (optional)

**(B) DETAILS OF OTHER PARTY MAKING REPRESENTATION (e.g Body or Business)**

Name and Address
------------------

Telephone Number (If any)	
E-Mail address (optional)	

**(C) DETAILS OF RESPONSIBLE AUTHORITY MAKING REPRESENTATION**

Name and Address
------------------

Telephone Number (If any)	
E-Mail address (optional)	

Please  
Tick ✓

Have you made any representation relating to these premises before?

No

If Yes, please state the date of that representation

Day		Month		Year			

**If you have made representation before relating to these premises please state what they were and when you made them.**

Please provide as much information as possible to support the representation

(Please read guidance note 2)

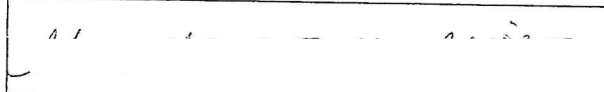
OBJECTION FOR THE APPLICATION OF LICENSEABLE  
ACTIVITIES AT 1120 MELTON ROAD, SYDNEY.

THE PREMISES ARE BELOW AND NEXT TO PEOPLE'S  
LIVING ACCOMMODATION THE LEVEL OF NOISE AND  
PEOPLE LEAVING LATE AT NIGHT WILL IMPACT ON  
THE RESIDENTS LIVING IN VERY CLOSE PROXIMITY.

THE REQUESTED TIMES OF OPENING UNTIL 11PM  
PARTICULARLY DURING THE WEEK AND SUNDAY UNTIL  
10PM IS UNREASONABLE FOR PEOPLE LIVING NEXT DOOR  
TO HIS VENUE. ALONG WITH THE NOISE AND LATE  
NIGHT DRINKING THIS WILL CAUSE SIGNIFICANT  
ISSUES FOR THE RESIDENTS.

Part 3 – Signatures (Please read guidance note 3)

Signature of representative or representative's solicitor or other duly authorised agent. (See guidance note 4) If signing on behalf of the representative please state in what capacity.

Signature		Date	20-8-18
Capacity	LANDLORD OF PROPERTY. 1118 MELTON ROAD.		

**Please Note – Your address will be a matter of public records if the application to which this representation relates is referred to the Licensing Committee to determine at a Hearing.**

Contact name (where not previously given) and address for correspondence associated with this representation. (Please read guidance note 5)	
99, FOSSE WAY SYSON LEICESTER	
Post Town	Post Code LE7 1NM

Telephone Number (if any)	
E-mail Address (optional)	

Notes for Guidance

1. The ground(s) for representation **must** be based on one or more of the licensing objectives.
2. Please list any additional information or details for example dates of problems, which are included in the grounds for representation, if applicable.
3. The representation form must be signed.
4. A representative's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this representation.
6. For further information about the Licensing Act 2003 please contact: The Licensing Section, Charnwood Borough Council, Southfield Road, Loughborough, Leicestershire, LE11 2TX. Tel: 01509 634562 Email:



22 AUG 2018



**Representations on a Current Application for a Grant/Variation/Review of a Premises Licence or Club Premises Certificate under The Licensing Act 2003**

Before completing this form please read the Guidance Notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We (insert name)..... GENE WREGIT .....wish to make representation in relation to an application that has been made in respect of the premises described in Part 1 below.

**PART 1 – PREMISES OR CLUB PREMISES DETAILS**

Postal Address of Premises or Club Premises, or if none, ordnance survey map reference or description	
1120 MELTON ROAD SYSTEM	
Post Town	Post Code
SYSTEM	LE7 2HA

Name of premises licence holder or club holding club premises certificate (if known)
SAFFRON IVY LTD

Number of premises licence or club premise certificate (if known)

**PART 2 – DETAILS OF PERSON MAKING REPRESENTATION**

- |  |                          |
|--|--------------------------|
|  | Please Tick ✓            |
| 1) A responsible authority (please complete (C) below)                                   | <input type="checkbox"/> |
| 2) A member of the club to which this representation relates (please complete (A) below) | <input type="checkbox"/> |
| 3) Other persons (Please complete (A) or (B) below)                                      | <input type="checkbox"/> |

(A) DETAILS OF INDIVIDUAL MAKING REPRESENTATION (fill in as applicable)

Mr  Mrs  Miss  Ms  Other Title (for example, Rev)

Surname

First Names

I am 18 years old or over Yes  (Please Tick)

Current Address	1118c MELTON ROAD SYSTEM LEICESTER		
Post Town	LEICESTER	Post Code	LE7 2HA

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER PARTY MAKING REPRESENTATION (e.g Body or Business)

Name and Address
------------------

Telephone Number (If any)	
E-Mail address (optional)	

(C) DETAILS OF RESPONSIBLE AUTHORITY MAKING REPRESENTATION

Name and Address
------------------

Telephone Number (If any)	
E-Mail address (optional)	

Please provide as much information as possible to support the representation

(Please read guidance note 2)

I AM MAKING THIS REPRESENTATION BECAUSE I WILL BE LIVING NEXT DOOR TO THE PROPOSED RESTAURANT AT 1120, MELTON ROAD, SYDNEY.

I AM CONCERNED ABOUT THE LONG HOURS OF THE RESTAURANT WHICH ARE;

MONDAY TO FRIDAY 11 AM - 23 PM

SATURDAY 11 AM - 24 PM

SUNDAY 11 AM - 22 PM

ALSO, THERE WILL BE MUSIC THAT WILL BE PLAYING WHICH COULD BE VERY INTRUSIVE.

THE FOOD AND ITS RESULTING SMELL/ODOUR, MIGHT ALSO BE A PROBLEM.

THEREFORE I AM WORRIED THAT RESIDENTS' LIVING NEAR THE RESTAURANT MAY NOT GET ENOUGH REST AND PEACE.

THANK YOU FOR YOUR TIME AND PATIENCE, AND I HOPE THIS PROBLEM, AND MY PRIVATE CONCERNS, WILL BE SOLVED TO EVERYONE'S SATISFACTIONS.

