1 Purpose of Report
1.1 To seek member approval of the licensing authority’s licensing policy statement as prescribed by Section 5 of the Licensing Act 2003 (the Act).

2 Executive Summary
2.1 The Act requires each council, referred to as a licensing authority,
   - to determine its policy in respect of the exercise of its licensing functions;
   - publish a statement of that policy
2.2 The statement of licensing policy must be reviewed and republished every five years.

3 Appendices
3.1 Appendix 1 – Consultation Responses
3.2 Appendix 2 – Summary of Consultation responses
3.3 Appendix 3 – Statement of Licensing Policy

4 Proposed Action:
4.1 The committee is invited to RECOMMEND the approval of the statement of licensing policy as reviewed and as prescribed by the Licensing Act 2003;

5 Background
5.1 The statement of licensing policy describes in general terms how the local authority will deal with licensing matters within its area. The government’s guidance under section 182 of the Licensing Act 2013, prescribes the core content of the policy.
5.2 The statement of licensing policy provides a framework to aid decision making and provides clarity for applicants and residents with a view to promotion of the four statutory licensing objectives;
   - The prevention of crime and disorder
   - Public safety
   - The prevention of public nuisance
   - The protection of children from harm
5.3 A policy has been in operation with regular reviews since the Licensing Act 2003 came into effect and has to date successfully supported the operation of the licensing process. The current statement of licensing policy was approved by services committee in March 2015.

5.4 The policies must be reviewed every 5 years, so the policy required review before March 2020.

6 Discussion

6.1 As part of the Northamptonshire Licensing Liaison Group, officers work to standardise good practice by developing common policies and procedures wherever practical. The content of the statement of licensing policy is prescribed by guidance issued under the Act, it was therefore felt appropriate to produce a single policy statement to cover each of the seven authorities in the county, with local modification where felt necessary.

6.2 The Act requires the following persons to be consulted regarding the review of the policy statement;
- The Chief Officer of Police
- The fire authority for the area
- Persons / bodies representative of local holders of premises licenses
- Persons / bodies representative of local holders of club premises certificates
- Persons / bodies representative of local holders of personal licenses
- Persons / bodies representative of business and residents in its area

6.3 The consultation was undertaken between 9 September and 18 October. A Members Briefing Note was issued on 4 September informing of the consultation and inviting consultation responses.

6.4 Two responses were received during the consultation period, one from Punch Taverns Limited and one from the Public Health Officer of Northamptonshire County Council. The consultation responses are attached within Appendix 1 and the County Licensing Liaison Groups comments and response are attached within Appendix 2.

6.5 No local consultation responses were received and no evidence was provided to indicate that the draft policy did not support the operation of the licensing process within the borough.

6.7 The policy has been amended at section 8 to account for comments made by the Public Health Officer. The Northamptonshire Health and Wellbeing Strategy and Director of Public Health Northamptonshire Annual Report have also been added to Annex 3. A link to the regulator’s code has been added to the guidance documents section as suggested by Punch Taverns Limited. There are no other changes to the draft policy. The updated policy is attached within Appendix 3.
6.8 This updated policy is now at various stages of being adopted within each authority within the county.

7 Legal Powers
7.1 There is a statutory requirement that the Licensing Authority will review its policies set out in the Statement of Licensing Policy on a 5 yearly cycle. That duty is prescribed by Section 5 of the Licensing Act 2003.

8 Financial and Value For Money Implications
8.1 There are no such implications arising from this report.

9 Risk Analysis
9.1

<table>
<thead>
<tr>
<th>Nature of risk</th>
<th>Consequences if realised</th>
<th>Likelihood of occurrence</th>
<th>Control measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the Statement of Licensing Policy is not approved.</td>
<td>The Licensing Authority has no policies against which to determine licence applications and enforce the provisions of the Licensing Act 2003.</td>
<td>Low</td>
<td>To approve the policy statement.</td>
</tr>
</tbody>
</table>

10 Implications for Resources
10.1 Officer time in giving effect to the decision of the Sub-Committee.

11 Implications for Stronger and Safer Communities
11.1 The policies contained within the Statement of Licensing Policy determine the Council’s approach to the four licensing objectives;
- the prevention of crime and disorder
- public safety
- prevention of public nuisance
- the protection of children from harm
12 Implications for Equalities
12.1 There are no such implications arising from this report.

13 Author and Contact Officer
Amanda Wilcox, Principal Environmental Health Manager

14 Consultees
Liz Elliott, Managing Director
Shaun Darcy, Director
Vicki Jessop, Assistant Director
Eric Symons, Assistant Director
Karen Denton, Assistant Director
Adrian Piper, Assistant Director
Gill Chapman, Principal Community Support Manager
Matt O’Donnell, Team Leader (Health Protection)
Philippa Bright, Licensing Officer

15 Background Papers
15.1 None
Overview

The Northamptonshire Public Health team greatly appreciates the opportunity to comment on the Northamptonshire Statement of Licensing Policy 2019 – 2024.

The aim of public health is to improve quality of life through prevention and treatment of disease. The activities of public health may not always directly relate to the licensing objectives, but can often indirectly impact upon them.

Although we understand that public health is not one of the four objectives, the consumption and sale of alcohol has significant knock on effects to the primary aims of public health. It is for these reasons that we would appreciate a wider acknowledgement of the health implications relating to alcohol, and how licensing is in a prime position to positively improve local health outcomes.

Other Areas

Licensing authorities from other areas have previously used this platform to address the health implications of licensing:

Bolton’s statement explicitly recognises the areas above average level of alcohol related health harms.

6.1 Bolton Council recognises that the instances of alcohol-related health harms across the borough are high and that Bolton ranks highly both regionally and nationally in respect of alcohol-related health harms. It also recognises the relationship between alcohol intoxication and violent crime and that violent behaviour is a public health and a crime and disorder issue.

Coventry’s policy comments on the detrimental health effects of alcohol, and the way in which alcohol related harm disproportionately impacts lower socio-economic groups.

13.8 In line with the principles of the Marmot Review ‘Fair Society, Healthy lives’ Coventry City Council has agreed to develop common policies to reduce the scale and impact of health inequalities across the city. This includes focusing interventions such as alcohol reduction on reducing the social gradient in health. There is a social gradient in the harms from alcohol consumption, but not in alcohol consumption itself. Quantities and patterns of drinking differ across socio-economic groups, as do harmful outcomes. According to the Marmot Review, those people from more deprived areas who consume alcohol are more likely to have problematic drinking patterns and dependence than those from more affluent areas. Binge drinking in under 18s is associated with deprivation and unemployment is associated with alcohol consumption
York have dedicated part of their licensing policy to discuss local factors, which includes an overview of alcohol related harm in the city:

5.6 30% of York adults report drinking more than the recommended limits of alcohol, this is in line with the national average. This means that 30% of York adults are putting themselves at an increased risk of alcohol related disease and other long term harm. The excessive use of alcohol is an important public health problem in York, not only because of the health conditions associated with long term alcohol misuse, but also the immediate effects such as accidental injuries, violence and anti-social behaviour.

We appreciate the policy highlighting some of the data the public health team can provide. However, we feel it would be beneficial to provide a brief overview of the kind of data we can offer. It will also give the reader a better understanding of the potential implications of increasing the supply of alcohol:

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Period</th>
<th>England</th>
<th>East Midlands</th>
<th>Northamptonshire</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percentage of adults drinking over 14 units of alcohol a week</td>
<td>2011-14</td>
<td>25.7</td>
<td>25.5</td>
<td>27.9</td>
</tr>
<tr>
<td>Hospital admissions for alcohol related conditions (per 100k people)</td>
<td>2017/18</td>
<td>632</td>
<td>669</td>
<td>702</td>
</tr>
<tr>
<td>Hospital admissions for alcohol specific conditions (per 100k people)</td>
<td>2017/18</td>
<td>570</td>
<td>505</td>
<td>485</td>
</tr>
<tr>
<td>Hospital admissions for alcohol specific conditions – under 18’s</td>
<td>2015/16 – 2017/18</td>
<td>32.9</td>
<td>29.2</td>
<td>35.3</td>
</tr>
<tr>
<td>Alcohol related mortality</td>
<td>2017</td>
<td>46.2</td>
<td>46.6</td>
<td>45.4</td>
</tr>
<tr>
<td>Hospital admissions for mental and behavioural disorders due to use of alcohol</td>
<td>2017/18</td>
<td>69.2</td>
<td>78.1</td>
<td>74.9</td>
</tr>
<tr>
<td>Hospital admissions for intentional self-poisoning by and exposure to alcohol</td>
<td>2017/18</td>
<td>46.2</td>
<td>49.9</td>
<td>66.7</td>
</tr>
<tr>
<td>Hospital admissions for alcohol related unintentional injuries (per 100k people)</td>
<td>2017/18</td>
<td>144.3</td>
<td><strong>141.9</strong></td>
<td><strong>151.5</strong></td>
</tr>
</tbody>
</table>
Chapter 8 Health as a responsible authority

We would recommend expanding this section to explain why Public Health is a responsible authority, and how licensing can be used to tackle alcohol related health matters. It may also be worth noting that although the protection of public health is not a specific licensing objective, it can where appropriate permeate each of the licensing objectives.

Annex 3 Other policies, legislation, and guidance sources

This section of the statement highlights a variety of strategies, policies, and legislation that complement the licensing policy.

Although many have been included, we note the absence of the following:

Northamptonshire Health and Wellbeing Strategy 2016 - 2020

The priorities of which are as follows:

- Every child gets the best start
- Taking responsibility and making informed choices
- Promoting independence and quality of life for older adults
- Creating an environment for all people to flourish

As several of these priorities are relevant to the licensing objectives, we would greatly appreciate this important strategy being included within the list of relevant documents.

Director of Public Health Northamptonshire Annual Report 2018/19

Each year the Director of Public Health publishes their annual report. This report details local public health priorities and makes recommendations for future work.

The 2018/19 report comments on the recent increase of alcohol related hospital admissions, and the impact alcohol has on the finances of those living in areas of deprivation. The former is most certainly relevant to the licensing objectives, and the DPH explicitly notes the importance of the licensing regime in our attempts to reduce alcohol related harm.

For these reasons we believe the DPH’s annual report should be included in the list of strategies/documents.
Conclusion

As we have noted throughout, we are well aware that public health itself is not one of the four licensing objectives. However, given the harm caused by alcohol in Northamptonshire, we would like to see health related matters be discussed in greater depth.

Kind regards,

Richard Holley
Public Health Officer
Northamptonshire County Council
PUNCH PUBS & CO

EAST NORTHAMPTONSHIRE STATEMENT OF LICENSING POLICY RESPONSE

Punch Taverns Response

Punch is one of the UK's largest leased pub companies, with around 1300 pubs across the UK. From the spirit of our local community pubs, the energy of our lively city centre hot spots and sports bars, to the warmth and calm of our inviting country inns; our pubs are the heart of all we do.

We are a business of people that love pubs! With a mixed estate of high quality leased, tenanted and retail pubs, our years of experience have enabled us to develop a leading proposition for those wishing to work with us and run a pub business of their own. We provide industry leading, tailored business support to our Publicans and develop market-leading, flexible agreements and retail concepts to suit all aspirations.

Under the ownership of Patron and May Capital, we have exciting plans to grow our business: longer term through potential acquisition opportunities and - in the here and now - by substantially investing in our teams, our pubs and Publicans.

Corporate Social Responsibility (CSR) is embedded across many elements of our business, from corporate fundraising to responsible retailing. We have dedicated teams in place to assist in ensuring that our premises operate to the highest standards. We strive to ensure that our pubs are not operating irresponsible drinks promotions or serving underage drinkers or those who are intoxicated.

The Punch Buying Club, our online ordering and communications portal, also has a section dedicated to Risk Management providing our Publicans with a wide range of downloadable educational tools, advice and pub-friendly materials, which can be used pub managers and team members.

As supporters of Drinkaware we do not condone irresponsible promotions and pricing of alcohol, and we have actively supported Drinkaware's campaigns to help tackle binge drinking amongst 18 to 25 year olds. Responsible retailing forms a key part of our Publican training and we provide clear guidance on current legislation and best practice. We also support industry led initiatives to promote responsible retailing and are active members of industry trade bodies such as British Beer Pub Association (BBPA) and the British Institute of Innkeeping (BII).

