

Sedgemoor District Council

Statement of Licensing Policy

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1. STATEMENT OF LICENSING POLICY

1.1 Introduction

1 Sedgemoor District Council (the Council) is the licensing authority under the Licensing Act 2003 (the Act). It is empowered to administer the following in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late night refreshment within the District:

- premises licences including provisional statements, variations, transfers, interim authorities and reviews
- club premises certificates
- temporary events notices
- personal licences

2 The 2003 Act requires the Council to publish a 'Statement of Licensing Policy' that sets out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act.

3 The policy will be reviewed as necessary and at least every five years.

1.2 Glossary of Terms

Within this Statement of Policy, the following words and terms are defined as stated:

Licensing Objectives:	As defined in section 1.3 below.
Council:	Means Sedgemoor District Council
Licences:	As defined in section 1.4 below.
Applications:	Means applications for Licences defined in section 1.4 below.
Notifications:	Means notifications of Temporary Event Notices.
Act:	Means the Licensing Act 2003
Regulations:	Means Regulations made under the Licensing Act 2003
Premises	Means any place and includes a vehicle, vessel or moveable structure

1.3 Licensing Objectives

5. The Licensing 2003 Act requires that the Council carries out its various licensing functions with a view to promoting the following four licensing objectives:

1. The prevention of crime and disorder;
2. Public safety;
3. The prevention of public nuisance;
4. The protection of children from harm.

1.4 Types of Licence

6. This document sets out the policies that the Council will apply when making decisions upon applications or notifications made for:
 1. Premises Licences;
 2. Club Premises Certificates;
 3. Personal Licences;
 4. Temporary Event Notices.

1.5 Licensable Activities

7. This policy relates to all those licensing activities identified as falling within the provisions of the Act, namely: -
 1. Retail sale of alcohol;
 2. Supply of alcohol by or on behalf of a club to or to the order of club members;
 3. Provision of 'regulated entertainment' to the public, to club members or with a view to profit;
 4. The provision of late night refreshment.

1.6 General Principles

8. Nothing in this 'Statement of Policy' will:
 1. Undermine the rights of any person to apply under the Act for a variety of permissions and have the application considered on its individual merits, and/or
 2. Override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the Act.
9. All applicants for premises licences and club premises certificates will be required to set out how they will promote the Licensing Objectives, as specified in section 1.3 above, and what measures they intend to employ to ensure compliance with them.
10. Licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the Act, and conditions may be attached to licences, certificates and permissions that will cover matters which are within the control of individual licensees.
11. When considering conditions to be attached to licences, the Council will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned.
12. The Council acknowledges that the licensing function cannot be used for the general control of anti-social behaviour by individuals once they are beyond the direct control of the licensee of any premises concerned.

13. In this respect, the Council recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur away from licensed premises, including:
 1. Planning controls;
 2. On-going measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other Council Departments;
 3. Designation of parts of the District as places where alcohol may not be consumed publicly;
 4. Regular liaison with the Police on law enforcement issues regarding disorder and anti-social behaviour, including the issue of fixed penalty notices, prosecution of those selling alcohol to people who are drunk; confiscation of alcohol from adults and children in designated areas and instantly closing down licensed premises or temporary events on the grounds of disorder, or likelihood of disorder or excessive noise from the premises;
 5. The power of the police, other responsible authorities or a local resident or business to seek a review of the licence or certificate.
14. Objectors will be required to relate their objection to one or more of the Licensing Objectives, as specified in section 1.3 above, before the Council will be able to consider it.
15. The Council, in undertaking its licensing function, will have due regard to the need to eliminate unlawful discrimination and to promote equality and good relations between persons of different racial groups.

1.7 Consultees

16. This Statement of Licensing Policy will be subject to formal consultation with:
 1. Avon and Somerset Constabulary;
 2. Devon & Somerset Fire and Rescue Service;
 3. The Local Safeguarding Children Board;
 4. Sedgemoor District Council's Development Control Service
 5. Sedgemoor District Council's Pollution Control Service
 6. Sedgemoor District Council's Health & Safety Service
 7. Sedgemoor District Council's Community Development and Wellbeing Service (as the Council's Responsible Authority)
 8. Health & Safety Executive
 9. Public Health at Somerset County Council
 10. Somerset County Council's Trading Standards department
 11. Sedgemoor Community Safety Partnership;
 12. Representatives of the holders of the various licences for premises in the District who will be affected by this policy;
 13. Parish and Town Councils;
 14. The public