YOURS FAITHFULLY,  
GENE WRIGHT

Please  
Tick ✓

Have you made any representation relating to these premises before?



If Yes, please state the date of that representation

Day		Month		Year			
1	4	0	8	2	0	1	8

**If you have made representation before relating to these premises please state what they were and when you made them.**

I SENT AN EMAIL TO SHARNWOOD BOROUGH COUNCIL, AT THE ABOVE  
AF DATE.

ALSO, I SENT AN EARLIER E-MAIL MANY MONTHS BEFORE, ALTHOUGH  
I CANNOT REMEMBER THE PRECISE DATE. THIS E-MAIL EXPRESSED  
MY CONCERNS AT THE RESTAURANT OPENING HOURS.



Part 3 – Signatures (Please read guidance note 3)

Signature of representative or representative's solicitor or other duly authorised agent. (See guidance note 4) If signing on behalf of the representative please state in what capacity.

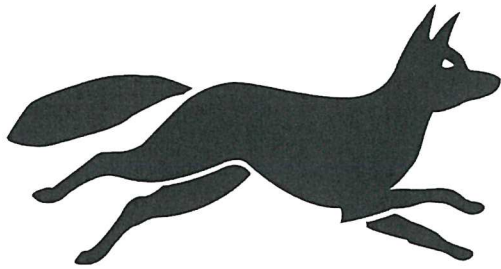
Signature		Date	21/8/18
Capacity	REPRESENTATIVE		

Please Note – Your address will be a matter of public records if the application to which this representation relates is referred to the Licensing Committee to determine at a Hearing.

<p>Contact name (where not previously given) and address for correspondence associated with this representation. (Please read guidance note 5)</p> <p>SEE SECTION A FOR CONTACT ADDRESS</p>	
Post Town	Post Code
Telephone Number (if any)	
E-mail Address (optional)	

Notes for Guidance

1. The ground(s) for representation must be based on one or more of the licensing objectives.
2. Please list any additional information or details for example dates of problems, which are included in the grounds for representation, if applicable.
3. The representation form must be signed.
4. A representative's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this representation.
6. For further information about the Licensing Act 2003 please contact: The Licensing Section, Charnwood Borough Council, Southfield Road, Loughborough, Leicestershire, LE11 2TX. Tel: 01509 634562 Email: Licensing@Charnwood.gov.uk.



# Charnwood

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## **Licensing Act 2003**

### **Statement of Licensing Policy**

<b>Contents – Statement of Licensing Policy</b>	<b>Page no</b>
<b>Contents</b>	
<b>Section 1 - Introduction</b>	<b>4</b>
1.1 Purpose	4
1.2 Consultation	4
1.3 Licensable Activities	5
<b>Section 2 – Fundamental Principles</b>	<b>6</b>
2.1 Background	6
2.2 Immigration Act 2016	6-7
2.3 Entitlement to Work	7
2.4 The Licensing Objectives	7
2.5 Balance	7-8
2.7 Relevancy	8
<b>Section 3 – Cumulative Impact</b>	<b>8-9</b>
<b>Section 4 – Special Policy on Cumulative Impact</b>	<b>10</b>
<b>Section 5 -Licensing Hours</b>	<b>11</b>
<b>Section 6- Promotion of the Licensing Objectives</b>	<b>11-12</b>
<b>Section 7 – The Prevention of Crime and Disorder</b>	<b>12</b>
7.1 CCTV	12
7.2 Open Containers of Alcohol	12
7.3 Irresponsible Drinks Promotions	13
7.5 Dance Venues	13
7.6 Other Steps to promote the Prevention of Crime and Disorder	13
<b>Section 8 – Public Safety -Premises Licensed for Regulated Entertainment</b>	<b>13-14</b>
<b>Section 9 – The Prevention of Public Nuisance</b>	<b>14</b>

<b>Section 10 – The protection of Children from Harm</b>	<b>14</b>
10.1 General	14-15
10.6 Children and Cinemas	15
10.7 Children and Public Entertainment	15
10.8 Proof of Age Cards	16
<b>Section 11 – Integrating Strategies</b>	<b>16</b>
11.2 Crime Reduction Partnership	16
11.4 Planning	16-17
11.6 Cultural Strategy	17-18
11.12 Building Control	18
11.15 Promotion of Equality	18-19
11.19 Disabled Access	19
11.20 Transport	19
<b>Section 12 – Duplication</b>	<b>20</b>
<b>Section 13 – Standardised Conditions</b>	<b>20</b>
13.4 Mandatory Conditions	20-21
<b>Section 14 – Personal Licences</b>	<b>21-23</b>
<b>Section 15 – Temporary Event Notices</b>	<b>23</b>
<b>Section 16 – Enforcement</b>	<b>23-24</b>
<b>Section 17 – Live Music, Dancing, Theatre, Circuses and Street Arts</b>	<b>24</b>
<b>Section 18 - Wholesale of Alcohol</b>	<b>25</b>
<b>Section 19 - Delegation of Functions</b>	<b>25</b>
<b>Section 20 - Period of Validity and Review</b>	<b>26</b>
<b>Appendices</b>	
<b>Appendix 1 – Pool of Model Conditions</b>	
<b>Appendix 2 – Mandatory Conditions</b>	
<b>Appendix 3 – Immigration Act 2016 – Entitlement to Work Identification Documents</b>	
<b>Appendix 4 – Current Cumulative Impact Zone</b>	



## Charnwood Borough Council

### Statement of Licensing Policy

#### 1 Introduction

##### Purpose

- 1.1 This Statement of Licensing Policy explains how the licensing authority will carry out its role under the Licensing Act 2003, during the next five years. During this period the licensing authority will keep the policy under review and may make revisions to the document following consultation with the bodies outlined below.

It will also:

- be used as a guide by members of the Licensing Authority in their decision making ;
- inform applicants about how applications will be viewed and how a licensed premises is likely to be able to operate within the area of the Licensing Authority, albeit that each application will be examined and considered on an individual basis;
- inform residents and businesses about how applications will be viewed and how their needs will be addressed;
- be used to support decisions made by the Licensing Authority when these decisions are challenged in a court of law.