We are pleased to be able to contribute to this consultation, we have always prided ourselves with working with Local Authorities and Responsible authorities.

Punch operate 11 premises within East Northamptonshire

We would like to make the following points some which are specific to the policy and referenced and some which are more general which we would ask be taken into account.
RESPONSE

4. Strategies
We feel that this policy would benefit from a more detailed relating to integrating other guidance, policies, objectives and strategies into licensing decisions. Licensing policies work best when they are relevant, and indeed work with other council strategic plans and policies. For instance, planning strategies and local cultural strategies often inform applicants for either new licences or variations to licences as to what the council are looking to do in terms of promoting culture, leisure use and night-time economy uses in a particular area.

Often it can be difficult to find these documents online and therefore reference to them and indeed a general statement that the authority will take into account other strategies is both a pertinent and of benefit to applicants and responsible authorities alike. Links to specific strategies, will also assist new potential businesses to understand and factor in the likely costs of entry into the city.

6. Objectives

Prevention of Crime and Disorder

The prevention of crime and disorder is one of the 4 licensing objectives and clearly a major pillar of licensing legislation. However, we have become increasingly concerned that licensed premises are sometimes being unfairly held to a higher standard when it comes to prevention of crime and disorder than other public premises. For instance, when Police present evidence of crime and disorder in relation to licensed premises, they will often include references to any crime that is associated not just with the premises in terms of its operation as licensed premises but generally. For instance, the Police will often include references to all calls where those calls have referenced the premises as a local landmark which can include anything from criminal activity from people who have not been customers of the premises, offences in relation to taxis, or general disturbance and noise nuisance in a town centre where it cannot be said to be relevant to the premises.

Premises licence holders will also often find reference to offences that are not relevant to the licensing objectives themselves. So, for instance, robberies at residential premises above a licensed premises are sometimes included. We feel it is important that the council recognise in their policy that these are matters that are not relevant to the prevention of crime and disorder licensing objective and that the licensing authority's expectation is that they will only be presented with evidence where it directly relates to the licensable activities being provided within the premises themselves.

Prevention of Public Nuisance

The prevention of public nuisance licensing objective is to be widely interpreted, as set out in the Statutory Guidance. However, we often come across conditions imposed on licences, as well as the investigation of complaints that do not relate to public nuisance. For instance, conditions that refer to 'nuisance', rather than 'public nuisance', set a significantly higher barrier-one that was not intended by the Licensing Legislation. We also see this in terms of enforcement action where often enforcement officers will allege that a nuisance, often a private nuisance, has occurred and demand action under the terms of the premises licence. Clearly this is beyond that which was intended by Parliament and therefore we suggest that your policy reflects the need for public nuisance to be demonstrated and for conditions relating to nuisance to relate to public nuisance rather than any wider definition, in
particular, we suggest that expressly stating that private nuisance is not a licensing objective would assist in all parties understanding what is and is not the remit of licensing legislation.

**Protection of children from harm**

We note that responsible authorities often request ‘Challenge 25’ as a standard condition. Many premises (especially multiple operators) operate Challenge 21 policies and have training and signage for this. To change it can be expensive and/ or time-consuming. As such, we would suggest that the licensing authority would not expect responsible authorities to suggest a change to Challenge 25 where a premises is already trading with a different challenge policy, unless there have been identified risks to children at the specific premises. It would assist if the policy reflected this.

**10. Planning**

We would also urge you to clarify in your policy that where conditions are stipulated on a planning permission, such as restriction on hours or activities, these do not need to be repeated in the premises licence, unless there is good reason to do so. Often conditions relating to extract systems, closing times of external areas, etc. appear on both permissions and on occasion they do not even mirror the other. This leads to additional and unnecessary expense for licence holders should such conditions need to be amended.

**14. Cumulative Impact and Special Policies**

We note that your cumulative impact policy section does not reference cumulative impact assessments (‘CIA’s’). It would assist if this section were expanded to explain more about CIA’s and the effect of them, including that cumulative impact policies need to be reviewed every 3 years, rather than the 5 for the policy itself.

We note that there are no cumulative impact policy areas identified, but that this will be kept under review.

We understand that there are occasions where CIP’s provide a valuable tool to local authorities in regulating the night time economy. However, our experience is that they can also be an impediment to businesses and the development of a thriving night time economy.

Punch, as a promoter of entrepreneurship within our estate of leased pubs understands very well the challenges that small business operators face when looking to enter a new market or adapt their offer.

Cumulative impact policies can have the effect of dissuading operators from even attempting to get a licence. This unintentionally penalises operators considering smaller more novel applications (simply because of the prohibitive cost), often resulting in them looking to take their ideas elsewhere and thereby wasting a chance to develop a more rounded and vibrant economy in the CIP. For the same reason, such policies also promote ubiquity and stagnation as the only operators willing to take on the risk and outlay of applying in cumulative impact zones are larger established chains with the financial backing to fight for a licence. Given the plight of the pub market 7 years ago and now the casual dining market, in part because their offers failed to change as the market developed around them, the use of CIP’s needs careful oversight.
17. Conditions

Whilst Punch Taverns recognise the importance of conditions on premises licences in certain circumstances, such as to prevent or to mitigate the potential risk of certain activities undermining the licensing objectives, we have a concern that more and more conditions are being placed on a licence that are then enforced as breaches of the licence in their own right. Licensing authorities are obliged to promote the 4 licensing objectives. Breaches of condition and of themselves are an offence under Section 136 of the Licensing Act and on summary conviction can lead to an unlimited fine and/or up to 6 months in prison. It is important that this distinction is recognised in your policy and that breaches of condition and of themselves are a matter for the Courts; whereas an undermining of the licensing objectives, which can happen with or without conditions being on the licence in any event, are the province of the licensing authority to deal with. We would suggest that this distinction is made in your policy as it will re-enforce the message both for responsible authorities and for operators who hold premises licences in your area.

Punch has always been happy to work with licensing authorities in relation to conditions being imposed on a licence where they are necessary and proportionate to achieve an identifiable aim. However, we are concerned with the prevalence of standard conditions being used across all licences within any particular class. This has taken over from a proper analysis of the need for such conditions in the first place.

In particular, we have seen a rise in conditions being imposed upon premises licences by responsible authorities, irrespective of the nature of the application being made. For instance, a variation to plans attached to a licence to effect a simple alteration in layout and where there is no change in licensable activities, increase in customer area, or removal of internal lobbies, for instance, sometimes result in officers seeking to ride on the back of that application to impose conditions that are in no way relevant to it. The case of Taylor v Manchester City Council makes it clear that any conditions imposed on a premises licence when it is varied must relate to that application itself and should not stray into other areas that are not part of the application. It is important again that this is referenced in policy in order to prevent unnecessary hearings and often additional expense to applicants seeking to make simple changes to their licence but are then held to ransom by responsible authorities who know that operators are unlikely to challenge their right to impose such conditions where the cost would be send the matter to a hearing.

We submit that the imposition of large numbers of conditions on a premises licence is self-defeating. Premises licences form one part of a significant number of regulatory requirements that must be observed by publicans and this is often forgotten by regulators who often only think in terms of their one area of expertise. This means that they often do not see the wood for the trees. Policies that set out an expectation of long operating schedules or worse, require officers to object to applications unless the applicant applies their standard conditions, place an unnecessary burden on operators without necessarily helping to promote the licensing objectives. The City of London licensing authority, for instance, will only impose conditions if deemed absolutely necessary. It is not unusual to see licences with only a handful of conditions.

The reason for this is that they expect operators to promote the licensing objectives, not go through the motions of complying with conditions because they have to. Also, licences grandfathered in 2005 would, likely have few or no conditions on them. We have seen no evidence to suggest such premises have undermined the licensing objectives more than "conditioned licences."

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Punch, Jubilee House, Second Avenue, Burton upon Trent, Staffordshire, DE1 4 2WF

We would challenge any authority to suggest that this approach leads to more issues with licence holders undermining the objectives. If anything this clarity of approach means that operators are freed up to adapt their businesses as the demands of the market change, freeing up officers from having to undertake lengthy inspections of licences and then having to send out enforcement letters relating to conditions that are breached in the observation without any real evidence that the breaches themselves undermine the objectives. This in turn frees up resources for enforcement against poorly behaving premises and dealing with unlicensed operators.

19. Minor Variations

We are pleased to see details about the minor variation procedure in your policy. However, we would suggest that a little more detail in terms of the bullets might assist in clarifying for both officers and applicants what might be considered a minor variation. We would propose that the following bullets are added to the list of what minor variations can be used for:

- Make changes to layout that do not increase the customer area (beyond a de-minimis increase of, we would suggest, 10%).
- Removal of conditions that are no longer relevant to the operation of the premises or are redundant following imposition of new law, such as the Regulatory Reform (Fire Safety) Order 2005.

OTHER MATTERS WE WOULD ASK YOU TO CONSIDER REFLECTING IN YOUR POLICY

On and Off-Sales

Recently we have become aware that the definition of on and off-sales has caused some confusion. In particular there appears to be confusion around whether an off-licence is required for customers to take drinks outside of a premises, for instance onto the pavement, and consume their drinks there.

We contend that such a sale is an on-sale. If one considers the nature of the offence of selling alcohol without the appropriate licence, it is clear that the intention is that the person making the sale is the one who would be charged with the offence, rather than, say, the purchaser. Therefore, in selling a drink in an open container for immediate consumption, it cannot be argued that the publican has made anything other than an on-sale. It is inconceivable that the law intended that should this person step outside the premises, or indeed take that drink away with him, that this would somehow transform that on-sale to an off-sale. The terms ‘on’ and ‘off’ sales originate from the Licensing Act 1964. Analysis of the legislation (by reference to off-sales) demonstrates that all off-sales had to be intended to be sold for consumption away from not only the licensed premises but any land associated with that premises or land immediately adjoining it for them to be considered an off sale. The intention was to ensure that in a situation where a seller makes an on-sale, that on-sale does not become an off-sale simply by means of it being consumed in the immediate environment of the premises, such as an unlicensed garden or on the pavement outside the pub.

As such, we feel that this needs to be clarified in the policy. We would propose a statement along the following lines:-

"On and off-sales are defined by reference to the intention of the seller at the time of sale. A sale in an open container for immediate consumption at the premises is an on-sale. This extends to where the person who has purchased the drink at the bar and then consumes it either in a pub garden or on the pavement immediately outside the premises."
An off-sell is a sale designed for consumption away from the premises and its immediate environs. This will usually be in a sealed container such as a bottle or can and the seller when selling that drink had no intention for the purchaser to remain at the premises to consume it.

GDPR

We note that the policy does not make reference to the GDPR.

One of the most significant changes in recent times has been the change to data protection legislation introduced via GDPR. Whilst the obvious effects of this regulatory change relate to protecting personal data held on behalf of individuals, such as social media, mailing lists, email data bases and various other forms of storage of someone else's data, there are other effects that need to be reflected in licensing policy.

For instance, the requirement for CCTV at a premises licence is not only expensive to install, but we question the value of such systems in terms of crime prevention and detection, especially in smaller community pubs. However, it is now commonplace for police to demand CCTV in almost all premises and to insist upon complicated and demanding CCTV conditions to be added to premises licences. In addition, operators of CCTV systems have to consider the GDPR implications. In particular, anyone who stores data, including CCTV footage of individuals, which is classified as data for the purposes of GDPR, must be responsible for its safe collection, storage, usage and disposal. Handling over CCTV footage to Police officers in the active investigation of a criminal offence, such as a fight, would obviously be a legitimate reason for providing data. However, a condition with a general requirement to hand over CCTV at the behest licensing officer or police officer would arguably breach GDPR were it to be enforced. This means that there are numerous CCTV conditions on licences that would likely, were one to try and enforce them as they are written, cause an operator to breach GDPR.

Similarly, club SCAN conditions need to be thought about in terms of GDPR and the obligations of the data holder. For instance, the time for which any data is stored and the purpose for storing that data needs to be made clear to people handing over their data.

Again conditions that require such data to be handed over at the behest of an officer other than in investigating a criminal offence would in all likelihood breach GDPR.

We feel therefore that this need to be addressed in the policy in order to ensure that conditions are updated to ensure compliance and that CCTV in particular is not being universally required where there is no real and pressing need for it.