2 LEGISLATION, POLICIES AND STRATEGIES

2.1 Legislation

17. In undertaking its licensing function under the Licensing Act 2003, the Council is also bound by other legislation, including:
1. Section 17 of the Crime and Disorder Act 1988;
 2. Human Rights Act 1998;
 3. Health and Safety at Work etc. Act 1974;
 4. Environmental Protection Act 1990;
 5. The Anti-social Behavior Act 2003
 6. Race Relations Act, 1976 (as amended)

However, the policy is not intended to duplicate existing legislation and regulation regimes that already place obligations on employers and operators.

2.2 Relationship with Planning Policies

18. The issue of a Grant or Provisional Grant of a premises licence *or club premises certificate* is a separate and distinct process to the granting of Planning Permission *and the absence of planning approval, or conditions attached to a planning approval, shall not be grounds for refusal of a licence or certificate.*

2.3 National Strategies

19. The Council will also seek to discharge its responsibilities identified by other Government Strategies, so far as they impact on the objectives of the Licensing Function. These will include:
1. Action Plan for Tackling Alcohol Related Crime, Disorder and Nuisance;
 2. Safer Clubbing;
 3. LACORS/TSI Code of Best Practice on Test Purchasing;
 4. Any future documents issued in relation to the Private Security Act 2001
 5. Alcohol Harm Reduction Strategy

2.4 Local Strategies and Policies

20. The Council will consider applications with reference to other adopted local policies, including the following:
1. The Councils Corporate Strategy
 2. Community Safety Strategy.
 3. Enforcement Policy.
 4. Local Plan.
 5. Local Transport Plan.

2.5 Integrating Strategies

21. By consulting widely prior to this policy statement being published the Council will endeavour to secure proper integration with local crime prevention, planning, transport, tourism and cultural strategies.
22. There are a number of wider issues which may need to be given due consideration when dealing with applications. The Council's Licensing Committee will therefore receive reports on the -
1. Needs of the local tourist economy;
 2. Cultural strategy for the area;
 3. Employment situation in the area and the need for new investment and employment where appropriate;
 4. Planning considerations that might affect licensed premises.
 5. Local Crime Prevention Strategies
 6. Race Equality Schemes
23. The Council recognises that licensing applications should not be seen as a re-run of the planning application process and there will be a clear separation of the planning and licensing regimes to avoid duplication and inefficiency.
24. In order to avoid duplication with other statutory regimes as far as possible the Council will not attach conditions to a licence unless they are considered necessary for the promotion of the licensing objectives. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.

2.6 Live Music, Dancing and Theatre

25. In its role of implementing local authority cultural strategies, the Council recognises the need to encourage live music, dance and theatre for the wider cultural benefit of the community, particularly for children. The Council will monitor the impact of licensing on regulated entertainment, and particularly relevant live music and dancing.
26. When considering applications for such events and the imposition of conditions on licences or certificates, the Council will carefully balance the cultural needs with the necessity of achieving the licensing objectives. The Council is aware of the need to avoid measures which deter relevant Regulated Entertainment by imposing indirect costs of a substantial nature.

3. DECISION MAKING

3.1 *Committee Terms of Reference*

27. A licensing panel of three councillors will sit to hear applications where representations have been received from interested parties and responsible authorities. Ward councillors will not sit on a panel involving an application within their ward.
28. The Licensing and General Purposes Committee will also sit to determine general licensing matters that have been delegated to it by the full Council that are not associated with the Licensing Act 2003.
29. Where a Councillor who is a member of the licensing committee is making or has made representations regarding a licence on behalf of an interested party, in the interests of good governance they will disqualify themselves from any involvement in the decision-making process affecting the licence in question.
30. The licensing panel will also refer to the licensing committee any matter it is unable to deal with because of the number of its members who are unable to take part in the consideration or discussion of any matter or vote on any question with respect to it.
31. The licensing committee will refer to the full Council any matter it is unable to deal with because of the number of its members who are unable to take part in the consideration or discussion of any matter or vote on any question with respect to it.
32. Every determination of a licensing decision by the licensing committee or a licensing panel shall be accompanied with clear, cogent reasons for the decision. The decision and the reasons for that decision will be sent to the Applicant and those who have made relevant representations as soon as practicable. A summary of the decision shall also be posted on the Council's website as soon as possible after the decision has been confirmed, where it will form part of the statutory licensing register required to be kept by the Council.
33. The Council's licensing officers will deal with all other licence applications where either no representations have been received, or where representations have been received and it is agreed by the parties that a hearing is not necessary.
34. Decisions as to whether representations are irrelevant, frivolous or vexatious will be made by Council officers, who will make the decisions on whether representations or applications for licence reviews should be referred to the licensing committee or panels. Where representations are rejected, the person making that representation will be given a written reason as to why that is the case.

