

Licensing and Regulatory Sub-Committee



Title	Agenda
Date	Tuesday 13 June 2023
Time	2.00pm (briefing/training for Members from 1.00pm)
Venue	Room GFR12 West Suffolk House Western Way Bury St Edmunds IP33 3YU
Full Members	Carol Bull Roger Dicker Don Waldron
Substitutes	Ian Houlder
Membership is drawn from the full membership of the Licensing and Regulatory Committee and is politically balanced as far as is practicable.	
Interests – declaration and restriction on participation	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
Quorum	Three Members
Committee administrator	Helen Hardinge Democratic Services Officer Telephone 01638 719363 Email democratic.services@westsuffolk.gov.uk

Hearing procedure

Pre-hearing matters

1. Declaration of interests
2. Legal Advisor will introduce members of the Hearing Panel
3. Legal Advisor will ask those present to introduce themselves in the following order:
 - Applicant and any person representing or assisting them (confirmation also should be given that copies of the relevant representations to be considered at the hearing have been received)
 - The officer of the licensing authority, the Democratic Services Officer and the Legal Advisor to the Hearing Panel
 - Responsible authorities that have made a relevant representation
 - Interested parties who have made a relevant representation (interested parties should confirm whether a spokesperson has been nominated and, if so identify them)
 - In the event of a review hearing, the respondent.
4. The Legal Advisor will ask all parties to the hearing whether they wish to withdraw their application or representation.
5. The Legal Advisor will ask the officer of the licensing authority to report:
 - Any requests from a party to the hearing for permission for a witness to appear in support of their representation. Any such requests will be determined by the Hearing Panel.
 - Any documentary or other information that a party to the hearing wishes to present. If there is any such material, the Chair will ask all the other parties to the hearing whether they consent to it being presented. If they agree, the material will be distributed. If not, the said material may not be distributed unless there are exceptional circumstances which in the Chair's opinion render it necessary and appropriate for the said material to be presented to the Hearing Panel. In this regard the Chair's decision will be final.
6. The Legal Advisor will invite the applicant or his representative to estimate the time required to present their case and ask questions of other parties to the hearing. He will then ask the other parties to the hearing whether they will require a longer period to present their representation and question the applicant. The Hearing Panel will determine the maximum period of time allowed for each party to put their case. This decision will be final.

The Hearing

Immediately the pre-hearing matters have been dealt with the hearing will commence.

1. The Chair will ask the officer of the licensing authority to summarise the matter under consideration.
2. The members of the Hearing Panel, the applicant, and those making representations may ask questions of the officer of the licensing authority.
3. Starting with the applicant and, in the event of a review, concluding with the respondent, each party will exercise their rights within the identified maximum time, as follows:
 - Each party to present their case, including responding to any points of which the licensing authority has previously given notice, and call any approved witness or witnesses in support of their case.
 - If given permission by the Chair, and only through the Chair of the Hearing, each member of sub-committee, officer of the licensing authority or any party may raise questions of any other party or witness/witnesses.
4. Starting with the applicant and, in the event of a review hearing, concluding with the respondent, each party will be asked to sum up their case.
5. All those present, other than the members of the Hearing Panel, their Legal Advisor and the Democratic Services Officer, will be asked to leave the meeting to allow members to determine the application.
6. All parties will be recalled. The Legal Advisor to the Hearing Panel will advise those present of any advice that has been provided during the determination. The Chair will then:
 - either announce the decision, together with the reasons for it if it is a Hearing in relation to an application for which the licensing authority may make its determination at the conclusion of the hearing; **or**
 - advise all the parties that the licensing authority will make its determination within five working days, in which case notification of the determination will be sent out in writing (including the rights of appeal) to all relevant parties not later than five working days after the hearing date.
7. In the event of the licensing authority making its determination at the conclusion of the Hearing the Chair will outline the rights of appeal. The decision and rights of appeal will also be confirmed in writing by the officer of the licensing authority forthwith.
8. Nothing within Paragraph 6. above will preclude a licensing authority from making its determination at the conclusion of **any** hearing, should the Hearing Panel so decide. It is entirely within the discretion of the members of the said Panel whose decision in this regard will be final.