Agent of Change

Whilst we recognise that the principle is currently being debated in terms of planning, it is equally as important in licensing. We recommend that the licensing policy expressly recognises that developers of new residential developments need to protect their buyers from potential sources of noise disturbance, not expect existing licensed premises to have to adapt their offer to accommodate this new development. In particular, small pubs often rely on live or recorded music, provision of social events and other community based promotions, such as beer festivals, in order to survive and thrive.

We have, unfortunately, seen a rise in complaints and reviews directed at existing premises that have often been at the heart of the community for over a century, from residents moving into new properties nearby. Whilst it is incumbent upon licence holders to promote the licensing objectives, it is iniquitous and arguably a breach of their Article 1, Protocol 1.
human right to peaceful enjoyment of property, which includes their premises licence, to have their livelihood threatened and sometimes taken away because of poorly designed and constructed residential property built next door.

**Tables and Chairs licences**

External areas, especially gardens and enclosed spaces laid out to tables and chairs, are often attractive in their own right, as well as promoting businesses. Where they are on council land, they can be useful sources of revenue for local authorities. We would ask that your policy refers to any tables and chairs policy in place, with links to where application forms can be found on the council website etc. Whilst not strictly related to the Licensing Act 2003, the council policy document is a useful guide to licence holders and the more information that can be provided about ancillary matters, the more likely it is that licence holders and applicants will use this resource.

**20 Enforcement**

We suggest this policy specifically references the Regulator’s Code and provides a link. This is useful for all parties to licensing matters and recognises the important role that businesses play in local communities.
### Appendix 2

**Summary of responses received and the Northamptonshire Licensing Liaison Group NLLG) considerations**

<table>
<thead>
<tr>
<th>Respondent Details</th>
<th>Comments made</th>
<th>Response</th>
</tr>
</thead>
</table>
| Punch Taverns Limited    | 4. Strategies  
We feel that this policy would benefit from a more details relating to Integrating other guidance, policies, objectives and strategies into licensing decisions. Licensing policies works best when they reference, and indeed work with, other council strategic plans and policies. For instance, planning strategies and local cultural strategies often inform applicants for either new licences or variations to licences as to what the council are looking to do in terms of promoting culture, leisure use and night-time economy uses in a particular area.  

Often it can be difficult to find these documents online and therefore reference to them and indeed a general statement that the authority will take into account other strategies is both a pertinent and of benefit to applicants and responsible authorities alike. Links to specific strategies, will also assist new potential businesses to understand and factor in the likely costs of entry into the city.  

6. Objectives  
Prevention of Crime and Disorder  
The prevention of crime and disorder is one of the 4 licensing objectives and clearly a major pillar of licensing legislation. However, we have become increasingly concerned that licensed premises are sometimes being unfairly held to a higher standard when it comes to prevention of crime and disorder than other public premises. For instance, when Police present evidence of crime and disorder in relation to licensed premises, they will often include references to any crime that is associated not just with the premises in terms of its operation as licensed premises but generally. For instance, the Police will often include reference to all calls where those calls have  

This is a Northamptonshire County wide Statement of Licensing Policy (SOLP) so it would be difficult to link to all relevant Northamptonshire guidance, policies and strategies. It would also require constant review as and when policies and strategies are updated/removed etc.  

Section 11.7 of the S182 guidance states that any application for review must relate to the premises and be relevant to the licensing objectives. The purpose of the SOLP is not to repeat the S182 guidance. Nor is it the Licensing Authorities responsibility to check and sensor police submissions however licensing panels and other parties can raise and consider any concerns relating to evidence accordingly. |
<table>
<thead>
<tr>
<th>Respondent Details</th>
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<tbody>
<tr>
<td>referenced the premises as a local landmark which can include anything from criminal activity from people who have not been customers of the premises, offences in relation to taxis, or general disturbance and noise nuisance in a town centre where it cannot be said to be relevant to the premises.</td>
<td></td>
<td>This issue is covered in the S182 guidance in sections 2.15 and 2.16 where it states that public nuisance is not narrowly defined in the 2003 Act but retains its broad common law meaning. This is reiterated in paragraph 6.3 of the policy.</td>
</tr>
<tr>
<td>Premises licence holders will also often find reference to offences that are not relevant to the licensing objectives themselves. So, for instance, robberies at residential premises above a licensed premises are sometimes included. We feel it is important that the council recognise in their policy that these are matters that are not relevant to the prevention of crime and disorder licensing objective and that the licensing authority’s expectation is that they will only be presented with evidence where it directly relates to the licensable activities being provided within the premises themselves.</td>
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<tr>
<td>Prevention of Public Nuisance</td>
<td>The prevention of public nuisance licensing objective is to be widely interpreted, as set out in the Statutory Guidance. However, we often come across conditions imposed on licences, as well as the investigation of complaints that do not relate to public nuisance. For instance, conditions that refer to ‘nuisance’, rather than ‘public nuisance’, set a significantly higher barrier—one that was not intended by the Licensing Legislation. We also see this in terms of enforcement action where often enforcement officers will allege that a nuisance, often a private nuisance, has occurred and demand action under the terms of the premises licence. Clearly this is beyond that which was intended by Parliament and therefore we suggest that your policy reflects the need for public nuisance to be demonstrated and for conditions relating to nuisance to relate to public nuisance rather than any wider definition. In particular, we suggest that expressly stating that private nuisance is not a licensing objective would assist in all parties understanding what is and is not the remit of licensing legislation.</td>
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<td><strong>Protection of children from harm</strong></td>
<td>We note that responsible authorities often request ‘Challenge 25’ as a standard condition. Many premises (especially multiple operators) operate Challenge 21 policies and have training and signage for this. To change it can be expensive and/or time consuming. As such, we would suggest that the licensing authority would not expect responsible authorities to suggest a change to Challenge 25 where a premises is already trading with a different challenge policy, unless there have been identified risks to children at the specific premises. It would assist if the policy reflected this.</td>
<td>The role of Responsible Authorities (RA) is detailed in 9.11 and 9.12 and it is their responsibility to determine if they have appropriate grounds to make representations and incumbent on them to ensure that they can withstand scrutiny at any hearing. It is not the role of the Licensing Authority to direct RA’s.</td>
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<td><strong>10. Planning</strong></td>
<td>We would also urge you to clarify in your policy that where conditions are stipulated on a planning permission, such as restriction on hours or activities, these do not need to be repeated in the premises licence, unless there is good reason to do so. Often conditions relating to extract systems, closing times of external areas, etc. appear on both permissions and on occasion they do not even mirror the other. This leads to additional and unnecessary expense for licence holders should such conditions need to be amended.</td>
<td>Conditions are only adopted with agreement of the applicant or through the committee process.</td>
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<td><strong>14. Cumulative Impact and Special Policies</strong></td>
<td>We note that your cumulative impact policy section does not reference cumulative impact assessments (‘CIA’s’). It would assist if this section were expanded to explain more about CIA’s and the effect of them, including that cumulative impact policies need to be reviewed every 3 years, rather than the 5 for the policy itself. We note that there are no cumulative impact policy areas identified, but that this will be kept under review. We understand that there are occasions where CIP’s provide a valuable tool to local authorities in regulating the night time.</td>
<td>The Licensing Authority do not deem this appropriate as we don’t have any cumulative impact policy areas in places.</td>
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<td>economy. However, our experience is that they can also be an impediment to businesses and the development of a thriving night time economy.</td>
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<td></td>
<td>Punch, as a promoter of entrepreneurship within our estate of leased pubs understands very well the challenges that small business operator’s face when looking to enter a new market or adapt their offer.</td>
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<td>Cumulative impact policies can have the effect of dissuading operators from even attempting to get a licence. This unintentionally penalises operators considering smaller more novel applications (simply because of the prohibitive cost), often resulting in them looking to take their ideas elsewhere and thereby wasting a chance to develop a more rounded and vibrant economy in the CIP. For the same reason, such policies also promote ubiquity and stagnation as the only operators willing to take on the risk and outlay of applying in cumulative impact zones are larger established chains with the financial backing to fight for a licence. Given the plight of the pub market 7 years ago and now the casual dining market, in part because their offers failed to change as the market developed around them, the use of CIPs needs careful oversight.</td>
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<td><strong>17. Conditions</strong></td>
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<td>Whilst Punch Taverns recognise the importance of conditions on premises licences in certain circumstances, such as to prevent or to mitigate the potential risk of certain activities undermining the licensing objectives, we have a concern that more and more conditions are being placed on a licence that are then enforced as breaches of the licence in their own right. Licensing authorities are obliged to promote the 4 licensing objectives. Breaches of condition in and of themselves are an offence under Section 136 of the Licensing Act and on summary conviction can lead to an unlimited fine and/or up to 6 months in prison. It is important that this distinction is recognised in your policy and that breaches of licensing conditions are adopted with agreement of the applicant or through the committee process.</td>
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<td>Section 17.1 of the policy states that conditions may only be</td>
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<td>condition in and of themselves are a matter for the Courts; whereas an undermining of the licensing objectives, which can happen with or without conditions being on the licence in any event, are the province of the licensing authority to deal with. We would suggest that this distinction is made in your policy as it will re-enforce the message both for responsible authorities and for operators who hold premises licences in your area. Punch has always been happy to work with licensing authorities in relation to conditions being imposed on a licence where they are necessary and proportionate to achieve an identifiable aim. However, we are concerned with the prevalence of standard conditions being used across all licences within any particular class. This has taken over from a proper analysis of the need for such conditions in the first place. In particular, we have seen a rise in conditions being imposed upon premises licences by responsible authorities, irrespective of the nature of the application being made. For instance, a variation to the plans attached to a licence to effect a simple alteration in layout and where there is no change in licensable activities, increase in customer area, or removal of internal lobbies, for instance, sometimes result in officers seeking to ride on the back of that application to impose conditions that are in no way relevant to it. The case of Taylor v Manchester City Council makes is clear that any conditions imposed on a premises licence when it is varied must relate to that application itself and should not stray into other areas that are not part of the application. It is important again that this is referenced in policy in order to prevent unnecessary hearings and often additional expense to applicants seeking to make simple changes to their licence but are then held to ransom by responsible authorities who know that operators are unlikely to challenge their right to impose such conditions where the cost would be send the matter to a hearing. We submit that the imposition of large numbers of conditions</td>
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<td>applied following receipt of relevant representations where they have been agreed by all parties concerned or have been applied by the licensing committee to avoid disproportionate and burdensome conditions.</td>
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Respondent Details | Comments made | Response
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on a premises licence is self-defeating. Premises licences form one part of a significant number of regulatory requirements that must be observed by publicans and this is often forgotten by regulators who often only think in terms of their one area of expertise. This means that they often do not see the wood for the trees. Policies that set out an expectation of long operating schedules or worse, require officers to object to applications unless the applicant applies their standard conditions, place an unnecessary burden on operators without necessarily helping to promote the licensing objectives. The City of London licensing authority, for instance, will only impose conditions if deemed absolutely necessary. It is not unusual to see licences with only a handful of conditions.

The reason for this is that they expect operators to promote the licensing objectives, not go through the motions of complying with conditions because they have to. Also, licences grandfathered in 2005 would, likely have few or no conditions on them. We have seen no evidence to suggest such premises have undermined the licensing objectives more than “conditioned licences.”

We would challenge any authority to suggest that this approach leads to more issues with licence holders undermining the objectives. If anything this clarity of approach means that operators are freed up to adapt their businesses as the demands of the market change, freeing up officers from having to undertake lengthy inspections of licences and then having to send out enforcement letters relating to conditions that are breached in the observation without any real evidence that the breaches themselves undermine the objectives. This in turn frees up resources for enforcement against poorly behaving premises and dealing with unlicensed operators.

**19. Minor Variations**

We are pleased to see details about the minor variation
Respondent Details | Comments made | Response
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procedure in your policy. However, we would suggest that a little more detail in terms of the bullets might assist in clarifying for both officers and applicants what might be considered a minor variation. We would propose that the following bullets are added to the list of what minor variations can be used for:

- Make changes to layout that do not increase the customer area (beyond a de-minimis increase of, we would suggest, 10%).
- Removal of conditions that are no longer relevant to the operation of the premises or are redundant following imposition of new law, such as the Regulatory Reform (Fire Safety) Order 2005.