This Policy is normally in place for five years but will be kept under review during that five year period.

##### Consultation

- 1.2 In developing this Statement the Licensing Authority has consulted with the groups set out below, and has taken account of their views:

- the police
- the fire authority
- persons representing holders of existing licences for the sale of alcohol, public entertainment, theatres, cinemas and late night refreshment
- persons representing holders of clubs registered under the Licensing Act 1964
- bodies representing businesses and residents in its area
- other groups that the Licensing Authority considered appropriate

## Licensable Activities

1.3 The licensable activities are:

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

Regulated entertainment requires a licence when it is performed in front of an audience and includes the following:

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a boxing or wrestling entertainment (indoors and outdoors)
- a performance of live music (not incidental music, i.e. a piano in a restaurant)
- any playing of recorded music
- a performance of dance
- and similar types of musical or dance related entertainment.

1.4 Amendments made to the 2003 Act by the Live Music Act 2012 and the Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013, Legislative Reform Order 2014 and the Deregulation Act 2015, means that a licence is not required for the following activities to the extent that take place between **08:00- 23:00** on any day:

- a performance of a play in the presence of any audience of no more than 500 people;
- an indoor sporting event in the presence of any audience of no more than 1,000 people, this includes Greco Roman or free style wrestling
- most performances of dance in the presence of any audience of no more than 500 people; and
- live music, where the live music comprises;
  - a performance of unamplified live music
  - a performance of live amplified music in a workplace with an audience of no more than 500 people; or
  - a performance of live or recorded music on licensed premises which takes place in the presence of an audience of no more than 500 people, subject to certain conditions being met.

- Recorded music, where recorded music comprises;
  - Any playing of recorded music on licensed premises which takes place in the presence of an audience of no more than 500;
  - Any playing of recorded music in unlicensed premises, subject to certain conditions being met.
  - Dance – no licence is required for performances on any day provided that the audience does not exceed 500.

Where de-regulated activities take place on licensed premises any licence conditions relating to 'live' music or entertainment will be suspended, but it is possible to impose new, or reinstate existing conditions following a review of a premises licence or club premises certificate.

When considering whether an activity constitutes 'the provision of regulated Entertainment', each case will be treated on its own merits. There will inevitably be a degree of judgement as to whether a performance is live music or not, so organisers of events are encouraged to contact the Licensing Authority to discuss whether a licence will be required.

Unauthorised Activity: It is a criminal offence under section 136 of the 2003 Act to carry on any of the licensable activities listed above other than in accordance with a licence or other authorisation under the 2003 Act. If an unauthorised activity takes place then the Police and local authorities have powers to take action.

## **2 Fundamental Principles**

### **Background**

2.1 This Statement of Licensing Policy is the key document relied upon when delivering the requirements of the Licensing Act 2003. However, all decisions relating to licences will be made on the merits of the individual case, having regard to this policy as part of the decision making process.

### **2.2 Immigration Act 2016**

Section 36 of and Schedule 4 to the Immigration Act 2016 (the 2016 Act) amends the 2003 Act and introduces immigration safeguards in respect of licensing applications made in England or Wales on or after 6 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late night refreshment.

The statutory prevention of crime objective in the 2003 Act includes the prevention of immigration crime and the prevention of illegal working in



licensed premises. Licensing authorities should work with the Home Office (Immigration Enforcement) as well as the police, in respect of these matters.

The Home Secretary (in practice Home Office (Immigration Enforcement)) is added to the list of responsible authorities in the licensing regime, which requires Home Office (Immigration Enforcement) to receive premises licence applications (except regulated entertainment only licences), and in some limited circumstances personal licence applications, and permits Home Office (Immigration Enforcement) to make appropriate representations and objections to the grant of a licence.

Immigration officers are permitted to enter premises which they have reason to believe are being used to sell alcohol or provide late night refreshment, to investigate whether immigration offences are being committed in connection with the licensable activity.

### **2.3 Entitlement to Work**

Individuals applying for a premises licence for the sale of alcohol or late night refreshment must be entitled to work in the UK. This includes applications made by more than one individual applicant. An application made by an individual without the entitlement to work in the UK must be rejected. This applies to applications which include the sale of alcohol and the provisions of late night refreshment, but does not include applications which apply to regulated entertainment only.

Applicants must provide copies of Identification documents to verify their entitlement to right to work within the UK. The documents, which may be relied on in support of an application demonstrating an entitlement to work in the UK, are the same for the personal licence (see section 14) shown in Appendix 3.

### **2.4 The Licensing Objectives**

The licensing authority will carry out its functions with a view to promoting the licensing objectives. The licensing objectives, which carry equal importance, are:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

### **2.5 Balance**

The licensing authority will also seek to achieve a balance between leisure/entertainment and the needs of residents and other businesses



for an acceptable environment and quality of life.

- 2.6 This Policy will not undermine the right of any individual to apply for a variety of permissions and to have any such application considered on its individual merits. Nor will it override the right of any person to make representations on an application or seek a review of a licence or where provision has been made for them to do so in the Licensing Act 2003.

### **Relevancy**

- 2.7 Licensing is about the control of premises and places being used for licensable activities and the vicinity of those premises and places. The terms and conditions attached to various permissions are focused on relevant matters that are within the control of the holders of those permissions. This means those matters occurring at, and in the immediate vicinity of, the premises, and the direct impact they have on nearby residents and businesses.
- 2.8 Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned.