Agenda

Part 1 – public

Procedural matters

1. Election of Chair

To seek nominations for the election of Chair for this sub-committee meeting.

2. Apologies for absence

3. Substitutes

Any member who is substituting for another member should so indicate, together with the name of the relevant absent member.

4. Declarations of interest

Members are reminded of their responsibility to declare any pecuniary or local non pecuniary interest which they have in any item of business on the agenda, **no later than when that item is reached** and, when appropriate, to leave the meeting prior to discussion and voting on the item.

The attached hearing procedure will be adopted in considering the undermentioned item:

**5. Application for the Grant of a Premises Licence -
Bridgelands Farm, Cowlinge**

1 - 82

Report No: **LSC/WS/23/004**

Application for the Grant of a Premises Licence – Bridgelands Farm, Cowlinge

Report No:	LSC/WS/23/004
Report to and date/s:	Licensing & Regulatory Sub-Committee 13 June 2023
Cabinet Member:	Councillor Gerald Kelly Portfolio Holder for Governance and Regulatory Tel: 07968 396389 Email: gerald.kelly@westsuffolk.gov.uk
Lead officer:	Gary Moran Licensing Officer Tel: 01284 757058 Email: Licensing@westsuffolk.gov.uk

Wards impacted: Withersfield

Recommendation: It is recommended that, in determining the application with a view to promoting the licensing objectives in the overall interests of the local community, Members give appropriate weight to, the steps that are appropriate to promote the licensing objectives; West Suffolk Council’s Statement of Licensing Policy; Guidance issued under section 182 of the Licensing Act 2003; the representations attached to this report, and any further relevant information presented to the Sub-Committee on the day of the hearing

The steps may be:

- (a) Grant the licence, subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the Authority considers necessary for the promotion of the licencing objectives and subject to any mandatory condition(s) which must be included in the licence; OR
- (b) Exclude from the scope of the licence any of the licensable activities to which the application relates; OR
- (c) Reject the application

1. Background / Context

- 1.1 An application for the grant of a new Premises Licence, made under the Licensing Act 2003, was received and accepted by the Licensing Authority on 18 April 2023.
- 1.2 The application was made by Gemma Bailey, for the proposed licensed premises Bridgelands Farm, Cowlinge, Newmarket, Suffolk, CB8 9HN which proposes to trade as a country retreat for corporate events, bespoke events and weddings including receptions. The proposed Designated Premises Supervisor (DPS) is Gemma Bailey (personal licence pending).

Full details of the proposed activities and timings are contained within the application form attached to this report as **Appendix A**. Please note that considerable amendments have been made to the original application included in Appendix A following consultation with responsible authorities and in consideration of representations. The requested licensable activities and timings are now as follows;

- Live music (indoors)
- Recorded music (indoors)
- Late night refreshment (indoors)

Monday to Saturday 23:00 – 23:30

Note - no licence is required for live or recorded music between 08:00 and 23:00 on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500

- Alcohol sales ON premises

Monday to Saturday 12:00 to 23:30
Sunday 12:00 to 19:00

- Opening hours
Monday to Saturday 12:00 to 00:00
Sunday 12:00 to 19:30

- 1.3 The plan detailing the areas to be licensed are attached to this report as **Appendix B**.
- 1.4 The application made has been subject to the statutory consultation period as prescribed by regulation. The details of the application were published in the local newspaper (Newmarket Journal 27 April edition), displayed immediately on/outside the premises, and advertised on the Council's website during the consultation period. This enabled Responsible Authorities and 'Other Persons' to make representations towards the application. 'Other Persons' includes any individual, body or business whether or not they live in the vicinity.
- 1.5 A hearing is necessary to determine the application following receipt of representations which have not been withdrawn.
- 1.6 The Licensing Authority must carry out its functions under the Act with a view to promoting the Licensing Objectives which are;

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

1.7 The Licensing Authority has received no representations from the Responsible Authorities under the Licensing Act 2003. However, following mediation with West Suffolk Council's Environmental Health team, the applicant agreed that that no music would be performed outside the premises. Subsequently it was agreed that step d. of the applicants proposed steps to promote the licensing objectives, a full noise acoustic report to be carried out before any regulated entertainment takes place, would not be required. No other responsible authorities made comments or representation.