This is detailed in section 19.6 of the SOLP and any changes to layout will be considered in the light of impact on the licensing objectives as per section 8.62 of the S182 guidance.

OTHER MATTERS WE WOULD ASK YOU TO CONSIDER REFLECTING IN YOUR POLICY

On and Off-Sales

Recently we have become aware that the definition of on and off-sales has caused some confusion. In particular there appears to be confusion around whether an off-licence is required for customers to take drinks outside of a premises, for instance onto the pavement, and consume their drinks there.

We contend that such a sale is an on-sale. If one considers the nature of the offence of selling alcohol without the appropriate licence, it is clear that the intention is that the person making the sale is the one who would be charged with the offence, rather than, say, the purchaser. Therefore, in selling a drink in an open container for immediate consumption, it cannot be argued that the publican has made anything other than an on-sale. It is inconceivable that the law intended that should this person step outside the

The Licensing Authority will have regard to the S182 guidance in respect of on and off sales.
Respondent Details | Comments made | Response
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premises, or indeed take that drink away with him, that this would somehow transform that on-sale to an off-sale. The terms 'on' and 'off' sales originate from the Licensing Act 1964. Analysis of the legislation (by reference to off-sales) demonstrates that all off-sales had to be intended to be sold for consumption away from not only the licensed premises but any land associated with that premises or land immediately adjoined to them to be considered an off sale. The intention was to ensure that in a situation where a seller makes an on-sale, that on-sale does not become an off-sale simply by means of it being consumed in the immediate environment of the premises, such as an unlicensed garden or on the pavement outside the pub.

As such, we feel that this needs to be clarified in the policy. We would propose a statement along the following lines:

"On and off-sales are defined by reference to the intention of the seller at the time of sale. A sale in an open container for immediate consumption at the premises is an on-sale. This extends to where the person who has purchased the drink at the bar and then consumes it either in a pub garden or on the pavement immediately outside the premises.

An off-sale is a sale designed for consumption away from the premises and its immediate environs. This will usually be in a sealed container such as a bottle or can and the seller when selling that drink had no intention for the purchaser to remain at the premises to consume it."

**GDPR**

We note that the policy does not make reference to the GDPR.

One of the most significant changes in recent times has been the change to data protection legislation introduced via GDPR. Whilst the obvious effects of this regulatory change relate to protecting personal data held on behalf of individuals, such as social media, mailing lists, email data...
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<td>bases and various other forms of storage of someone else’s data, there are other effects that need to be reflected in licensing policy. For instance, the requirement for CCTV at a premises licence is not only expensive to install, but we question the value of such systems in terms of crime prevention and detection, especially in smaller community pubs. However, it is now commonplace for police to demand CCTV in almost all premises and to insist upon complicated and demanding CCTV condition’s to be added to premises licences. In addition, operators of CCTV systems have to consider the GDPR implications. In particular, anyone who stores data, including CCTV footage of individuals, which is classed as data for the purposes of GDPR, must be responsible for its safe collection, storage, usage and disposal. Handing over CCTV footage to Police officers in the active investigation of a criminal offence, such as a fight, would obviously be a legitimate reason for providing data. However, a condition with a general requirement to hand over CCTV at the behest licensing officer or police officer would arguably breach GDPR were it to be enforced. This means that there are numerous CCTV conditions on licences that would likely, were one to try and enforce them as they are written, cause an operator to breach GDPR. Similarly, club scan conditions need to be thought about in terms of GDPR and the obligations of the data holder. For instance, the time for which any data is stored and the purpose for storing that data needs to be made clear to people handing over their data. Again conditions that require such data to be handed over at the behest of an officer other than in investigating a criminal offence would in all likelihood breach GDPR. We feel therefore that this need to be addressed in the policy in order to ensure that conditions are updated to ensure compliance and that CCTV in particular is not being</td>
<td>S 10.10 of the 182 guidance states that conditions should only be imposed where necessary for the promotion of the licensing objectives. GDPR is a matter for the data controller.</td>
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Agent of Change

Whilst we recognise that the principle is currently being debated in terms of planning, it is equally as important in licensing. We recommend that the licensing policy expressly recognises that developers of new residential developments need to protect their buyers from potential sources of noise disturbance, not expect existing licensed premises to have to adapt their offer to accommodate the new development. In particular, small pubs often rely on live or recorded music, provision of social events and other community based promotions, such as beer festivals, in order to survive and thrive.

We have, unfortunately, seen a rise in complaints and reviews directed at existing premises that have often been at the heart of the community for over a century, from residents moving into new properties nearby. Whilst it is incumbent upon licence holders to promote the licensing objectives, it is iniquitous and arguably a breach of their Article 1, Protocol 1 human right to peaceful enjoyment of property, which includes their premises licence, to have their livelihood threatened and sometimes taken away because of poorly designed and constructed residential property built next door.

Tables and Chairs licences

External areas, especially gardens and enclosed spaces laid out to tables and chairs, are often attractive in their own right, as well as promoting businesses. Where they are on council land, they can be useful sources of revenue for local authorities. We would ask that your policy refers to any tables and chairs policy in place, with links to where application forms can be found on the council website etc. Whilst not strictly related to the Licensing Act 2003, the council policy

The SOLP is not aimed at developers.

This is not a matter for the Licensing Authority.
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<td></td>
<td>Document is a useful guide to licence holders and the more information that can be provided about ancillary matters, the more likely it is that licence holders and applicants will use this resource.</td>
<td>Thank you for this suggestion, the link has been added to the guidance documents section of the policy.</td>
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<td></td>
<td><strong>20 Enforcement</strong></td>
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<td></td>
<td>We suggest this policy specifically references the Regulator's Code and provides a link. This is useful for all parties to licensing matters and recognises the important role that businesses play in local communities.</td>
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<tr>
<td>Public Health – NCC Richard Holley</td>
<td><strong>Overview</strong></td>
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<tr>
<td></td>
<td>The Northamptonshire Public Health team greatly appreciates the opportunity to comment on the Northamptonshire Statement of Licensing Policy 2019 – 2024.</td>
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<td>The aim of public health is to improve quality of life through prevention and treatment of disease. The activities of public health may not always directly relate to the licensing objectives, but can often indirectly impact upon them.</td>
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<td>Although we understand that public health is not one of the four objectives, the consumption and sale of alcohol has significant knock on effects to the primary aims of public health. It is for these reasons that we would appreciate a wider acknowledgement of the health implications relating to alcohol, and how licensing is in a prime position to positively improve local health outcomes.</td>
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<td></td>
<td><strong>Other Areas</strong></td>
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<td>Licensing authorities from other areas have previously used this platform to address the health implications of licensing:</td>
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<td>Bolton’s statement explicitly recognises the areas above average level of alcohol related health harms.</td>
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<td>6.1 Bolton Council recognises that the instances of alcohol-related health harms across the borough are high and that Bolton ranks highly both regionally and nationally in respect of alcohol-related health harms. It also recognises the relationship between alcohol intoxication and violent crime and that violent behaviour is a public health and a crime and disorder issue.</td>
<td>4.2 Bolton Council recognises that the instances of alcohol-related health harms across the borough are high and that Bolton ranks highly both regionally and nationally in respect of alcohol-related health harms. It also recognises the relationship between alcohol intoxication and violent crime and that violent behaviour is a public health and a crime and disorder issue.</td>
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We appreciate the policy highlighting some of the data the public health team can provide. However, we feel it would be beneficial to provide a brief overview of the kind of data we can offer. It will also give the reader a better understanding of the potential implications of increasing the supply of alcohol:

<table>
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<tr>
<th>Indicator</th>
<th>Period</th>
<th>England</th>
<th>East Midlands</th>
<th>East Northants</th>
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<tr>
<td>Percentage of adults drinking over 14 units of alcohol a week</td>
<td>2011-14</td>
<td>25.7</td>
<td>25.5</td>
<td>27.9</td>
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<tr>
<td>Hospital admissions for alcohol related conditions (per 100k people)</td>
<td>2017-18</td>
<td>632</td>
<td>669</td>
<td>702</td>
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<tr>
<td>Hospital admissions for alcohol specific conditions (per 100k people)</td>
<td>2017-18</td>
<td>570</td>
<td>505</td>
<td>485</td>
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<tr>
<td>Hospital admissions for alcohol specific conditions – under 18’s</td>
<td></td>
<td>32.9</td>
<td>29.2</td>
<td>35.3</td>
</tr>
<tr>
<td>Alcohol related mortality</td>
<td>2017</td>
<td>46.2</td>
<td>46.6</td>
<td>45.4</td>
</tr>
<tr>
<td>Hospital admissions for mental &amp; behavioural</td>
<td>2017-18</td>
<td>69.2</td>
<td>78.1</td>
<td>74.9</td>
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<tr>
<td>disorders due to use of alcohol</td>
<td>2017-18</td>
<td>46.2</td>
<td>49.9</td>
<td>66.7</td>
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<td>Hospital admissions for intentional self-poisoning by &amp; exposure to alcohol</td>
<td>2017-18</td>
<td>144.3</td>
<td>141.9</td>
<td>151.5</td>
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**Chapter 8 Health as a responsible authority**

We would recommend expanding this section to explain why Public Health is a responsible authority, and how licensing can be used to tackle alcohol related health matters. It may also be worth noting that although the protection of public health is not a specific licensing objective, it can where appropriate permeate each of the licensing objectives.

**Annex 3 Other policies, legislation, and guidance sources**

This section of the statement highlights a variety of strategies, policies, and legislation that complement the licensing policy. Although many have been included, we note the absence of the following:

**Northamptonshire Health and Wellbeing Strategy 2016 - 2020**

The priorities of which are as follows:
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|                    | • Every child gets the best start  
• Taking responsibility and making informed choices  
• Promoting independence & quality of life for older adults  
• Creating an environment for all people to flourish |          |
|                    | As several of these priorities are relevant to the licensing objectives, we would greatly appreciate this important strategy being included within the list of relevant documents. |          |
|                    | **Director of Public Health Northamptonshire Annual Report 2018/19**  
Each year the Director of Public Health publishes their annual report. This report details local public health priorities and makes recommendations for future work.  
The 2018/19 report comments on the recent increase of alcohol related hospital admissions, and the impact alcohol has on the finances of those living in areas of deprivation. The former is most certainly relevant to the licensing objectives, and the DPH explicitly notes the importance of the licensing regime in our attempts to reduce alcohol related harm.  
For these reasons we believe the DPH's annual report should be included in the list of strategies/documents. | Thank you, these documents have been added to Annex 3. |
|                    | **Conclusion**  
As we have noted throughout, we are well aware that public health itself is not one of the four licensing objectives. However, given the harm caused by alcohol in Northamptonshire, we would like to see health related matters be discussed in greater depth. |          |
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Licensing Act 2003

Statement of Licensing Policy for Regulated Entertainment, Late Night Refreshment and the Sale of Alcohol

November 2019
## Licensing Act 2003 Statement of Licensing Policy for Regulated Entertainment, Late Night Refreshment and the Sale of Alcohol

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1. Executive Summary

1.1 The Licensing Act 2003 introduced a revised licensing system for alcohol, entertainment and late night refreshment.

1.2 Section 5 of the Licensing Act 2003 has imposed a statutory duty on the Licensing Authority to produce a statement of licensing policy for a five years period, beginning with such day as the Secretary of State may by order appoint. This policy commenced 16th December 2014.

1.3 This document sets out the Licensing Authorities policy, which will guide the Council when considering applications under the Act. The policy provides guidance on the general approach the Council, as the Licensing Authority within the meaning of the Act, will take in terms of licensing. However, each licence application will be considered separately on its individual merits.

1.4 The Licensing Authority in adopting this policy recognises both the needs of residents for a safe and healthy environment to live and work in and the importance of safe and well run entertainment premises to the local economy and vibrancy of the area. However, the Council also recognises that balancing these interests will not always be straightforward and it will be guided by the four licensing objectives as set out in this policy.

1.5 This policy does not seek to undermine the right of any individual to apply under the Act for a variety of permissions and as stated above each application will be considered on its individual merits. Nor does the Policy seek to override the right of a person to make representations on an application or seek a review of a licence or certificate. However, this Council in adopting the policy is indicating that a wide range of considerations will be taken into account.