## **3 Cumulative Impact**

- 3.1 The Licensing Authority recognises that there can be confusion about the difference between “need” and “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub, restaurant, etc. This is not a matter for a licensing authority in discharging the licensing functions or for this statement of licensing policy. “Need” is a matter for planning committees and for the market. On the other hand, the cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for the licensing authority and its licensing committee to consider.
- 3.2 In certain situations the number, type and density of premises selling alcohol may be associated with serious problems of crime and disorder. Where the impact on surrounding areas of customers taken together may be greater than the usual impact of customers from individual premises the licensing authority may consider that an area has become saturated with licensed premises.
- 3.3 The Licensing Authority has received a representation from the Leicestershire Police that the circumstances described above exist in relation to parts of Loughborough’s Town Centre, and that the grant of

further premises licences or club premises certificates would undermine the crime prevention objective.

- 3.4 In response to this representation the Licensing Authority has:
- Considered evidence about the extent of the problem of crime and disorder;
  - Considered evidence about the likely association of the problem with the number and density of licensed premises in the town centre;
  - Consulted on the proposal for a special policy in relation to new licences and variations to existing ones within the town centre;
  - Considered the outcome of that consultation; and
  - Resolved to declare the special policy described in Section 4 below.
- 3.5 The authority recognises that once away from licensed premises, there is always a risk that a minority of consumers will behave badly and unlawfully. Depending on the circumstances, there are other mechanisms available for addressing such issues for instance:
- planning controls;
  - positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority;
  - the provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols;
  - powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
  - police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
  - the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk;
  - a Public Spaces Protection Order (PSPO) is designed to stop individuals or groups committing anti-social behaviour in a public space and gives the police a power to confiscate alcohol from adults and children in designated areas;
  - A closure notice of up to 48 hours, can be issued by the Council or Police without going to Court, where there is nuisance to the public or disorder near to the premises;
  - the power of the police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question.

## **4 Special Policy on Cumulative Impact**

- 4.1 The Licensing Authority will adopt a special policy on cumulative impact in relation to the area of the Town Centre:
- bounded by Sparrow Hill, Church Gate, Steeple Row, Rectory Place, Bridge Street, Broad Street, Ashby Road, Frederick Street, Browns Lane Bedford Square, Southfield Road, Barrow Street Jubilee Way and Pinfold Gate.
  - Including both sides of the streets bounding the area;
  - Including Ashby Road to its junction with Storer Road; and Nottingham Road, to the entrance to the Falcon Works.
- 4.2 The Licensing Authority recognises, however, that this policy cannot be absolute and it will continue to consider each application on its merit. Licences that are unlikely to add to the problems of saturation would be approved.
- 4.3 The effect of the special policy will be to create a rebuttable presumption that application for new premises licences or club premises certificates, or material variations will normally be refused. However, applications will only be refused where valid representations maintaining that it is necessary to refuse the application for the promotion of the prevention of crime and disorder and referring to information which had been before the licensing authority when it developed its statement of licensing policy have been received.
- 4.4 When consideration is given to whether to refuse an application because of the special policy, it will be for an applicant to lay the necessary evidence that the granting of the licence would not add to the cumulative impact already being experienced. The authority acknowledges that the impact will be different for premises with different styles and characteristics
- 4.5 The authority will review the special policy in line with that of the Statement of Licensing Policy and if it considers that it needs to be amended will undertake appropriate consultation before any amendment is made.
- 4.6 The special policy will not be used to:
- remove a licence when representations are received about problems with an existing licensed premises; or to
  - justify the rejection of modifications to a licence except where those modifications are directly relevant to the special policy; or to
  - adopt quotas or set terminal hours in a particular area that pre-determine the individual merits of any application.



## **5 Licensing Hours**

- 5.1 In making decisions that relate to the hours for which a premise is licensed, consideration will be given to the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance. Each case will be decided on its individual merits.
- 5.2 It is recognised that longer licensing hours are important to help to ensure that concentrations of customers leaving licensed premises simultaneously are avoided. In turn this will reduce the potential for disorder at fast food outlets, taxi ranks and other sources of transport.
- 5.3 In relation to shops and other retail outlets supplying alcohol for consumption off the premises, the general policy will be to allow sales of alcohol at all times that the premises is open for business. Any decision not to allow sales of alcohol at particular times will be based on evidence of the need to prevent crime, disorder and public nuisance.
- 5.4 In making decisions in respect of licensing hours, consideration will be given to representations made by residents and businesses in the vicinity of the premises, their representatives, and the police as well as the applicant. This may lead to the imposition of stricter conditions on noise controls in areas having denser residential accommodation
- 5.5 Fixed trading hours will not be set for particular geographical areas. It should be stressed that each case will be decided on its own merits based on whether the licensing objectives can be met.

## **6 Promotion of the Licensing Objectives**

- 6.1 The Licensing Authority is required to carry out its functions so as to promote the licensing objectives. This includes its role in:
- Granting or refusing applications for licences;
  - Reviewing licences;
  - Imposing conditions;
  - Deciding how to integrate with other strategies of the council.

Licence applications should be accompanied by an operating schedule that includes the steps that the licensee proposes to take to promote the licensing objectives. The Licensing Authority expects that the process of developing the operating schedule will include a thorough risk assessment with regard to the licensing objectives, which will assist in identifying those steps.

- 6.2 Applicants for licences are urged to discuss their proposals with the responsible authorities prior to submitting an application. This will



enable them to seek advice on the production of their operating schedule and may avoid the need for a hearing in response to representations made by the authorities. The relevant authorities are:

- Prevention of Crime and Disorder – Leicestershire Police, Leicester Crime Reduction Partnership and Leicestershire Trading Standards, Home Office Immigration Enforcement (on behalf of the Secretary of State).
- Public Safety – Leicestershire Police, Leicestershire Fire and Rescue, the Council's Environmental Health Officers with responsibility for Health & Safety
- Public Nuisance – the Borough Council's Environmental Health Officers with responsibility for Pollution Control
- Protection of Children from Harm – Leicester Area Child Protection Committee, Leicestershire Police and Leicestershire Trading Standards, Leicestershire Public Health.

6.3 Further information is provided in the following sections of this policy on a variety of steps to promote the licensing objectives that the Licensing Authority will support. However, the Licensing Authority will not impose them indiscriminately. It is for the applicant to decide which of these are appropriate for inclusion in the operating schedule for the premises, based on the exact circumstances involved. The Licensing Authority will take into account the information set out below, on steps to promote the licensing objectives, when undertaking the functions identified in Paragraph 6.1 above.