1.8 The Licensing Authority received nine representations made by 'other persons'. Seven parties have now withdrawn their representation as their concerns were addressed by amendments to the application made by the applicant. The details of the two remaining representations are attached as **Appendix C**.

Please note that only comments specifically relating to the effect on the Licensing Objectives can be considered when determining the application. Comments that do not relate to the Licensing Objectives are not relevant grounds within the representation and cannot be considered when determining the application.

1.9 Licensing have drafted the conditions in relation to the prevention of public nuisance that would be attached to the licence should it be granted (**Appendix D**) subject to any modifications the Authority considers necessary as a result of this hearing. These conditions are consistent with the operating schedule and steps to promote the licensing objectives accompanying the application. In addition, the applicant has agreed to install a sound limiter for all music and amplified speech. Conditions on a premises licence must be enforceable and realistic, whilst remaining reasonable, achievable and within the licence holder's control.

2. Proposals

2.1 Members should seek to focus the hearing on the steps considered appropriate to promote the particular licence objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas.

3. Legal Compliance

3.1 The Sub-Committee may take any of the steps set out below, provided they are proportionate and appropriate for the promotion of the licensing objectives:

- (a) Grant the licence, subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the Authority considers necessary for the promotion of the licensing objectives and subject to any mandatory condition(s) which must be included in the licence
- (b) Exclude from the scope of the licence any of the licensable activities to which the application relates, or

(c) Reject the application

A condition is modified where it is altered or omitted or any new condition is added. Any additional conditions imposed must be appropriate for the promotion of the licensing objectives.

- 3.2 Each application should be considered on its own merits, having regard to the Council's Statement of Licensing Policy and the guidance issued under Section 182 of the Licensing Act 2003.
- 3.3 Members of the Sub-Committee will be aware of the Secretary of State's guidance at paragraphs 14.64 and 14.65, which states that planning and licensing are different regimes, and neither is bound by the others decisions. There are circumstances when as a condition of planning permission; a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.
- 3.4 The decision may be appealed, by the applicant or any other party to the hearing, within 21 days of written notification of the determination made by the Sub-Committee. The Sub-Committee should state in reaching its determination those matters which it considered relevant, those matters which it did not consider as they were irrelevant, and its reasons for the decision.

4. Appendices

- 4.1 Appendix A – Original application
Appendix B – Plan of premises
Appendix C – Representations
Appendix D – Drafted conditions for prevention of public nuisance
Appendix E - West Suffolk Council Statement of Licensing Policy

5. Background documents

- 5.1 Licensing Act 2003 - <http://www.legislation.gov.uk/ukpga/2003/17/contents>

Guidance issued under S.182 of the Licensing Act 2003 –[Revised guidance issued under section 182 of the Licensing Act 2003 \(December 2022\) \(accessible\) - GOV.UK \(www.gov.uk\)](#)

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Continued from previous page...

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name	<input type="text" value="Bridgelands Farm"/>
Street	<input type="text"/>
District	<input type="text" value="Cowlinge"/>
City or town	<input type="text" value="Newmarket"/>
County or administrative area	<input type="text" value="Suffolk"/>
Postcode	<input type="text" value="CB8 9HN"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text" value="01638 500858"/>
Non-domestic rateable value of premises (£)	<input type="text" value="0"/>

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

Section 4 of 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

Building number or name	<input type="text" value="Bridgelands Farm"/>
Street	<input type="text" value="Cowlinge"/>
District	<input type="text"/>
City or town	<input type="text" value="Newmarket"/>
County or administrative area	<input type="text" value="Suffolk"/>
Postcode	<input type="text" value="CB8 9HN"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