3.2 Allocation of Decision making Responsibilities

35. The Council will be involved in a wide range of licensing decisions and functions and has established a Licensing and General Purposes Committee to administer them.
36. Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process, the committee has delegated certain decisions and functions and has established a panel to deal with them.
37. Further, with many of the decisions and functions being purely administrative in nature, the grant of non-contentious applications, including for example, those licences and certificates where no representations have been made, will be delegated to council officers
38. The Table shown at page 9 sets out the agreed delegation of decisions and functions to Licensing and General Purposes Committee, Licensing Panels and Officers.
39. This form of delegation is without prejudice to officers referring an application to a panel, or a panel to full committee, if considered appropriate in the circumstances of any particular case.

3.3 Licensing Reviews

40. The Council will carry out a review of a premises licence or club premises certificate where it has received a formal application for review in accordance with the Act which is relevant to one or more of the Licensing Objectives. Representations may be that activities, including, but not limited to, the following, are taking place:
 1. Use of licensed premises for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crimes;
 2. Use of licensed premises for the sale and distribution of illegal firearms;
 3. Evasion of copyright in respect of pirated films and music;
 4. Underage purchase and consumption of alcohol;
 5. Use of licensed premises for prostitution or the sale of unlawful pornography;
 6. Use of licensed premises for unlawful gaming;
 7. Use of licensed premises as a base for organised criminal activity;
 8. Use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks;
 9. Use of licensed premises for the sale of smuggled tobacco or goods;
 10. The use of licensed premises for the sale of stolen goods.
 11. Public Nuisance (noise disturbance) arising from the use of the premises.

Due consideration will be given to all relevant representations unless they are considered to be frivolous, vexatious or repetitious.

TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	FULL COMMITTEE	SUB-COMMITTEE OR PANEL	OFFICERS
Application for personal licence		If a police objection is made	If no police objection is made
Application for personal licence, with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant objection is made	If no relevant objection is made
Application for provisional statement		If a relevant objection is made	If no relevant objection is made
Application to vary premises licence/club premises certificate		If a relevant objection is made	If no relevant objection is made
Application for a Minor Variation to premises licence/club premises certificate			If nothing detrimental to any of the Licensing Objectives
Application to vary designated premises supervisor		If a police objection is made	All other cases
Request to be removed as designated personal licence holder			All cases
Application for transfer of premises licence		If a police objection is made	All other cases
Application for Interim Authorities		If a police objection is made	All other cases
Application to review premises licence/club premises registration		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc.			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a police objection to a temporary event notice		All cases	

4. LOCAL STANDARDS

4.1 Applications

41. Applications for the grant, transfer or variation of a premises licence or club premises certificate should be accompanied by a comprehensive assessment that demonstrates how the applicant will promote all the Licensing Objectives in the form of a written Operating Schedule. The Applicant may ask the Council for advice as to the scope of information to be provided.
42. The level of detail to be provided will be advised by the Council and will be proportional to scale and nature of the application being made.

4.2 Licensing Hours

43. The Council recognises that fixed and artificially early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when large numbers of people tend to leave licensed premises at the same time. Longer licensing hours regarding the sale of alcohol may therefore be considered as an important factor in reducing friction at late night food outlets, taxi ranks and other sources of transport in areas where there have already been incidents of disorder and disturbance.
44. As far as the Council's overall approach to licensing hours is concerned, it is not intended that any form of zoning will be introduced. Experience in other areas shows that this can lead to the significant movement of people across boundaries in search of premises opening later and puts greater pressure on town centres than is necessary.
45. Shops, stores and supermarkets should generally be permitted to sell alcohol for consumption off the premises during the normal hours they intend to open for shopping purposes. However, in the case of individual shops that are known to be a focus of disorder and disturbance then, subject to relevant objections, a limitation on licensing hours may be appropriate.
46. In general, the Council will deal with the issue of licensing hours on the individual merits of each application. However, when issuing a licence, stricter conditions are likely to be imposed with regard to noise control in the case of premises which are situated in largely residential areas.