## **7 The Prevention of Crime and Disorder**

### **7.1 CCTV**

The presence of CCTV cameras can be an important means of deterring and detecting crime at, and immediately outside, licensed premises. The Licensing Authority will therefore support the provision of CCTV in town centre pubs and clubs and town centre late night refreshment premises.

### **7.2 Open Containers of Alcohol**

A significant part of the town centre is the subject of a Public Spaces Protection Order (PSPO). This is an area where there is a power for the Police to request someone to refrain from drinking to address nuisance or annoyance. Failure to comply with this request is a criminal offence. To support this, the Licensing Authority considers it appropriate for town centre premises to adopt a policy of prohibiting open containers of alcohol being taken from the premises. This approach will also prevent the use of these containers as offensive weapons.

### 7.3 **Irresponsible Drinks Promotions**

The Licensing Authority will support an approach to the marketing of alcohol and the management of licensed premises that promotes responsibility in the consumption of alcohol.

- 7.4 Determining whether a drinks promotion is irresponsible or not will require a subjective judgement. The sale of alcohol to persons who are already drunk is an offence under the Act. The incidence of drunken people present at premises may provide an indication that the marketing and sale of alcohol at the premises is not being approached in a responsible way.

### 7.5 **Dance Venues**

The culture of dance venues requires that special consideration be given to the steps required to prevent crime and disorder and promote public safety. It is recommended that operators of night clubs providing facilities for dancing are aware of the detailed guidance provided in the "*Safer Clubbing Guide*" published by the Government  
[http://www.csdp.org/research/safer\\_clubbing\\_txt.pdf](http://www.csdp.org/research/safer_clubbing_txt.pdf)

### 7.6 **Other Steps to Promote the Prevention of Crime and Disorder**

There is a wide range of other steps which may be appropriate in particular circumstances including:

- Prohibiting the sale of alcohol in bottles for consumption on the premises, to prevent their use as weapons
- Requiring drinking vessels to be plastic or toughened glass
- Requiring the provision of retail radio's to connect premises supervisors in town centres to the police
- Appropriate measures to prevent overcrowding in parts of the premises
- The provision of staff to control admission and to control customers inside the premises.
- The adoption of an age determination policy such as Challenge 21 to prevent underage sales

## **8 Public Safety**

### **Premises Licensed for Regulated Entertainment**

- 8.1 Premises licensed for regulated entertainment, including cinemas and theatres, are subject to a range of legislative requirements and regulatory regimes such as the Health and Safety at Work Act and fire safety legislation, aimed at protecting public safety. The Licensing Authority does not intend to duplicate requirements of existing statutory provisions. However, premises will be expected to ensure a level of



compliance that promotes public safety.

- 8.2 Premises providing regulated entertainment have particular safety issues associated with their ability to attract significant numbers of people to a venue. The Licensing Authority will support measures designed to promote public safety in this context. This will include:
- Setting of a capacity limit for all, or separate parts, of the premises.
  - The provision of staff to control admission and to control customers inside premises and at outdoor events.

## **9 The Prevention of Public Nuisance**

- 9.1 The Licensing Authority considers that applicants for premises licences and club premises certificates to determine the potential effect on neighbouring premises should carry out a risk assessment. Advice and assistance in undertaking this task should be sought from Council Environmental Health Officers. Steps which may be appropriate to prevent public nuisance include:
- Limitation on hours of operation where necessary to prevent nuisance and disturbance
  - Measures to reduce noise and vibration emissions from premises
  - Measures to prevent noxious smells
  - Measures to reduce light pollution
  - Steps to prevent noise, disturbance and anti-social behaviour from people arriving at and leaving the premises
  - Stricter controls will be supported in areas in closer proximity to residential accommodation.

## **10 The Protection of Children from Harm**

### **General**

- 10.1 The Licensing Authority will carry out its responsibilities so as to promote the licensing objective of protection of children from harm. In doing so it will take into account representations made by the Area Child Protection Committee on each application.
- 10.2 Licences will be sought from a wide variety of premises including theatres, cinemas, restaurants, concert halls, cafes, late night take-aways, pubs, bars and nightclubs. It is not possible for a licensing policy to anticipate every situation where children are at risk. The Licensing Authority will not therefore impose general conditions that apply to all premises, but will consider how the licensing objectives can be best promoted in each particular case.
- 10.3 The Licensing Authority will not seek to limit the access of children to licensed premises unless it is necessary to protect children from harm.

The following areas would give rise to particular concern in respect of children:

- Where entertainment or services of an adult or sexual nature are commonly provided;
- Where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking.
- Where there has been an association with drug taking or dealing.
- Where there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines or of bingo).

10.4 Conditions will not be imposed that require the admission of children. This will remain a matter for the discretion of the licensee.

10.5 The range of options available to limit the access of children to licensed premises that may be imposed by the Licensing Authority include:

- Limitations on the hours where children may be present;
- Age limitations (below 18);
- Limitations or exclusions when certain activities are taking place;
- Limitations on the parts of premises to which children might be given access;
- Requirements for an accompanying adult;
- In exceptional cases, exclusion of people under the age of 18 from the premises when any licensable activities are taking place.

### **Children and Cinemas**

10.6 Licensees will be expected to prevent children from viewing films that are unsuitable because of the age classification of the film that has been imposed by the British Board of Film Classification or other film classification board approved by the licensing authority. Children will not be permitted to view un-certificated films.

### **Children and Public Entertainment**

10.7 The Licensing Authority will expect that where a significant number of unaccompanied children will be present during a public entertainment event, the licensee will ensure that an adequate number of adult staff are present to control the access, egress and safety in and around the premises. The licensee should take into account the number of children to be present, the type of entertainment, the age of the children, the characteristics of the premises and any other relevant factor.