E-mail	<input type="text" value="[REDACTED]"/>
Telephone number	<input type="text" value="01476589250"/>
Other telephone number	<input type="text" value="07976844694"/>
* Date of birth	<input type="text" value="[REDACTED]"/> / <input type="text" value="[REDACTED]"/> / <input type="text" value="[REDACTED]"/> dd mm yyyy
* Nationality	<input type="text" value="[REDACTED]"/>
Right to work share code	<input type="text"/>

[Documents that demonstrate entitlement to work in the UK](#)
[Right to work share code if not submitting scanned documents](#)

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

The premises is to trade as a Country retreat, corporate event venue, bespoke event venue, wedding venue, including receptions.

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not
exclusively) whether or not music will be amplified or unamplified.

To cater for live bands to play at wedding receptions/events as requested.
The request for 6 days a week is to allow for the flexibility to book events/ weddings as required. The facility will not be in
operation 6 days per week 52 weeks of the year. on average 1 per week.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

n/a

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

To cater for recorded music to play at wedding receptions/events as requested.
The request for 6 days a week is to allow for the flexibility to book events/ weddings as required. The facility will not be in operation 6 days per week 52 weeks of the year. on average 1 per week.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

To cater for late night refreshment to be available for wedding receptions/events as requested.
The request for 6 days a week is to allow for the flexibility to book events/ weddings as required. The facility will not be in operation 6 days per week 52 weeks of the year. on average 1 per week.

State any seasonal variations

Continued from previous page...

For example (but not exclusively) where the activity will occur on additional days during the summer months.

n/a

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

n/a

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth / /

Continued from previous page...

Enter the contact's address

Building number or name	Bridgelands Farm
Street	
District	Cowlinge
City or town	Newmarket
County or administrative area	Suffolk
Postcode	CB8 9HN
Country	United Kingdom
Personal Licence number (if known)	Not yet issued
Issuing licensing authority (if known)	

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

n/a

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="01:30"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="01:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="01:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="01:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="01:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="19:30"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

n/a

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

Section 18 of 21

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

The premises will operate to a high standard, and will continue to do so should this licence be granted in terms of the sale of alcohol.

All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection.

The premises will close 30 minutes after the licensing activities have ceased, to allow customers to finish their drinks and leave in a quiet and orderly manner.

b) The prevention of crime and disorder

CCTV will be used at the premises, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police.

The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards.

The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority

The correct time and date will be generated onto both the recording and the real time image screen.

If the CCTV equipment (including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay.

The Licensing Authority and the Police shall be informed when faults are rectified.

The premises licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable.

There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all trading hours.

The DPS will keep an up to date DPS Authorisation sheet which will show the list of staff members who have been given the authority to sell alcohol on the premises.

An incident record will be kept in a bound book, as will all refusals for the sale of alcohol. These books will be made available to the police and officer from the council on request.

Sufficient staff will be on duty during all events, with a risk assessment carried out in advance of the event.

Evening events will be pre booked events with numbers carefully controlled.

c) Public safety

Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police.

All relevant fire procedures are in place for a premises of this size, and the business has been fully fire risk assessed.

An on-site accident book will be in operation to record any accident/ injury incurred on the premises. This document will be retained for inspection by the business for a period of three years.

Continued from previous page...

d) The prevention of public nuisance

- a. Doors/ windows will be kept closed during performances, (except for access/ egress), from 23:00 hours.
- b. External monitoring of noise levels will be carried out and recorded. Records to be kept for 6 months. This will involve physical noise checks to ensure the entertainment noise is not too loud.
- c. A complaints procedure for dealing with any noise complaints will be made available to the nearby residents, with names and phone numbers supplied of those who the complaint should be addressed to.
- d. As mentioned, a full noise acoustic report will be carried out before any regulated entertainment take place on the premises, and this will be signed off by the EHO prior to regulated entertainment taking place.
- e. All speakers will be positioned as to ensure they are directed away from nearby facing residential properties.
- f. Responsible taxi companies to be put on standby at events to transport guests away from the premises quickly and quietly.
- g. Guests will be reminded by the DJ during the last half hour that the use of car stereos is prohibited until they have fully vacated the premises.

e) The protection of children from harm

Only photographic ID is accepted (passport, driving licence, proof of age card with PASS hologram, or military ID).