4.3 Cumulative Impact

47. The Council recognises that the cumulative effect of a proliferation of late night entertainment premises (including night cafes) may result in an increase in numbers of people either walking through or congregating in streets during the night and this in turn may have a number of undesirable consequences, including:
 1. An increase in crime against both property and persons;
 2. An increase in noise causing disturbance to residents;
 3. Traffic congestion and/or parking difficulties;

4. Littering and fouling.
48. This may result in the amenity of local residents being placed under severe pressure, as it will not always be possible to attribute a particular problem to customers of particular premises. This means that whilst enforcement action to ensure conditions are complied with is taken, this may not resolve all problems.
49. Where there is evidence that a particular area of the district is already suffering adverse effects arising from the concentration of late night premises, or that residential areas are under stress, this will be taken into account in determining any further applications for premises within the area identified.
50. As such, the Council may take into account:
 1. The character of the surrounding area;
 2. The impact of the licence on the surrounding area, both individually and cumulatively with existing licences;
 3. The nature and character of the proposed operation.

4.4 Personal Licences

4.4.1 General Requirements

51. Personal Licences will generally be granted if the applicant can demonstrate the following:
 1. They are 18 years of age or over;
 2. They possess an appropriate licensing qualification or are a person of a prescribed description;
 3. No personal licence held by the applicant has been forfeited in the period of five years ending with the day the application was made;
 4. The applicant has not been convicted of any relevant offence or any relevant foreign offence.

The authority will reject any application where points 1, 2, or 3 above are not met.

52. Applicants with unspent criminal convictions for relevant offences set out in Regulations made under the Licensing Act 2003 are encouraged to first discuss their intended application with the Council and/or police licensing officers before making an application.

4.4.2 Designated Premises Supervisors

53. A joint interview may be arranged where the police are minded to object to the transfer of a designated premises supervisor on the ground that such transfer may undermine the crime prevention objective.

4.5 Conditions

54. Conditions will be applied to licences that are proportionate and appropriate to the business, organisation or individual concerned. The Council will principally draw upon the advice issued by the Home Office and/or Department of Culture, Media and Sport and attach conditions relative to the given circumstances of each individual case.
55. Conditions attached to the premises licences and club premises certificates will, so far as possible, reflect local crime prevention strategies. For example, the provision of closed circuit television cameras in certain premises. Where the licensing panel considers that a condition requiring the provision of CCTV on a Premises Licence is necessary to meet the licensing objectives, the panel will generally require that the CCTV system to be provided will meet the requirements of the Home Office Guidance on the use of CCTV. Where an applicant identifies the need to include the provision of CCTV as part of their operating schedule, the Licensing Authority expects that the CCTV system to be provided will meet the requirements of the Home Office Guidance on the use of CCTV.

4.6 Enforcement

56. The Council has an enforcement policy, based around the principles of consistency, transparency and proportionality.
57. The enforcement policy proposes that a graduated response is taken where offences against legislation are found or where licence conditions have been contravened. An isolated administrative offence such as failing to maintain certain records, may be dealt with purely by way of a written warning. More serious offences which have either been committed over a period of time, or which jeopardise public safety, such as failing to maintain fire extinguishers properly, may result in referral to Panel, the issue of a Formal Caution or a referral for prosecution.
58. The Council will seek to work actively with the police in enforcing licensing legislation. It encourages the police to share information about licensees and licensed premises under the Crime and Disorder Act 1998.

4.7 Drugs Policy

59. The Council recognises that drug use by young people in a club environment is not something that is relevant to all licensed premises. However, it is also recognised that conditions will need to be imposed for certain types of venues to discourage the sale and consumption of drugs and to create a safer environment for those who may have taken them. These conditions will take into account the "Safer Clubbing" guidance issued by the Home Office. In all cases where these conditions are to be imposed, advice will be taken from the local Drugs Action Team and the Police.

4.8 Large Scale Open Air Events

60. When submitting an application for a Premises Licence in respect of a large scale open air event, i.e. one where there are more than 500 persons present

at any one time, the applicant will need to provide evidence to the Authority that suitable and sufficient measures, as detailed in their operating schedule, will be implemented and maintained, relevant to the individual style and characteristics of their premises and event.