## **Proof of Age Cards**

- 10.8 The Licensing Authority supports the adoption of proof of age cards as a means of preventing underage drinking. It recommends that any premises licensed to sell alcohol adopts a policy of requiring proof of age from any person where there is any doubt as to whether they are over 18. The authority would suggest as best practice, that proof of age could be in the form of a passport, photographic driving licence, or a proof of age card complying with the Proof of Age Standards Scheme (PASS) launched in January 2003 by the British Retail Consortium.
- 10.9 The Licensing Authority supports the **'Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks.'**  
It will seek to ensure that premises licensed for the sale of alcohol comply with the code.

## **11 Integrating strategies**

- 11.1 The Licensing Authority will seek to achieve integration with the strategies set out below and will consult with the appropriate organisations to achieve this.

### **Crime Reduction Partnership**

- 11.2 The Licensing Authority recognises its responsibility to address issues relating to crime and disorder and is committed to working together, with other partners, to make Charnwood a safe and attractive borough in which to live, work, study and socialise.
- 11.3 In making decisions, the Licensing Authority will consider the Charnwood Community Safety Partnership Strategy, especially relating to;
- Reducing the opportunities for crime to occur
  - Tackling disorder and anti-social behaviour
  - Reducing the fear of crime
  - Combating the use of drugs

### **Planning**

- 11.4 The Licensing Authority will ensure that planning and licensing regimes are properly separated to avoid duplication and efficiency. Licensing applications will not be a rerun of any planning application and licensing decisions will not cut across decisions taken by the Planning Committee or permission granted on appeal, or decisions made under delegated authority to officers.
- 11.5 There are circumstances when as a condition of planning permission; a

16

terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution.

### **Cultural Strategy**

- 11.6 'Leisure and cultural opportunities for all' is Charnwood's Cultural Strategy setting out the common vision and shared goals for all those involved in the cultural life of the borough. Charnwood Borough Council is committed to its implementation working with the Cultural Strategy Partnership.
- 11.7 The International Covenant on Economic, Social and Cultural Rights (ICESCR) which was ratified by the UK in 1976 recognises the right of everyone to take part in cultural life and requires that active steps are taken to develop cultural activity and ensure that everyone can participate in the cultural life of the community.
- 11.8 The Strategy encompasses arts, heritage, museums, parks and green spaces, neighbourhood facilities, markets, festivals and public events, media, libraries and literature, sport, play, faith and worship, tourism, restaurants and bars and creative industries. A key objective of Leicester's Cultural Strategy is "to invest in the development of cultural activity which contributes to the economic, social and personal well-being of individuals at all stages in their lives and to increase access to, and participation in, cultural activity". Borough Council performance targets to increase cultural participation have underpinned this.
- 11.9 The Borough Council will also seek premises licences for selected public spaces in the community in its own name. This could include, for example, green spaces, parks, and town centre squares etc. Performers and entertainers would require permission from the Council, as the premises licence holder, to use these spaces for regulated entertainment.
- 11.10 This licensing policy will operate in the spirit of the Cultural Strategy and the International Covenant on Economic, Social and Cultural Rights (ICESCR). In doing so, it will seek to maintain a balance between regulation and supporting cultural activity. It will strive to maintain a balance between the need to 'manage' any detrimental impacts of an activity in a community with the many benefits cultural activity brings to communities, in developing personal aspiration and potential, building cohesive communities, providing opportunities for young people, contributing to economic growth and regeneration and the development of sustainable communities.



11.11 In order to maintain this balance the Licensing Authority will:

- monitor the impact of licensing on the provision of regulated cultural activities and entertainment, such as live music, theatre, dance and festivals
- create a dialogue with the cultural sector about the impact of the licensing policy and work with our partners to balance different interests
- seek to ensure that conditions attached to licences do not deter live music, festivals, theatre, sporting events etc by imposing unnecessary restrictions
- seek to ensure that conditions attached to licences do not deter new or small scale groups/ activities in communities by imposing conditions which will lead to a cost disproportionate to the size of the event
- seek to create an environment which minimises nuisance and anti-social behaviour connected to cultural activity and events but without undermining our commitment to increase access to cultural participation as a fundamental human right.

### **Building Control**

11.12 The Building Regulation process is a separate system to the licensing regime but complementary in terms of some shared objectives.

11.13 Where a licence is applied for, or exists, and any Building Regulated work is carried out, either as a material alteration, change of use or new build to a licensed premises, the owner / licensee should ensure that before opening to the public, Building Regulations consent has been granted in full and that completion certificates have been issued.

11.14 Two separate and distinct certificates are issued on a commercial or work place premises. The first confirms compliance with Building Regulations in general and the second confirms compliance in terms of fire precautions, including means of escape in case of fire. A copy of this second certificate is sent to the Fire Service, which triggers their responsibilities under the Work Place Regulations and enforcement of risk assessments.

### **Promotion of Equality**

11.15 In developing this strategy, the Licensing Authority has recognised its responsibility under the Equality Act 2010, to consider the need to eliminate unlawful discrimination, harassment and victimisation and to advance equality of opportunity between different groups and foster good relations between different groups.

11.16 The Licensing Authority also recognises that this policy should

18

promote equality in a wider sense and has therefore assessed the potential impact on disadvantaged groups in general, as well as from a race equality perspective. It has considered and consulted with this in mind.

11.17 The following actions, which have been identified as being necessary to promote equality, and within the scope of the Act and supporting guidance, will be implemented by the Licensing Authority:

- The Licensing Policy and associated documents will be available on the internet, and in other formats upon request.
- The licensing objective of protecting children from harm will be promoted.
- Support will be offered to licence applicants, licence holders and potential objectors who are socially excluded.
- Account will be taken of the effect of specific applications on community cohesion, including the need to balance the benefits of cultural and community activities with limited local disturbance.
- Action will be taken to endeavour to ensure the safety of vulnerable people in licensed premises.
- Action will be taken to ensure that all applications, particularly those for disadvantaged groups, are dealt with fairly.