Anyone who appears to be under the age of 25 is challenged to provide ID. If the customer is unable to provide identification then no sale is made. No ID no sale.

Challenge 25 POS will be on display in the store. .

If it is known that a customer intends to purchase alcohol to provide to minors then that sale will be refused. All refused sales will be recorded in a refusals book, which will be made available for inspection by Police or Licensing Officers of the council on request.

All children on the premises will be supervised/ accompanied by an adult after 21:00 hours in the bar area.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is A British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

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

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises. Please see https://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Alcohol_and_entertainment/premiseslicence.cfm for more information.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

In all other cases, the premises shall be in Band A (i.e where NNDR does not apply) except where the premises is under construction, in which case it shall be in Band C.

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

100.00

Continued from previous page...

DECLARATION

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

* CHECKLIST

* I have made or enclosed payment of the fee.

* I have enclosed the plan of the premises clearly indicating the area in which the licensable activities will take place

* I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable

* I understand that I must now advertise my application and put up my blue notices

* I understand that if I do not comply with the above requirements my application will be rejected

Privacy Statement: West Suffolk Council is a Data Controller and can be contacted at: West Suffolk House, Western Way, Bury St Edmunds, Suffolk, IP33 3YU. Tel: 01284 763233. The Data protection Officer can be contacted at the same address. We are collecting your personal information in order to process your application under the Licensing Act 2003. Your data will not be shared with third parties unless used for Council purposes, in order to enquire and receive information relating to your licence, prevent or detect crime, to protect public funds or where we are required or permitted to share data under other legislation. Your data will be kept for 7 years post licence expiry/surrender in line with our retention policy. You have the right to access your data and to rectify mistakes, erase, restrict, object or move your data in certain circumstances. Automated decision making and processing is not used during this application. Please contact the Data Protection Officer for further information or go to our website where your rights are explained in more detail. If you would like to receive an explanation of your rights in paper format please contact the Data Protection Officer. Any complaints regarding your data should be addressed to the Data Protection Officer in the first instance. If the matter is not resolved you can contact the Information Commissioner's Office at: Wycliff House, Water Lane, Wilmslow, Cheshire, SK9 5AF Tel: 0303 123 1113. If you do not provide the information required on the application form then we will not be able to process application for a licence. Your data must be kept up to date in accordance with the conditions of your licence. For further information on our Data protection Policies please go to our website: How we use your information or email: data.protection@westsuffolk.gov.uk

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Continued from previous page...

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/west-suffolk/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