In making their operating schedule the applicant is advised to take into consideration current Government Guidance on this type of event and will be expected to address the issues contained therein.

5. PREVENTION OF CRIME AND DISORDER OBJECTIVE

61. The Council will, when determining applications, consider whether the grant of a premises licence or club premises certificate will result in an increase in crime and disorder.
62. The Council recognises that crime and disorder can occur, particularly outside premises, however well run the premises may be. Therefore, in considering whether the crime prevention and disorder objective is met, the Council will normally take into account a range of other criteria (see paragraph 66).
63. Applicants are encouraged to discuss the crime prevention procedures in their premises with the Council and/or the police before making a formal application.
64. The Council will continue to play an active part in the development of Pubwatch schemes within the district.
65. In considering licence applications, the Council will particularly take into account the following:
 1. The design and layout of the premises;
 2. The training given to staff in crime prevention measures appropriate to those premises;
 3. Physical security features installed in the premises. This may include matters such as the position of cash registers, where alcohol is stored in premises or the standard of CCTV that is installed; the use of toughened drinking glasses in pubs and clubs;
 4. The likely exit times from the premises and demands upon and capacity of public transport at those times; willingness to limit sales of bottled alcohol for immediate consumption; and the use of responsible pricing promotions;
 5. Any other such measures as may be appropriate, such as participation in a local Pubwatch, 'music wind-down policies', restrictions on drinks promotions such as 'happy hours';
 6. The measures employed to prevent the consumption or supply of illegal drugs, including any search procedures and entry policies;
 7. Where premises are subject to age-restrictions, the procedures in place to conduct age verification checks;
 8. The likelihood of any violence, public order or policing problem if the licence is granted.

6 PUBLIC SAFETY OBJECTIVE

6.1 *Inspection of Premises*

66. The Council will endeavour to inspect premises on receipt of an application to vary the premises licence, save where only a minor change is being proposed. Officers will determine on a case-to-case basis which applications require an inspection, and will arrange inspections, wherever possible, in advance with the applicant.
67. Where an application has been received to build new premises or vary existing premises, the Council's licensing officers will aim to co-ordinate inspections and visits with the fire authority, police and environmental health officers.
68. All premises will be risk-rated, and will be routinely inspected on a priority basis by Council Officers.
69. Council, Police or Fire Service Officers reserve the right to inspect licensed premises for purposes of ascertaining compliance with the Act or associated legislation or Regulations.

6.2 *Operational Considerations*

70. Licensed premises present a mixture of health and safety risks, some of which are common to many premises, and others unique to single premises. It is essential that premises are constructed, or adapted, so as to safeguard occupants against such risks.
71. The purpose of imposing a maximum number of persons resorting to premises at any one time is to ensure the safety of persons in the premises, and, safe escape in the case of an emergency. The Council therefore will set occupancy limits in consultation with the Fire Service where it is deemed appropriate.
72. The Council will aim to protect the general health and safety of persons frequenting and working in licensed premises or events through the imposition of conditions on licences on a risk related basis.

7 THE PREVENTION OF PUBLIC NUISANCE OBJECTIVE

73. The Council is concerned to protect the amenity of residents and businesses in the vicinity of licensed premises, and for these purposes 'vicinity' is taken to mean the area around licensed premises.
74. In considering premises licence applications, the Council will consider the adequacy of measures proposed to deal with the potential for nuisance and/or anti-social behavior having regard to the circumstances of the application.
75. The Council will particularly consider:
1. The steps taken or proposed to be taken by the applicant to prevent noise and vibration escaping from the premises, including music; noise from ventilation equipment, and human voices. Such measures may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices.
 2. The steps taken or proposed to be taken by the applicant to prevent disturbance by customers arriving at or leaving the premises;
 3. The steps taken or proposed to be taken by the applicant to prevent queuing (either by pedestrian or vehicular traffic). If some queuing is inevitable then queues should be diverted away from neighbouring premises or be otherwise managed to minimise disturbance or obstruction;
 4. Whether there is sufficient provision for public transport (including taxis and private hire vehicles) for patrons;
 5. The installation of any special measures where licensed premises are or are proposed to be located near sensitive premises such as nursing homes, hospitals, hospices or places of worship;
 6. The use of marquees, gardens and other open-air areas. Marquees afford very little sound attenuation and if sited close to noise sensitive premises noise nuisance is likely. Careful consideration should therefore be given to the type of entertainment that is held within such structures or in the open air and the presumption is that they will not be suitable for high levels of amplified music;
 7. The siting of external lighting, including security lighting that is installed inappropriately;
 8. Whether the premises would lead to increased refuse storage or disposal problems, or additional litter (including fly posters and illegal placards) in the vicinity of the premises.