11.18 The Licensing Authority is aware that there may be particular sensitivities of certain buildings, for example religious buildings, to certain licensable activities taking place in close proximity. Where this proximity has an impact on the promotion of one of the licensing objectives this is a matter for the Licensing Authority. Where the impact does not affect the promotion of the licensing objectives, there may be other control mechanisms, such as the planning system, that could be applicable.

### **Disabled Access**

11.19 The guidance supporting the Act advises that conditions relating to disabled access should not be attached to licences, as this would duplicate existing statutory requirements. The Licensing Authority therefore takes this opportunity to remind operators of premises of their duties under the Equality Act 2010.

### **Transport**

11.20 Transport Strategy is set out in the Local Transport Plan (LTP).

11.21 The LTP policies seek to ensure that alternatives to the use of the private car are available; these alternatives include walking, cycling and public transport (bus, rail and taxi). They are operated in conjunction with land use policies to seek to ensure that development



takes place in locations where these alternatives can be best provided; the Town Centre is naturally one of these locations, particularly with regard to public transport.

- 11.22 A high level of bus services is provided commercially between the hours of 7am and 7pm Monday to Saturday. Lower levels of services are provided up to 11pm and on Sundays, and the Council's Transport Strategy will continue to seek ways of improving the provision of bus services at these times and later at night to assist in getting people away from the Town Centre quickly, safely and efficiently.
- 11.23 Taxis provide a useful role in transporting people, particularly at times when bus services are not well provided. Taxi ranks are provided where demand is identified, and include both 24 hour ranks and ones which operate only at night. The Council's Transport Strategy will continue to seek to ensure that the demand for rank provision is satisfied and that their locations are amended as demand alters, subject to competing demands for use of kerbside space.

## **12 Duplication**

- 12.1 The authority will avoid duplication with other regulatory regimes (eg the Health and Safety at Work Act) insofar as attaching conditions to premises licences and club premises certificates.
- 12.2 Conditions will only be attached where they are necessary for the promotion of the licensing objectives. If matters are already provided for in other legislation they cannot be considered necessary in the context of licensing law.

## **13 Standardised Conditions**

- 13.1 The Licensing Authority will only attach to premises licences, and club premises certificates, those conditions that are tailored to the individual style and characteristics of the premises and the events concerned, and where they are necessary for the achievement of one or more of the four licensing objectives.
- 13.2 However, to aid administration attached to this statement, but not forming part of it, at Appendix 1, are pools of conditions from which the authority may draw appropriate and proportionate conditions to cover particular circumstances. This is not intended to be an exhaustive list and other specific conditions may be appropriate.
- 13.3 A number of conditions are mandatory and are required to be applied to licences.

## **Mandatory Conditions.**

Mandatory conditions are provided by the 2003 Act, amended by the (Mandatory Licensing Conditions) (Amendment) Order 2014 and should be included in every Licence and/or Club Premises Certificate.

The Mandatory Conditions are attached to this Policy at Appendix 2. These need to be adhered to and complied with by the Premises Licence Holder.

For premises with ON sales the Mandatory Conditions will include the following requirements;

- The need for a Designated Premises Supervisor to be registered on the Licence.
- Alcohol needs to be sold or authorised by a Personal Licence Holder.

Mandatory Conditions also refer to:-

Permitted price of alcohol

Age verification Policy

Irresponsible promotions

No drinking games (encouraging people to drink too much or within specific time limits).

Free potable water

Measures of alcoholic drink

Exhibition of films

Door Supervision

For premises with OFF sales the Mandatory Conditions will include the following requirements;

- The need for a Designated Premises Supervisor to be registered on the Licence.
- Alcohol needs to be sold or authorised by a Personal Licence Holder.

Mandatory Conditions also refer to:-

Permitted price of alcohol

Age verification Policy

## **14 Personal Licences**

14.1 Individuals applying for a personal licence must be entitled to work in the UK. The Immigration Act 2016 amended the Licensing Act 2003,

21

with effect from April 6 2017. Applications made on or after this date by someone who is not entitled to work in the UK must be rejected.

- 14.2 Licences must not be issued to people who are illegally present in the UK, who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from doing work relating to the carrying on of a licensable activity.
- 14.3 In order to carry out this duty, from April 6 2017, licensing authorities must be satisfied that an applicant has the right to work in the UK. They require applicants to submit an identification document, to show that they have permission to be in the UK and to undertake work in a licensable activity.
- 14.4 In order to discharge this duty, from 6<sup>th</sup> April 2017, licensing authorities must be satisfied that an applicant has the right to work in the UK and require applicants to submit copies of one of the documents listed in Appendix 3.
- 14.5 The Licensing Authority recognises the important role that personal licence holders have to play in the promotion of the licensing objectives at premises selling alcohol. For this reason personal licence holders are required to have prescribed training and not have relevant convictions that would indicate their unsuitability.

The Policing and Crime Act 2017 gives licensing authorities the power to revoke or suspend personal licences, with effect from 6 April 2017. When a licensing authority has granted a personal licence and becomes aware that the licence holder has been convicted of a relevant offence or foreign offence or been required to pay an immigration penalty, a licensing authority may revoke the licence or suspend it for a period of up to six months. This applies to convictions received and civil immigration penalties which a person has been required to pay at any time before or after the licence was granted, as long as the conviction was received after 6 April 2017, or the requirement to pay the civil penalty arose after 6 April 2017.

- 14.6 Every sale of alcohol at licensed premises is required to be authorised by a personal licence holder. Because of the importance of their role, the Licensing Authority considers it to be good practice for personal licence holders to have significant operational involvement in the sale of alcohol rather than to undertake a remote, periodic authorisation of other staff. In practical terms this would mean authorisation on at least a daily basis, and to be available on the premises throughout most of the day to deal with circumstances requiring their expertise and authority.
- 14.7 When applying for a personal licence, the Licensing Authority would expect applicants to produce an up to date Disclosure Barring Service certificate. All applicants would also be expected to make a clear

22



statement as to whether or not they have been convicted outside England and Wales of a relevant offence or an equivalent foreign offence.