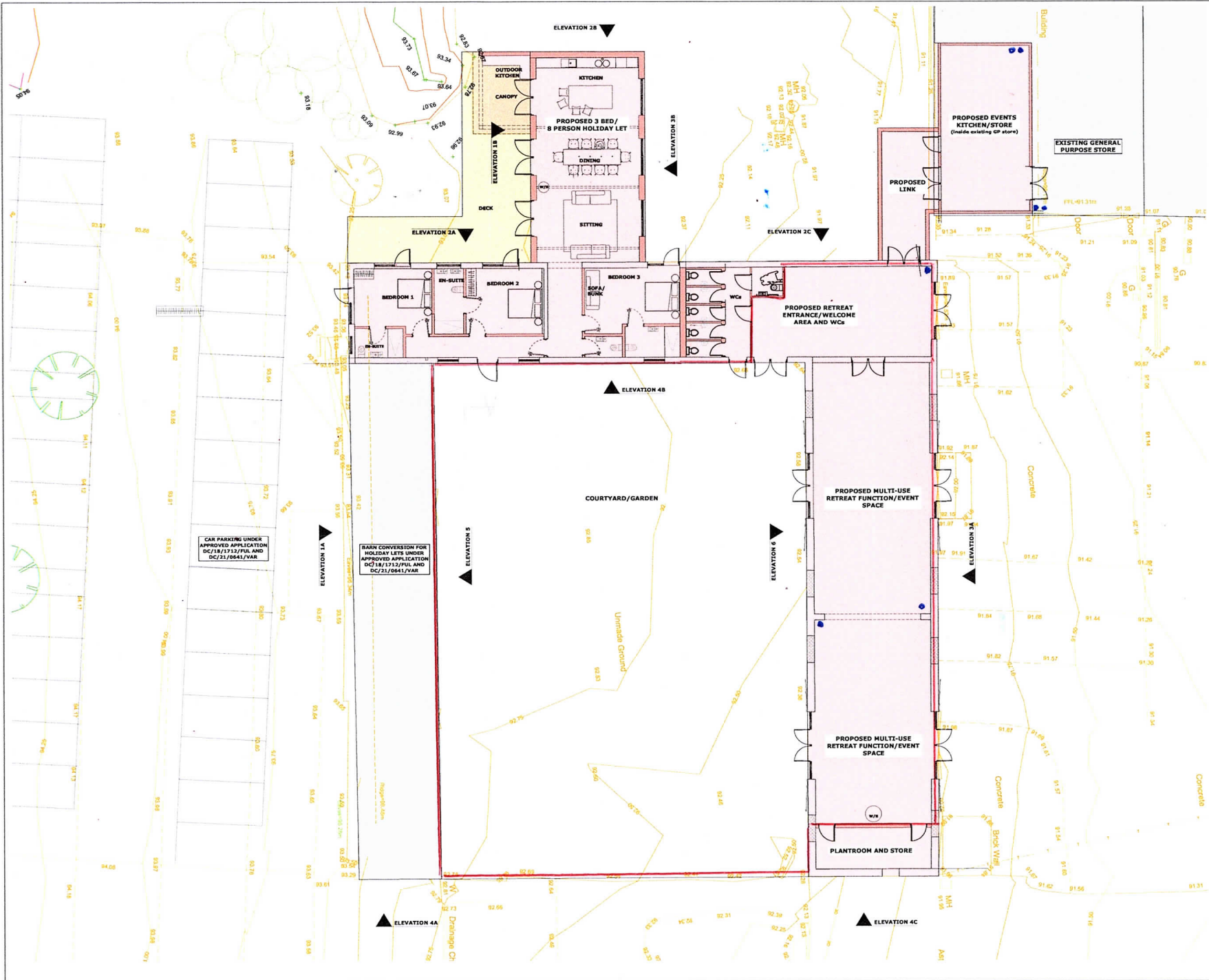
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="swg:202329"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

This page is intentionally left blank



NOTES:
 DO NOT SCALE FROM THIS DRAWING - EXCEPT FOR PLANNING PURPOSES ONLY.
 ALL INTERNAL LAYOUTS, FURNITURE, BATHROOM AND KITCHEN LAYOUTS, FIXTURES AND FITTING ARE INDICATIVE ONLY AND ARE TO BE AGREED WITH CLIENT.

APPENDIX B

LICENSABLE AREA
● FIRE EXTINGUISHERS

REV	DESCRIPTION	DATE	BY	CHK
 FRITH:BLAKE CONSULTING LTD STRUCTURAL CIVIL & SUSTAINABILITY 9 Dangle Street, Wymondham, Norfolk, NR18 2BQ T: 01953 433077 e: info@frith-blake.co.uk				
PROJECT DETAILS: BRIDGELANDS FARM COURTYARD DEVELOPMENT				
CLIENT DETAILS: GEMMA BAILEY				
DRAWING REFERENCE: PROPOSED COURTYARD FLOOR PLAN				
SCALE:	DATE:	DRAWN BY:	CHECKED BY:	
1:100@A1	MAR 2022	JF	DB	
PROJECT NO:	DRAWING NO:			
4164	415			T1

This page is intentionally left blank

Representation 1

Good Afternoon,

With regards to the current licensing application I am writing with regards to the proposed timings that have been proposed.