1.6 The Council will use its powers to promote best practice in relation to the operation of licensed premises and is committed to partnership working with responsible authorities, local businesses, licensed trade, residents and others to ensure that they have a clear understanding of the legislation.

1.7 The Licensing Authority has had regard to the guidance issued by the Secretary of State under Section 182 of the Act when developing this statement of Licensing Policy. This Council may deviate from the guidance but will demonstrate good reasons for doing so.

1.8 The scope of this policy covers new applications, transfers and variations of licences and certificates including temporary event notices. This includes the review of licences and certificates which could lead to a range of sanctions including the revocation of a licence or a certificate.

2. Purpose and Scope of the Licensing Policy

2.1 The Licensing Act 2003 makes it a duty for the local authority to carry out its functions under the Act with a view to promoting the four licensing objectives:

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

2.2 The purpose of this Policy is to detail how this Authority will comply with that duty.

2.3 In determining its statement of licensing policy, this Authority will have regard to the guidance issued by central government and other regulatory bodies to ensure that its actions are consistent with those nationally. To further ensure consistency the licensing authorities of Northamptonshire will meet as necessary to ensure that a consistent approach is being achieved.
2.4 Licensing decisions will be made in accordance with the current legislation, case law, relevant guidance and in accordance with this policy.

2.5 No decision will be made which undermines the right of any individual to apply under the terms of the Act for a variety of permissions and to have any such application considered on its individual merits.

2.6 Authorised persons, interested parties and responsible authorities, as defined in the Act, will have the right to make representations to the Licensing Authority on any application or seek a review of a licence or certificate where provision has been made for them to do so in the Act. This Authority recognises that in the absence of relevant representations it will grant licences on the terms sought.

2.7 Licensing is about regulating the provision of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Licensing Act 2003. The terms and conditions attached to various permissions will be focused on matters which are within the control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places.

2.8 This authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned. However this Council recognises that licensing legislation is not a mechanism for the general control of anti-social behavior by individuals once they are beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned.

2.9 The Licensing Act 2003 is not the primary mechanism for the general control of nuisance and anti-social behavior by individuals once they are away from licensed premises and, therefore, beyond the control of the licence holder. Nonetheless, it is a key aspect of such control and licensing laws will always be part of the holistic approach to the management of the evening and night-time economy.

2.10 The objective of the licensing process is to allow for the carrying on of retail sales of alcohol, supply of alcohol by or on behalf of a club to its members, regulated entertainment, and late night refreshment, and the prevention of public nuisance, prevention of crime and disorder, public safety and protection of children from harm. This Licensing Authority wishes to facilitate well run and managed premises with licence holders displaying sensitivity to the impact of the premises on local residents.

2.11 This Licensing Authority recognises that the provision of entertainment is a major contributor to the economy of the area attracting tourists and visitors, and is a source of employment.

2.12 This Licensing Authority will also have regard to wider considerations affecting the residential population and the amenity of any area. These include littering, fouling, noise and street crime.

2.13 In determining a licence application the overriding principle adopted by the Licensing Authority will be that each application will be determined on its merits. Only mandatory conditions and conditions offered or agreed with by the applicant will be imposed except where relevant representations against an application are received. Where relevant representations are received then further additional conditions to meet the licensing objectives may be added provided they are appropriate, proportionate and reasonable and deal with the issues raised. Licence conditions will not be imposed where other regulatory regimes provide sufficient protection to the public e.g. health and safety at work and fire safety legislation.

2.14 In considering licensing hours this Licensing Authority will place significant emphasis on the individual merits of an application. In addition, the views of the Police and other agencies will be important in this consideration.

2.15 Licensing hours will not inhibit the development of a thriving and safe evening and night-time local economy which is important for investment and employment locally and beneficial to tourism without compromising the ability to resource local services associated with the night-time economy. Providing consumers with greater choice and flexibility is an important consideration.

2.16 Shops and public houses will generally be permitted to sell alcohol during the hours they intend to open. Entertainment providers will be encouraged to provide a range of entertainment during their operating hours and to promote live music, dancing and theatre for the wider cultural benefit of the
community. Individual applicants should address the licensing objectives in their operating schedule within the context of the nature of the location, type of premises, entertainment to be provided, operational procedures and the needs of the local community.

2.17 The purpose of this policy document is to assist the Licensing Authority in reaching a decision on a particular application, setting out those matters which will normally be taken into account. In addition, this policy document seeks to provide clarity for applicants, residents and other occupiers of property and investors, enabling them to make plans to move to, remain or invest in the area with some measure of certainty.

2.18 Before determining its policy for any five-year period, this Authority will undertake full consultation as prescribed by the 2003 Act.

2.19 The views of all of those consulted will be given appropriate weight when the policy is determined together with those of any other persons or bodies which the Authority considers appropriate to consult with. When undertaking consultation exercises, this Authority will also have regard to cost and time.

3. Duplication

3.1 The enforcement of licensing legislation will at all times be distinct from other regulatory regimes such as fire safety and health and safety so far as is practicable.

3.2 Conditions will only be attached to premises licences and club premises certificates that are necessary for the promotion of the licensing objectives detailed in the introduction to this policy, be they mandatory conditions, conditions made against the operating schedule and/or following relevant representations. Under normal circumstances where matters are already provided for in other legislation they cannot be considered necessary in the context of licensing law.

3.3 To ensure clarity of enforcement roles appropriate liaison with other enforcing authorities will take place and, where considered appropriate, joint inspections by enforcement agencies will be arranged.

4. Strategies

4.1 Where relevant representations are received, this Licensing Authority will attach conditions to premises licences and club premises certificates where appropriate to reflect local crime prevention strategies, for example, the provision of closed circuit television cameras in certain premises. The need for such conditions will be considered specifically as part of the application consultation process with Northamptonshire Police and more generally through Crime and Disorder Partnerships.

4.2 The Licensing Committee will be advised of any relevant information received either reactively or proactively indicating that this policy is having a detrimental impact on live music and dancing and other regulated activities, to ensure that broader cultural activities and entertainment are not being affected. Where indications are that there is a negative effect on such events then this policy will be reviewed in order to identify how the issues may be remedied. Advice will be sought from other relevant bodies as appropriate where such issues are identified. Every care will be taken to ensure that only necessary, proportionate and reasonable licensing conditions are applied.

5. Live Music Act

5.1 The Live Music Act came into force on 1st October 2012 and is designed to encourage more performances of ‘live’ music.

5.2 Where licensable activities continue to take place on premises any licence conditions relating to ‘live’ music will be suspended between 08:00 and 23:00 hours, but it will be possible to impose new, or reinstate existing conditions following a review. When considering whether an activity constitutes ‘the provision of regulated entertainment’ each case will be treated on its own merits.
6. Objectives

6.1 Prevention of crime and disorder

The essential purpose of the licence or certificate is to regulate behaviour on premises and access to them where this relates to licensable activities and the licensing objectives. Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and his staff or agents. They can however directly impact on the behavior of those under the licensee’s direction when on their premises or in the immediate vicinity of the premises as they seek entry or leave.

There are a number of offences both within the Licensing Act 2003 and other legislation that relate to crime and disorder that a licensee should be familiar with. These offences stand in their own right and will not be duplicated as conditions on any licence/certificate.

Various ‘PubWatch’ schemes operate in Northamptonshire which aim to counter individuals who damage property, are violent and cause disorder, or use or deal in drugs, through exclusions. This Licensing Authority is supportive of such schemes and considers premises should join where it is appropriate to do so.

6.2 Public safety

The public safety objective is concerned with the physical safety, including fire safety, of the people using the relevant premises and not with public health, which is dealt with in other legislation. Public safety includes the safety of performers appearing at any premises. The Authority has noted that from 1st October 2006 the Regulatory Reform (Fire Safety) Order 2005 replaced previous fire safety legislation. Responsibility for complying with the order rests with the ‘responsible person’ who has control of premises.

The Licensing Authority is familiar with the “Safer Clubbing Guide” and its application to nightclubs and dance events. The guide contains a number of suggestions and safeguards, which appropriate premises should consider and include within their operating schedules as necessary. There are a number of other key publications that relate to public safety at entertainment events, which the Licensing Authority would recommend to applicants.

6.3 The prevention of public nuisance

The public nuisance objective is designed to deal with the impacts of licensable activities at specific premises on persons living and working (including doing business) in the vicinity that is disproportionate and unreasonable. The main issues for concern will be noise nuisance, light pollution, noxious smells and litter.

The provision of welfare facilities such as toilets within licensed premises is relevant to the prevention of public nuisance. Adequate welfare provisions may prevent nuisance activities taking place within the street, such as urination. Licensees should therefore ensure that adequate facilities are provided within the premises and include these details within their operating schedule.

Public nuisance is not defined within the Act but is given a broad common law definition. The prevention of public nuisance could therefore include low-level nuisance perhaps affecting a few people living locally as well as major disturbances affecting the whole community. This may also include in appropriate circumstances the reduction of the living and working amenity and environment of interested parties (as defined) in the vicinity of the licensed premises.

This Licensing Authority will have regard to the powers available within the Anti Social Behaviour Act 2003. This provides that if noise from licensed premises is causing a public nuisance the local authority has powers to issue a closure order for up to 24 hours. This compliments the police powers under Part 8 of the 2003 Act.
6.4 The protection of children from harm

The Act has tightened up on the controls relating to the sale and supply of alcohol to children with new and further principle offences contained within the Act itself. However the intention of the Act is to make licensed premises accessible to families and only limit access to children where it is necessary in order to prevent physical, moral or psychological harm to them. This would include the protection of children from too early an exposure to strong language, sexual expletives, violence or frightening images, for example, in the context of film exhibitions, or where adult entertainment is provided.

When deciding where restrictions should be imposed, this Licensing Authority will examine the individual merits of each application and only impose conditions whether the circumstances justify them.

Aspects of an application that would be likely to raise concerns in relation to access by children would include:

- 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;
- With a known 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); and
- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

It is not possible to provide an exhaustive list of the entertainment or services that are of an adult or sexual nature, therefore a common sense approach will be taken to interpretation. However such entertainment or services would also include entertainment involving strong and offensive language.

Where conditions are required for the prevention of harm to children, a range of alternatives will be considered as methods for limiting access. These could include:

- Limitations on hours when children may be present;
- Limitations of the presence of children under certain ages when particular specified activities are taking place;
- Limitations on the parts of the premises to which children might be given access;
- Age limitations (below 18);
- Requirements for accompanying adults (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- Full exclusion of those people under 18 from the premises when any licensable activities are taking place.

This Licensing Authority, Northamptonshire County Council Trading Standards Service and Northamptonshire Police take a very serious view of the persistent and illegal sale of alcohol and other age-restricted goods to children. Together with Trading Standards, this Licensing Authority will continue to seek to ensure that illegal sales of alcohol and other age-restricted goods are reduced and ultimately eradicated.

The sale of alcohol to minors (under 18 years of age) is a criminal offence and Trading Standards Service has over time, worked to advise the off-licence trade on how to set up systems to avoid sales taking place.

The Licensing Authority will maintain close contact with the police, young offender’s team and Trading Standards officers regarding unlawful activities and share actions and intelligence where appropriate.
7. **The Licensing Authority as a responsible authority**

7.1 This Licensing Authority acknowledges that it is now included in the list of responsible authorities. The 2003 Act does not require responsible authorities to make representations about applications for the grant of premises licences or to take any other steps in respect of different licensing processes. Therefore, it is for this Licensing Authority to determine when it considers it appropriate to act in its capacity as a responsible authority.

7.2 This Licensing Authority will not normally act as a responsible authority on behalf of other parties (for example, local residents, local councillors or community groups) although there are occasions where the authority may decide to do so. Such parties can make relevant representations to the Licensing Authority in their own right, and it is reasonable for this licensing authority to expect them to make representations themselves where they are reasonably able to do so. However, if these parties have failed to take action and this licensing authority is aware of relevant grounds to make a representation, a choice may be made to act in its capacity as responsible authority.

7.3 This Licensing Authority expects that other responsible authorities should intervene where the basis for the intervention falls within the remit of that other responsible authority. For example, the police should make representations where the representations are based on concerns about crime and disorder. Likewise, it is reasonable to expect the local authority exercising environmental health functions to make representations where there are concerns about noise nuisance.