- 14.8 In accordance with the Secretary of State's advice the Licensing Authority will normally refuse applications where the police have issued an objection notice unless there are, in the opinion of the Licensing Authority, exceptional and compelling reasons which justify granting the application.

## **15 Temporary Event Notices (TENs)**

- 15.1 Part 5 of the Licensing Act allows licensing activities to be carried out in specified circumstances on a temporary basis, subject to a temporary event notice being served on the Licensing Authority, with a copy to the chief officer of police and Environmental Health services for the area no less than ten working days before the event. The chief officer of police or Environmental Health services may object to the event if satisfied that any of the four licensing objectives would be undermined.
- 15.2 "Late" TENs are intended to assist premises users who are required for reasons outside their control to, for example, change the venue for an event at short notice. Late TENS can be given at any time as long as the limits specified, within guidance issued under section 182 of the Licensing Act 2003, are not exceeded. Late TENs can be given up to five working days but no earlier than nine working days before the event is due to take place and, unless electronically given to the licensing authority, must also be sent by the premises user to the police and Environmental Health Services. A late TEN given less than five days before the date of the event to which it relates will be returned as void and the activities to which it relates will not be authorised.
- 15.3 The Licensing Authority considers that it is important that the police and Environmental Health services have sufficient time to properly evaluate the likely impact of a temporary event. Where insufficient notice of the event is given this may lead to objections being made that may have been unnecessary if a fuller evaluation had been possible. Equally, if notice of an event is given too far in advance it may be difficult to evaluate because of future uncertainty.
- 15.4 The Licensing Authority would therefore suggest as best practice that a temporary event notice is served between one and two months ahead of the event taking place.



## **16 Enforcement**

- 16.1 The Licensing Authority will carry out its responsibilities for enforcement so as to promote each of the four licensing objectives referred to in Section 1.
- 16.2 The Licensing Authority will develop and review enforcement protocols in agreement with the police.
- 16.3 Enforcement activities will be targeted in terms of risk and so as best to promote the licensing objectives. In addition account will be taken of the general enforcement policy of the licensing authority, which aims to ensure that enforcement is open, fair, reasonable and proportionate.
- 16.4 Enforcement activities will include operations designed to:
- Ensure compliance with conditions attached to licences, operating schedules, requirements specified in the this Statement of Policy, and the requirements of the Licensing Act itself;
  - Protect public safety;
  - Prevent nuisance;
  - Prevent crime and disorder;
  - Protect children from harm;
  - Identify unlicensed activities;
  - Respond to complaints and representations from relevant individuals and responsible authorities;
  - Prevent the sale of alcohol to minors
  - Prevent the sale of alcohol to people who are drunk
  - Identify the keeping of smuggled goods
  - Prevent drug misuse

## **17 Live Music, Dancing, Theatre, Circuses and Street Arts**

- 17.1 The Licensing Authority will ensure that when it considers applications for licences for entertainment involving live music, dancing, theatre, circuses and street arts it will act so as to promote the licensing objective of preventing public nuisance.
- 17.2 The Licensing Authority recognises that there is a need to encourage and promote a broad range of entertainment, particularly those activities identified above, because of the wider cultural benefits to communities. The potential for limited disturbance will therefore be balanced against these wider benefits.

## 18 Wholesale of alcohol

From 1 April 2017, businesses which sell alcohol (for example, retailers of alcohol and trade buyers) will need to ensure that the UK wholesalers that they buy alcohol from have been approved by HMRC under the Alcohol Wholesaler Registration Scheme (AWRS). They will need to check their wholesalers Unique Registration Number (URN) against the HMRC online database which will be available from April 2017. This is an ongoing obligation and if a business is found to have bought alcohol from an unapproved wholesaler, they may be liable to a penalty or could even face criminal prosecution and their alcohol stock may be seized. Any trader who buys alcohol from a wholesaler for onward sale to the general public (known as a 'trade buyer') does not need to register unless they sell alcohol to other businesses. Examples of trade buyers would be pubs, clubs, restaurants, cafes, retailers and hotels. However, they will need to check that the wholesaler they purchase alcohol from is registered with HMRC. Further information may be found at: <https://www.gov.uk/guidance/the-alcohol-wholesaler-registration-scheme-awrs>.

## 19 Delegation of Functions

- 19.1 The following matters will be determined by either the Licensing Committee or one of its sub-committees:
- Application for a personal licence where there are relevant unspent convictions;
  - The review of a premises licence or club premises certificate;
  - Decision to object when the local authority is the consultee and not the relevant authority considering the application;
  - Determination of a police objection to a temporary event notice.
- 19.2 The following matters will be determined by either the Licensing Committee or one of its sub-committees where a relevant representation has been made:
- Application for a personal licence;
  - Application for a premises licence or club premises certificate;
  - Application for a provisional statement;
  - Application for variation to a premises licence or club premises certificate;
  - Application to vary a designated premises supervisor
  - Application for transfer of a premises licence
  - Application for interim authority
  - Determination of a temporary event notice.
- 19.3 The Licensing Manager will determine all other matters.

- 19.4 Variations to premises licences or club premises certificates that could not impact adversely on the licensing objectives are subject to a simplified 'minor variations' process. There is clear guidance as to what constitutes a "minor variation" contained on Charnwood Borough Councils website.
- 19.5 Councillors are now considered as "interested parties" and can make representations on any application as such, even if they do not live in the vicinity, or may represent persons living or working in the vicinity of the premises in question.

## **20 Period of Validity & Review**

- 20.1 This statement of licensing policy will come into force on June 2017 and be valid for five years.
- 20.2 The policy will be kept under review during the period of validity and if necessary amendments made.
- 20.3 Before a new policy is adopted or amendments made to the existing one the Licensing Authority will undertake consultation in accordance with Section 5 of the Licensing Act 2003.



**Relevant Section of Revised Guidance issued under Section 182 of the Licensing Act 2003 ( April 2018)**

**Public nuisance**

2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at



night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.

2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.