8 PROTECTION OF CHILDREN FROM HARM OBJECTIVE

8.1 Access to licensed premises

76. The wide range of premises that require licensing means that children can be expected to visit many of these, often on their own, for food and/or entertainment.
77. The Council will not seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm to them.
78. The Council will consult with the Local Safeguarding Children Board on any application that indicates there may be concerns over access for children.
79. The Council will judge the merits of each separate application before deciding whether to impose conditions limiting the access of children to individual premises. The following are examples of premises that will raise concern:
 1. Where there have been convictions for serving alcohol to minors or with a reputation for underage drinking;
 2. With a known association with drug taking or dealing;
 3. Where there is a strong element of gambling on the premises;
 4. Where entertainment of an adult or sexual nature is commonly provided.
80. The Council will consider any of the following options when dealing with a licence application where limiting the access of children is considered necessary to prevent harm to children:
 1. Limitations on the hours when children may be present;
 2. Limitations on ages below 18;
 3. Limitations or exclusion when certain activities are taking place;
 4. Requirements for an accompanying adult;
 5. Full exclusion of people under 18 from the premises when any licensable activities are taking place.
81. No conditions will be imposed requiring that children be admitted to any premises and, under normal circumstances; this will be left to the discretion of the individual licensee.
82. The 2003 Act details a number of offences designed to protect children in licensed premises and the Council will work closely with the police to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children.
83. The Council commends the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Code seeks to ensure that intoxicating drinks are packaged and promoted in a socially responsible manner and only to those who are aged 18 years or older. The Code is an important weapon in protecting children from harm.

8.2 Access to cinemas

84. Films cover a vast range of subjects, some of which deal with adult themes and/or contain, for example, scenes of horror or violence that may be considered unsuitable for children within certain age groups.
85. In order to prevent children from seeing such films, the Council will impose conditions requiring licensees to restrict children from viewing age-restricted films. The age restrictions will be based on the recommendations of the British Board of Film Classification (BBFC). The Council retains the right to specify age-restrictions on films not based on classifications made by the BBFC, should it think it appropriate to meet this particular objective.

8.3 Children and public entertainment

86. Many children go to see and/or take part in an entertainment arranged especially for them, for example children's film shows and dance or drama school productions, and additional arrangements are required to safeguard them while at the premises.
87. The Council will consider attaching Conditions to licences and permissions to prevent harm to children, and these may include Conditions drawn from the advice contained in the Department of Culture, Media and Sports Guidance.
88. The Council will expect the submitted Operating Schedules to satisfactorily address these issues.

9. COMPLAINTS AGAINST LICENSED PREMISES

89. The Council will investigate complaints against licensed premises in relation to matters relating to the four licensing objectives mentioned in paragraph 4 above. In the first instance, complainants are encouraged to raise the complaint directly with the licensee or business concerned to seek a local resolution.
90. Where an interested party such as a resident, a resident's association, or Elected Member of the Authority (either on a resident's behalf or in their own right) has made :-
1. Valid representations about licensed premises, or
 2. A valid application for a licence to be reviewed

the person(s) making the representation are recommended to enter discussions with the applicant or licence holder to seek an equitable solution to the issue(s) of concern.

91. This process will not override the right of any interested party to ask that the licensing panel consider their valid objections, or for any licence holder to decline to participate in a conciliation meeting.

Due consideration will be given to all relevant representations unless they are considered to be frivolous, vexatious or repetitious.

10. FURTHER INFORMATION

92. Further information about the Licensing Act 2003, this Statement of Licensing Policy and about the application process, including application forms and guidance notes can be obtained from:

The Licensing Officer
Environmental Services
Sedgemoor District Council
Bridgwater House
King Square
Bridgwater
Somerset
TA6 3AR

Tel: 0845 408 2540
Fax: 01278 435401
E-mail: licensing@sedgemoor.gov.uk
Website: www.sedgemoor.gov.uk

- 95 Information is also available from the

Department for Media, Culture and Sport,
2-4 Cockspur Street
LONDON
SW1Y 5DH

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