7.4 The 2003 Act enables licensing authorities to act as responsible authorities as a means of early intervention and may do so where the authority consider it appropriate without having to wait for representations from other responsible authorities.

7.5 In cases where this Licensing Authority is also acting as responsible authority in relation to the same process, there will be a separation of responsibilities within the authority to ensure procedural fairness and eliminate conflicts of interest. In such cases, licensing determinations will be made by the licensing committee or sub committee comprising elected members of the authority (although they are advised by a licensing officer). Therefore, a separation is achieved by allocating distinct functions (i.e. those of licensing authority and responsible authority) to different officials within the authority.

7.6 Accordingly, the officer advising the licensing committee (i.e. the authority acting in its capacity as the licensing authority) will be a different person from the officer who is acting for the responsible authority. The officer acting for the responsible authority will not be involved in the licensing decision process and will not discuss the merits of the case with those involved in making the determination by the licensing authority. Communication between these officers in relation to the case will remain professional and consistent with communication with other responsible authorities.

8. **Health as a responsible authority**

8.0 Northamptonshire County Council Directors of Public Health (DPH) are now responsible authorities with all of the powers and responsibilities this brings. The introduction of Public Health as a responsible authority has gone some way towards starting to reduce alcohol-related harms through the use of licensing legislation. Conditions may be added by way of representation against an application or review of a licence if there is a specific health concern at a premises related to any or all of the four licensing objectives.

8.1 This Licensing Authority acknowledges that DPH will be useful in providing evidence of alcohol-related health harms when there is a revision of policy particularly in relation to cumulative impact policies or early morning restriction orders.

8.2 This Licensing Authority envisages that DPH’s will also be useful in providing evidence such as alcohol-related A & E admissions or ambulance service data that might be directly relevant to an application under the Act.
9. **Responsible Authorities**

9.1 Northamptonshire Police Service
9.2 Northamptonshire Fire and Rescue Service
9.3 Northamptonshire County Council Trading Standards
9.4 District/Borough Councils for the relevant Licensing Authority, Environmental Health (Health and Safety and Environmental Protection) and Planning
9.5 Child Protection – Northamptonshire County Council
9.6 Home Office Immigration Enforcement
9.7 Local Health Authority – Northamptonshire County Council
9.8 In relation to a vessel, a navigation authority, the Environment Agency or the British Waterways Board

10. **Planning**

10.1 This Licensing Authority acknowledges that there must be proper separation of the planning and licensing regimes to avoid duplication and inefficiency. Licensing applications should not be a re-run of the planning application and should not cut across decisions taken by the local authority Planning Committee or following appeals against decisions taken by that committee.

10.2 The Licensing Committee may provide reports to the Policy and Development Control Committee on the situation regarding licensed premises in the area to ensure proper integration, including the general impact of alcohol related crime and disorder, to provide background information to any planning applications for potential licensed premises under consideration.

10.3 The planning authority also has a duty to consider matters of crime and disorder at this stage. This will enable the planning committee to have regard to such matters when taking its decisions and avoid any unnecessary overlap.

10.4 Applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned. However, applications for licences may be made before any relevant planning permission has been sought or granted by the planning authority. There is no legal basis for this Licensing Authority to refuse a licence application because it does not have planning permission.

10.5 The strength of planning policies is that there is an obligation both on the council, as local planning authority, and the decision maker on any appeal to give considerable weight to them. This helps ensure consistency in the decision making process.

11. **Licensing Hours**

11.1 Consideration will always be given to the individual merits of an application in line with the four licensing objectives and any relevant representations. This Authority recognises that longer licensing hours with regard to the sale of alcohol need to be managed effectively to ensure that the concentrations of customers leaving premises simultaneously are avoided. This is necessary to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport, which may lead to disorder and disturbance.

11.2 However, when issuing a licence with hours beyond 23.00 hours, higher standards may be expected to be included in Operating Schedules to address the Licensing Objectives especially premises which are situated near to residential properties.
11.3 In considering licence applications, where relevant representations are made, this Licensing Authority will consider the adequacy of measures proposed to deal with the potential for public nuisance and/or public disorder having regard to all the circumstances of the case.

11.4 Where relevant representations are made, this authority will demand stricter conditions with regard to noise control in areas that have denser residential accommodation, but this will not limit opening hours without regard for the individual merits of any application. This authority will consider each application and work with the parties concerned to ensure that adequate noise control measures are in place.

12. Temporary Event Notices

12.1 The most important aspect of the system of permitted temporary activities is that no permission as such is required for these events from the Council. The system involves the notification of an event to the Licensing Authority, Environmental Health and Northamptonshire Police, subject to fulfilling certain conditions.

12.2 As many users giving TEN’s will not have commercial backgrounds or ready access to legal advice, the Licensing Authority will ensure that guidance is clear and understandable and will aim to keep arrangements manageable and user friendly for these groups.

12.3 Northamptonshire Licensing Authorities recommend that at least 28 days and no more than 3 months notice be given to hold such events, to allow it to help organisers plan their events safely.

12.4 The Licensing Authority will also remind notice givers of relevant offences under licensing law, including:

- the sale of alcohol to minors,
- the sale of alcohol to a person who is drunk,

12.5 The Licensing Authority would encourage event organisers not to rely on giving the minimum amount of notice; Event organisers are encouraged to contact local Northamptonshire Police Licensing Officers as early as possible about their proposed event(s).

13. Sexual Entertainment

13.1 This Licensing Authority has adopted a policy in relation sexual entertainment venues under the Local Government (Miscellaneous Provisions) Act 1982, as amended by the Policing and Crime Act 2009. With reference to this related policy standard conditions are attached to such licences and where there are similar conditions in the two regimes, the more onerous apply.

13.2 This Licensing Authority acknowledges there is an exemption under the Local Government (Miscellaneous Provisions) Act 1982 that allows premises to provide sexual entertainment no more than 11 times per year and no more frequently than monthly.

14. Cumulative Impact and Special Policies

14.1 Commercial demand for additional licensed premises is not a matter for this Licensing Authority or its statement of policy but 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 Committee.

14.2 Conditions may only relate to matters that the licensee can be expected to control. These are likely to relate to the premises themselves and the immediate vicinity. Where the number, type and density of premises selling alcohol are unusual, serious problems of nuisance and disorder can sometimes arise or begin to arise outside or some distance from the licensed premises. This has been described
as the cumulative effect of the increasing capacity of all premises taken together and is outside of the control of licence conditions. There may be circumstances where this Licensing Authority receives relevant representations from a responsible authority or interested party that the
cumulative effect of new licences is leading to an area becoming saturated with premises, making it a focal point for large groups of people to gather and circulate, away from the licensed premises themselves. This might be creating exceptional problems of disorder and nuisance over and above the impact from the individual premises. In such circumstances this Licensing Authority may consider the question of whether the granting of any further premises licences or club premises certificates would undermine one of the licensing objectives. The Licensing Act 2003 allows for this, so long as cumulative impact is addressed in the context of the individual merits of any application.

14.3 However this Licensing Authority will not impose quotas that restrict the consideration of any application on its individual merits or which seek to impose limitations on trading hours in particular areas, either formally or informally.

14.4 However, it may be necessary for this Licensing Authority to adopt a special policy of refusing new licences because the area is already saturated with certain types of licensed premises. In such circumstances this policy is not absolute and will still allow for the circumstances of each application to be considered properly and for licences which are unlikely to add significantly to saturation to be approved provided all other requirements are met.

14.5 In deciding whether to adopt such a policy, the licensing authority will have regard to:
   a) Identification of serious and chronic concern about crime and disorder or public nuisance;
   b) Consideration of whether it can be demonstrated that crime and disorder and nuisance are arising and are caused by the customers of licensed premises and if so identify the area from which problems are arising and the boundaries of that area; or that the risk factors are such that the area is reaching a point when a cumulative impact is imminent;
   c) Consultation with those persons and bodies identified in Section 5(3) of the 2003 Act.

14.6 Where this process identifies such a need, this Licensing Authority will consider adoption of a special policy relating to future licence applications from that area. Reference to any such special policy will be made in the Licensing Policy Statement and the special policy will be published as part of the statement of licensing policy.

14.7 A special policy cannot be used to set a terminal hour for premises in the identified area.

14.8 This Licensing Authority has duties under Section 17 of the Crime and Disorder Act 1998 to do all that it can to prevent crime and disorder in its locality and to promote the licensing objectives in the Licensing Act 2003.

14.9 In considering representations relating to a particular application, this Licensing Authority will have regard to the impact on the promotion of the licensing objectives in the area. In any representations, the onus will be on the objector to lay an evidentiary base for the assertion that the addition of the premises in question would produce the cumulative impact claimed. The impact can be expected to be different for premises with different styles and characteristics.

14.10 Any special policy adopted by this Licensing Authority will be reviewed regularly to assess whether it has had the effect intended, whether it is needed any longer or whether it needs extending.

14.11 A special policy on cumulative impact will not be used as grounds for removing a licence when representations are received about problems with an existing licensed premises. Nor can it justify rejecting variations to a licence except where those variations are directly relevant to the policy (as would be the case with an amendment significantly to increase the capacity limits of a premises).

14.12 This Licensing Authority will not adopt quotas which pre-determine the individual merits of any application – even in respect of premises selling alcohol for consumption on those premises – as they have no regard to the individual characteristics of the premises concerned. Public houses, nightclubs, restaurants, hotels, theatres, concert halls and cinemas all sell alcohol, serve food and provide entertainment but with contrasting styles and characteristics. Proper regard will be given to those differences and the differing impact they will have on the local community.

14.13 This Licensing Authority recognises that once away from these premises, only a minority of consumers will behave badly and unlawfully. The licensing policy is part of a much wider strategy for addressing
these problems. Other mechanisms which may be used to deal with such issues which fall outside of the scope of this licensing policy include:

a) planning controls;
b) 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;
c) the provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols;
d) powers of local authorities to designate parts of the local authority area as places where alcohol may not consumed publicly;
e) police enforcement of the general law concerning disorder and antisocial behaviour, including the issuing of fixed penalty notices;
f) the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk;
g) the confiscation of alcohol from adults and children in designated areas;
h) Police powers to close down instantly for up to 24 hours any licensed premises or temporary events on grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises causing a nuisance;
i) the power of the Police, other responsible authority or a local resident or business to seek a review of the licence or certificate in question.

14.14 This Licensing Authority and Northamptonshire Police will continue to work closely together to ensure that these other mechanisms are used appropriately to deal with the issues of concern and where possible will supplement these with other local initiatives that similarly address these problems.

15. Early Morning Restriction Orders

15.1 The power for this Licensing Authority to introduce an EMRO is specified in sections 172A to 172E of the 2003 Act which was amended by Section 119 of the Police Reform and Social Responsibility Act 2011. Regulations prescribing the requirements in relation to the process for making an early morning restriction order (EMRO) were brought in force on 31st October 2012.

15.2 This Licensing Authority will have reference to the guidance that has been introduced which relates to:

- the EMRO process
- the evidence base
- introducing an EMRO
- advertising an EMRO
- dealing with representations
- hearings
- implementation
- limitations
- enforcement

15.3 The legislation provides this Licensing Authority with the discretion to restrict sales of alcohol by introducing an EMRO to tackle high levels of alcohol related crime and disorder, nuisance and antisocial behaviour. The order may be applied to the whole or part of this Licensing Authority’s area and if relevant on specific days and at specific times. This Licensing Authority will be satisfied that such an order would be appropriate to promote the licensing objectives.

15.4 The only exemptions relating to EMROs are New Years Eve and the provision of alcohol to residents in premises with overnight accommodation by means of mini bars and room service.

15.5 The decision to implement an EMRO will be evidence based and will be considered by Full Council.
16. **Children**

16.1 This Authority recognises that there will be a considerable variety of premises for which licences may be sought. These include theatres, cinemas, restaurants, concert halls, cafes, take-away food businesses and fast food outlets as well as public houses and nightclubs. In addition, subject to the licensee’s discretion and any conditions included in a premises licence or club premises certificate, the Licensing Act 2003 does not prohibit children in licensed premises except in the circumstances detailed in s145 of the Licensing Act 2003.

16.2 This Authority will not limit the access of children to such premises unless it is necessary for the prevention of harm to children. No statement of policy can properly anticipate every issue of concern that could arise in respect of children with regard to individual premises and so general rules have not been included. Consideration of the individual merits of each application remains the best mechanism for judging such matters.

16.3 However, notwithstanding the above, this Authority considers that the following premises give rise to particular concern in respect of children:

   a) 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;
   b) with a known association with drug taking or dealing;
   c) where there is a strong element of gambling on the premises;
   d) where entertainment or services of an adult or sexual nature are commonly provided;

16.4 In these circumstances this Authority will consider the appropriate option for the prevention of harm to children where relevant representations are made. While complete bans on access to children are likely to be rare, there may be circumstances when no other option is considered appropriate. However, in the majority of cases where limiting the access of children to licensed premises is considered necessary, the options which will be considered are:

   a) Limitations on the hours when children may be present;
   b) Age limitations (below 18);
   c) Limitations on the exclusion of the presence of children under a certain age when particular specified activities are taking place;
   d) Requirements for an accompanying adult;
   e) Full exclusion of people under 18 from the premises when any licensable activities are taking place.

16.5 Where the above restrictions are not considered necessary, access to licensed premises by children will remain a matter for the discretion of the individual licence holder or club. Where the licence holder volunteers prohibitions and restrictions and no other relevant representations are made, the volunteered prohibitions and restrictions will be made into conditions and no other conditions in relation to the presence of children will be applied.

16.6 Northamptonshire Police and Northamptonshire County Council Trading Standards Service are jointly responsible for the enforcement of ss146, 147, 147(a) and 147(b) of the Licensing Act 2003 (The sale of, and allowing the sale of alcohol to children). Trading Standards are mainly responsible for ‘off licence’ premises and the Police have the main responsibility for ‘on licence’ premises.

16.7 With regard to children in premises giving film exhibitions, this Authority will request conditions requiring that arrangements must be in place for restricting children from viewing age-restricted films or videos classified according to the recommendations of the British Board of Film Classification or the local authority itself.

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

17. Conditions

17.1 A key concept underscoring the Licensing Act 2003 is for conditions to be attached to licences and certificates that are tailored to the individual style and characteristics of the premises and events concerned. Conditions may only be applied following the receipt of relevant representations where they have been agreed by all parties concerned or have been applied by the Licensing Committee. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions.

17.2 This Licensing Authority agrees that any condition imposed must be:

- clear;
- enforceable;
- evidenced;
- proportionate;
- relevant; and be expressed in plain language capable of being understood.

17.3 This Authority will therefore avoid the general application of standardised conditions to licences and certificates.

17.4 However to ensure consistency, when it is necessary to apply conditions, this Authority will draw from pools of model conditions where available, from which appropriate and proportionate conditions may be drawn in particular circumstances to suit individual cases. The model conditions will cover the following:

- Crime and disorder
- Public safety
- Public nuisance
- Protection of children from harm

18. Reviews

18.1 The Licensing Act 2003 makes provision for the review of premises licenses where problems associated with crime and disorder, public safety, public nuisance or the protection of children from harm are occurring.

18.2 At any stage following the grant of a premises licence or club premises certificate, a responsible authority or an interested party (such as a resident living in the vicinity of the premises), may request this Licensing Authority review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.

18.3 A review of a premises licence will follow any action by Northamptonshire Police to close down premises for up to 24 hours on grounds of disorder or noise nuisance as a result of a Magistrates’ Courts’ determination sent to the Licensing Authority.

18.4 In all cases, the representation must relate to a particular premises for which a licence is in force and must be relevant to the promotion of the licensing objectives.

18.5 Representations must be made in writing and may be amplified at the subsequent review or may stand in their own right. Additional representations, which do not amount to an amplification of the original representation, may not be heard at the hearing.

18.6 Where the request for a review originates from an interested party e.g. a local resident or residents'...
association, this Licensing Authority will first to consider whether the complaint made is relevant, vexatious, frivolous or repetitious.

18.7 A repetitious complaint is one that is identical or substantially similar to:

   a) a ground for review made in respect of the same premises licence which has already been determined; or
   b) representations considered by the Licensing Authority when the premises licence was granted; or
   c) representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement; and
   d) in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or the grant of a licence.

18.8 This Licensing Authority recognises the need to prevent attempts to review licences, following the failure of representations on earlier occasions. The Licensing Authority will judge what is to be regarded as a reasonable interval in these circumstances. This Licensing Authority has regard to the recommendation in the guidance that more than one review originating from an interested party should not be permitted within a period of 12 months on similar grounds except in compelling circumstances or where it arises following a Closure Order.

18.9 This Licensing Authority also recognises that the promotion of the licensing objectives relies heavily on a partnership approach. The Council would encourage authorised persons and responsible authorities to give licence holders warning of their concerns about problems identified at premises and of the need for improvement. This Licensing Authority will advise licence holders that a failure to respond to such a warning may lead to a responsible authority requesting a Review.

18.10 This Licensing Authority will hold a hearing following a request for a Review from a responsible authority, interested party or after closure procedures described earlier. This Licensing Authority will make the licence holder fully aware of the representations received together with supporting evidence in order for the licence holder or his legal representatives to be able to prepare a response.

18.11 In determining a review, this Authority has a range of powers it may exercise where it considers them necessary for the promotion of the licensing objectives:

   a) no action necessary as no steps required to promote the licensing objectives;
   b) issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. This Licensing Authority regards such warnings as important mechanisms for ensuring that the licensing objectives are effectively promoted and any warning issued will be in writing to the licence holder;
   c) to modify the conditions of the premises licence (including adding new conditions, altering/omitting an existing condition);
   d) excluding a licensable activity from the licence;
   e) remove the designated premises supervisor;
   f) suspend the licence for a period of three months;
   g) to revoke this licence.

18.12 This Licensing Authority in determining what action to take will seek to establish the causes of concern and any action taken will be directed at these causes. Any action taken to promote the licensing objectives will be necessary and proportionate.
19. **Minor Variations**

19.1 The purpose of the minor variation process is to save time, money and regulatory resources by allowing small variations that could not impair the promotion of the licensing objectives to be made to premises licences and club premises certificates through a simplified and less costly procedure. Under this process, the applicant is not required to advertise the variation in a newspaper or copy it to Responsible Authorities. However, they must display it on a white notice at the premises. The notice must be displayed for a period of 10 working days starting on the working day after the minor variation application was given to the Licensing Authority.

19.2 The holder of a premises licence or a club premises certificate can apply to the Licensing Authority for a minor variation to the licence or the certificate using the prescribed form. In determining an application this licensing authority will consult such of the Responsible Authorities as it considers appropriate.

19.3 This Licensing Authority will take into account any relevant representations made concerning the application by Responsible Authorities or by an interested party; relevant representations must be about the *likely effect* of the grant of the application on the promotion of the licensing objectives. This Licensing Authority will grant an application only if it considers that none of the variations proposed in the application could have an adverse effect on the promotion of any of the licensing objectives. In any other case the authority must reject the application. There is no right to a hearing in this process.

19.4 An application may not be made under the minor variation provision if the effect of the variations proposed in it would be to:

- extend the period for which a premises licence has effect;
- to vary substantially the premises to which a premises licence/club premises certificate relates;
- to specify (in a premises licence) an individual as the Designated Premises Supervisor (DPS);
- to authorise the sale or supply of alcohol or to authorise the sale by retail or supply of alcohol at any time between 11pm and 7am or increase in the amount of time on any day during which alcohol may be sold by retail or otherwise supplied; or
- to disapply the mandatory conditions concerning the supervision of alcohol sales by a personal licence holder and the need for a Designated Premises Supervisor who holds a personal licence at a community premises.

19.5 If an application is refused, the Authority must notify the applicant in writing, giving its reasons for the refusal. The Authority is required to reach its determination within a period of fifteen (15) working days starting on the first working day after the authority receives the application, otherwise the application is rejected and the Authority must return the application fee.

19.6 Minor variations will generally fall into four categories:

- minor changes to the structure or layout of a premises;
- small adjustments to licensing hours;
- the removal of out of date, irrelevant or unenforceable conditions or volunteered conditions;
- the addition of certain licensable activities.

20. **Enforcement**

20.1 This Licensing Authority will establish protocols and have regular liaison with the local police, fire & rescue service, trading standards, other County local authorities and other agencies on enforcement issues. This will provide for a more efficient deployment of local authority staff and police officers
who are commonly engaged in enforcing licensing law and the inspection of licensed premises. There will also be regular liaison with other enforcement authorities.

20.2 In particular, these protocols will provide for the targeting of agreed problem and high risk premises which require greater attention, while providing a lighter touch in respect of low risk premises which are well run. The limited validity of public entertainment, theatre, cinema and late night refreshment house licences has in the past led to a culture of annual inspections regardless of whether such inspections are necessary.

20.3 The Licensing Act 2003 does not require inspections to take place, save at the discretion of those charged with this role. The principle of risk assessment and targeting will prevail and inspections will not be undertaken routinely but when and if they are judged necessary. This should ensure that resources are more effectively concentrated on problem premises.

21. Licence Suspensions

21.1 This is a power brought as part of the amendments brought about by the Police Reform and Social Responsibility Act 2011. This Licensing Authority must suspend premises licences and club premises certificates on the non-payment of annual fees. The procedure to be used is set out in regulation.

22. Administration, Exercise and Delegation of Functions

22.1 The powers of the Licensing Authority under the Act may be carried out by the Licensing Committee, by a Sub-Committee or by one or more Officers acting under delegated authority.

22.2 Many of the licensing procedures will be largely administrative with no perceived areas of contention. In the interests of efficiency and effectiveness officers will generally carry out these duties.

22.3 On applications where there are relevant representations these will be dealt with by a Committee or sub committee of the Licensing Authority, as will any application for review of a licence.

22.4 This Licensing Authority will expect applicants to address the licensing objectives in their Operating Schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community.

22.5 Applicants will be encouraged to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies or local crime prevention strategies and to have taken these into account, where appropriate, when formulating their Operating Schedule.

22.6 The 2003 Act provides that decisions and functions may be taken or carried out by licensing committees or delegated to sub-committees or in appropriate cases, to officials supporting the Licensing Authority. In the interests of speed, efficiency and cost-effectiveness, as many of the decisions and functions will be purely administrative in nature; functions will be delegated to the appropriate level within the organisation where possible. See Annex 1.

22.7 Where applications are non contentuous, (for example, no representations to the grant of a premises licence) these applications will be delegated to officers in order to speed matters through the system. Any such matters passed in this way will then be listed for comment at the next Committee meeting. The Committee will not have the opportunity to reverse officers’ decisions.
23. **Advice and Guidance**

23.1 Advice may be obtained via the Central Licensing Administration Unit who will assist people in advising them on the type’s of licences they will need to apply for, the unit can be contacted in the following ways:-

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

Email: licensingunit@east-northamptonshire.gov.uk

Telephone: 01832 742102

In person or writing to:
Central Licensing Administration Unit
East Northamptonshire Council
Cedar Drive
Thrapston
Northamptonshire
NN14 4LZ

24. **Equal Opportunities**

24.1 Over the last four decades, discrimination legislation has played an important role in helping to make Britain a more equal society. However, the legislation was complex and, despite the progress that has been made, inequality and discrimination persist and progress on some issues has been stubbornly slow.

24.2 The **Equality Act 2010** provides a new cross-cutting legislative framework to protect the rights of individuals and advance equality of opportunity for all; to update, simplify and strengthen the previous legislation; and to deliver a simple, modern and accessible framework of discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

24.3 In implementing the Licensing Act 2003, associated legislation and guidance, this Licensing Authority is committed to ensuring that the obligations and duties within this legislation are met.

25. **Review of the Policy**

25.1 This licensing policy will be formally reviewed and published every five years (section 5 Licensing Act 2003). This review of the policy will be subject to the consultation process. Section 5(4) of the Act provides that the licensing authority must keep its policy under review during each five year period and make appropriate revisions. Again, any revisions must be subject to consultation.

25.2 Where a special policy relating to cumulative impact or early morning restriction orders is being adopted this will be reviewed regularly at least every five years, to assess whether it is needed any longer, or indeed needs expanding. Any cumulative impact policy will also be reviewed to ensure that it has had the intended effect. There will be on-going dialogue and consultation with local residents to consider whether any area is nearing the point where the concentration of premises has a cumulative impact.

25.3 This Licensing Authority will consider the most appropriate time to refresh policies, with a view to balancing businesses’ need to be kept advised of changes with the additional burden that responding to frequent consultations can bring.
26. **Late Night Levy**

26.1 The legislative provisions relating to the late night levy are not part of the Licensing Act 2003 but are contained in Sections 125 to 139 of the Police Reform and Social Responsibility Act 2011. The provisions came into force on 31st October 2012.

26.2 Regulations have been brought into force setting out the way in which the levy must be applied and administered, and arrangements for expenses, exemptions and reductions.

Guidance has also been introduced in relation to:

- implementing the levy and the consultation process
- the design of the levy
- exemptions from the levy
- reductions in levy charges
- how revenue raised from the levy may be spent
- the levy charges
- the levy collection process

26.3 With regard to exemptions, this licensing authority retains discretion whether to exempt certain premises or not but only for those types of premises set out in paragraphs 1.24 to 1.31 of the guidance on the Late Night Levy.

26.4 This Licensing Authority also has the discretion whether to reduce the amount of the levy by 30% for premises which participate in business-led best practice schemes i.e. Best Bar None.

26.5 Any revenue from a levy will be split between this licensing authority and Northamptonshire Police, with at least 70% of the ‘net’ levy (after expenses) paid to the Police. A formal service level agreement will be established to ensure that this licensing authority and Northamptonshire Police are aware of responsibilities and undertakings, and to ensure that the use of levy funds can be clearly communicated to those businesses contributing to it.

26.6 These new powers enable licensing authorities to charge a levy in relation to persons who are licensed to sell or supply alcohol late at night as a means of raising a contribution towards the costs of policing the night-time economy. Any decision to introduce, vary or cease the requirement for a levy will be made by the full council. Other decisions in relation to how the levy is administered may be subject to delegation.
**Annex 1 - Delegation of functions**

<table>
<thead>
<tr>
<th>Matter to be dealt with</th>
<th>Full Committee</th>
<th>Sub Committee</th>
<th>Officers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application for personal Licence</td>
<td>-</td>
<td>If a police objection made</td>
<td>If no objection made</td>
</tr>
<tr>
<td>Application for personal licence with unspent convictions</td>
<td>-</td>
<td>All cases</td>
<td>-</td>
</tr>
<tr>
<td>Application for premises licence/club premises certificate</td>
<td>-</td>
<td>If a relevant representation made</td>
<td>If no relevant representation made</td>
</tr>
<tr>
<td>Application for provisional statement</td>
<td>-</td>
<td>If a relevant representation made</td>
<td>If no relevant representation made</td>
</tr>
<tr>
<td>Application to vary premises licence/club premises certificate</td>
<td>-</td>
<td>If a relevant representation made</td>
<td>If no relevant representation made</td>
</tr>
<tr>
<td>Application to vary designated premises supervisor (DPS)</td>
<td>-</td>
<td>If a police objection</td>
<td>All other cases</td>
</tr>
<tr>
<td>Request to be removed as DPS</td>
<td>-</td>
<td>-</td>
<td>All cases</td>
</tr>
<tr>
<td>Application for transfer of premises licence</td>
<td>-</td>
<td>If a police objection</td>
<td>All other cases</td>
</tr>
<tr>
<td>Applications for interim Authorities</td>
<td>-</td>
<td>If a police objection</td>
<td>All other cases</td>
</tr>
<tr>
<td>Application to review premises licence/club premises certificate</td>
<td>-</td>
<td>All cases</td>
<td>-</td>
</tr>
<tr>
<td>Decision on whether a complaint is irrelevant frivolous vexatious etc</td>
<td>-</td>
<td>-</td>
<td>All cases</td>
</tr>
<tr>
<td>Decision to object when local authority is a consultee and not the relevant authority considering the application</td>
<td>-</td>
<td>All cases</td>
<td>-</td>
</tr>
<tr>
<td>Determination of a objection to a temporary event notice</td>
<td>-</td>
<td>All cases</td>
<td>-</td>
</tr>
<tr>
<td>Determination of application to vary premises licence at Community premises to include alternative licence condition</td>
<td>If police objection</td>
<td>All other cases</td>
<td></td>
</tr>
<tr>
<td>Decision whether to consult other responsible authorities on minor variation application</td>
<td>All cases</td>
<td></td>
<td></td>
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<tr>
<td>Determination of minor Variation application.</td>
<td>All cases</td>
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# Annex 2 – Northamptonshire Licensing Authority Contacts

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Authority</th>
<th>Address</th>
<th>Tel. 1</th>
<th>Tel. 2</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ruth Austen</td>
<td>Environmental Health and Licensing Manager</td>
<td>Northampton Borough Council</td>
<td>The Guildhall, St Giles Square, Northampton, NN1 1DE</td>
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<td>(01832) 742030</td>
<td><a href="mailto:rausten@northampton.gov.uk">rausten@northampton.gov.uk</a></td>
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<tr>
<td>Ruth Austen</td>
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<td>0300 330 7000</td>
<td>0300 330 7000</td>
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<tr>
<td>Samantha Edmunds</td>
<td>Health Protection Manager</td>
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<td>Cedar Drive, Thrapston, Northants, NN14 4LZ</td>
<td></td>
<td></td>
<td><a href="mailto:sedmunds@east-northamptonshire.gov.uk">sedmunds@east-northamptonshire.gov.uk</a></td>
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<tr>
<td>Amanda Wilcox</td>
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<tr>
<td>Russ Howell</td>
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<td>Municipal Offices, Bowling Green Road, Kettering, Northants, NN15 7QX</td>
<td>(01536) 534323</td>
<td>(01536) 401033</td>
<td><a href="mailto:russowell@kettering.gov.uk">russowell@kettering.gov.uk</a></td>
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</tr>
<tr>
<td>Ed Cooke</td>
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<td>Lodge Road, Daventry, Northants, NN11 5AF</td>
<td>(01327) 871100</td>
<td>(01327) 302540</td>
<td>E <a href="mailto:Cooke@daventrydc.gov.uk">Cooke@daventrydc.gov.uk</a></td>
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Annex 3  Other policies, legislation, and guidance sources

There are a number of other local and national policies, strategies, responsibilities, and guidance documents which should be taken into account in order to complement this authority's licensing policy. In particular the policy should provide a clear indication of how the licensing authority will secure the proper integration of the licensing policy and other local policies such as the local crime prevention, planning, transport, tourism, cultural strategies and the local alcohol policy.

(i) Legislation
- Policing and Crime Act 2009
- Crime and Disorder Act 1998
- Crime and Security Act 2010
- Human Rights Act 1998
- Criminal Justice and Police Act 2001
- Private Security Industry Act 2001
- Equality Act 2010
- Deregulation Act 2015
- The Anti-social Behaviour, Crime and Policing Act 2014
- Violent Crime Reduction Act 2006
- The Health Act 2006
- Live Music Act 2012
- Policing Act 2014
- Immigration Act 2016
- Gambling Act 2005
- Environmental Protection Act 1990
- Noise Act 1996
- Clean Neighbourhoods and Environmental Act 2005
- Regulators’ Code under the Legislative and Regulatory Reform Act 2006

Note: These and other relevant pieces of legislation can be found at www.opsi.gov.uk

(ii) Strategies and Policies
- Alcohol Strategy
- Alcohol Harm Reduction Strategy for Northamptonshire
- Best Bar None
- British Beer and Pub Association Partnerships Initiative
- Community Alcohol Strategy
- Community Safety Strategy
- Compliance Code
- Crime & Disorder Reduction Strategy
- Council’s Enforcement Policy
- Cultural and Tourism Strategies including promotion of live music and community events
- Home Office: Selling Alcohol Responsibly: Good Practice Examples from the Alcohol Retail and Hospitality Industries
- Local Development Framework
- Local Transport Plan
- National and local PubWatch schemes
- Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks.
- Purple Flag (ATCM)
- Safer Socialising
- Northamptonshire Health and Wellbeing Strategy
- Director of Public Health Northamptonshire Annual Report
(iii) Guidance Documents

- Home Office 'Practical Guide for Preventing and Dealing with Alcohol Related Problems
- Home Office 'Practical Guide for Preventing and Dealing with Alcohol Related Problems
- Home Office Safer Clubbing Guide
- Home Office Designated Public Place Order (DPPO) Guidance
- Home Office s182 Guidance
- The Event Safety Guide
- Licensing large scale events (music festivals etc.)
- Managing Crowds Safely
- 5 Steps to Risk Assessment
- The Guide to Safety at Sports Grounds
- Safety Guidance for Street Arts, Carnivals, Processions and Large-scale Performances
- UK BIDS: Business Improvement Districts (national BIDS advisory service)
- BIS Code of Practice on Consultation
- The Plain English Campaign
- Regulators Code

Relevant case law regarding policy statements

- Limits of licensing policy:
  - BBPA & Others v Canterbury City Council [2005] EWHC 1318 (Admin) this isn’t a link
- “Strict” licensing policies and exceptions to policy:
  - R (Westminster City Council) v Middlesex Crown Court and Chorion plc [2002] LLR 538
- Cumulative impact policies and hours
  - R (JD Wetherspoon plc) v Guildford Borough Council [2006] EWHC 815 (Admin)
- Duplication and conditions:
  - R (on the application of Bristol Council) v Bristol Magistrates’ Court [2009] EWHC 625 (Admin)
- Extra-statutory notification by the licensing authority:
  - R (on the application of Albert Court Residents Association and others) v Westminster City Council [2010] EWHC 393 (Admin)
- The prevention of crime and disorder: ambit of the objective
  - Blackpool Council, R (on the application of) v Howitt [2008]
- Crime and disorder: sanctions on review: deterrence
  - Bassetlaw District Council, R (on the application of) v Workshop Magistrates Court [2008]

Note: This list is not exhaustive
Annex 4 Useful References (organisations)

Local Government Association:
http://www.local.gov.uk/regulatory-services-and-licensing
http://www.locale.gov.uk

Association of Convenience Stores (ACS)
http://www.acs.org.uk/

Association of Licensed Multiple Retailers (ALMR)
Now incorporating Bar, Entertainment and Dance Association (BEDA)
http://www.almr.org.uk/

Association of Town Centre Managers (ACTM and Purple Flag)
http://www.atcm.org/

Better Regulation Delivery Office (BRDO)
http://www.bis.gov.uk/brdo

British Beer and Pub Association (BBPA)
http://www.beerandpub.com/

British Board of Film Classification (BBFC)
http://www.bbfc.co.uk/

British Institute of Inn Keeping (BII)
http://www.bii.org

British Retail Consortium (BRC)
http://www.brc.org.uk/brc_home.asp

Cinema Exhibitors' Association (CEA)
http://www.cinemauk.org.uk/

Department for Culture, Media and Sport
www.culture.gov.uk

Home Office
www.homeoffice.gov.uk

Institute of Licensing (IOL)
http://www.instituteoflicensing.org/

Licensed Victuallers Associations (LVAs)
http://www.flva.co.uk/

National Association of Licensing and Enforcement Officers (NALEO)
http://www.naleo.org.uk/

The Portman Group
http://www.portmangroup.org.uk/
About Wellingborough

The Borough covers an area of 163 sq km centrally situated in the country with excellent communications. The Borough of Wellingborough is a diverse place to live and work. Urban and rural, traditional and modern, wealth and poverty, local and migrant - these and many other contrasts make for a richness of commerce, communities and culture.

The urban centre is the town of Wellingborough where over two thirds of the 76,4461 (ONS 2014) residents live. The remainder live in 19 surrounding settlements.

The town has expanded significantly from its market square base in the last sixty years. These changes have brought new housing, industry and people. A proportion of these people have come to settle from overseas. India, Africa and the Caribbean have been the main sources of migration. Taken together these communities represent 11% of the urban population — comparable with some of the most diverse urban communities in the country.

During the last ten years the town has witnessed the arrival of individuals and families from Eastern Europe. These communities are discernible through new shops, products and languages. Reliable statistical evidence of the numbers staying or working in the town is weak, but the food business profiles of these Eastern European migrants within the town have an increased presence.