Fully support a new rural business and this exciting venture but would request that the proposed timings are reduced to make it more innkeeping with the area as well as other local offers.

Given the rural nature of the location granting a license for music to be played up to 1am on any day of the week would have significant nuisance implications for local residents especially in the summer months (when it is peak wedding season).

-No external music to be played between the hours of 9pm - 9am, 7 days a week.

-No internal music to be played any later than 10.30pm Sun-Thur and no later than 11.30pm on Friday and Saturday. This is in-line with other similar rural venues and will not impact on their viability. This then provides for sufficient time for visitors to vacate the property. Having a longer period such as that proposed would result in venue noise for people departing etc well into the early hours.

-Longer licensing times will also encourage more drinking and the impacts that go with it.

-Sound limiter at 94dB and strict adherence to the Noise Management Plan in line with the planning application. It should be a strong condition that a limiter is installed such that in the event music goes over the decibel level it cuts out and is on a three strikes and it is off for the night as per other neighbouring venues.

I trust the above will be taken into consideration.

Regards

Jonathan Ascroft
Bridges Farm Barn
New England Lane
Cowlinge
CB8 9HP

Good Morning,

One further point to add is that their proposed times are in excess of their operating times as condition 4 sets out with their original planning application which is below. As this relates to the operation of the site, such licencing time restrictions should be taken account of in-line with giving sufficient time for guests to vacate within the operational time constraints stated in the condition.

Regards

Jonathan

Representation 2

Dear licensing team.

Please find attached our Letter of Representation for the Licensing application at Bridgelands Farm. We strongly object to this extension from the original planning mandate (DC/18/1712/FUL) on the grounds of noise disturbance and public nuisance. The rural location is wholly inappropriate for live music in the early hours of the morning and the late closure will mean disturbance as late as 2am in what is a quiet, rural village with no current ambient noise. Similar venues to the proposed such as Hengrave, The Granary Estates and the Garden Barn are closed by 11:30.

The resultant disturbance will only result in frequent complaints to yourselves and the police and so the application is without merit.

Kind regards,

Paul and Joanna Cole.
Old School House
Queen Street
Cowlinge

LICENSING REPRESENTATION FORM

Section 1: Licence Application Details

Please tick as appropriate:



I wish to **object** to the following application I wish to **support** the following application

NAME OF APPLICANT:	GEMMA BAILEY
PREMISES NAME AND ADDRESS:	BRIDGELANDS FARM, COWLINGE, NEW MARKET
POSTCODE:	CB8 9HN

Section 2: Your Details

[If you are acting as a representative, please go to Section 3]

TITLE: (Mr, Mrs, Miss, Ms, Other (please state))	MR PAUL COLE MRS JOANNA COLE
ADDRESS:	OLD COLLEGE HOUSE, QUEEN STREET COWLINGE
POSTCODE:	CB8 9QB

[You must provide your full residential address (or business address if your objection relates to the impact of the licence upon your business premises)]

Continued on next page...

Section 4: Reason(s) for Representation

Under the Licensing Act 2003, for a representation to be relevant it must set out the likely effect of granting the application on the promotion of the four licensing objectives. Any representations that are considered to be frivolous or vexatious will not be accepted.

It is important that you set out any personal experiences as these will be considered as relevant.

Please fill in the reason(s) for your representation in the space provided below under each of the Licensing Objectives (where relevant). You need to give as much detail as possible so that the Licensing Authority can assess the relevance of your representation. Please attach any supporting documents/further pages as necessary, numbering all additional pages. Try to be as specific as possible and give examples, where possible.

LICENSING OBJECTIVE	REASON FOR REPRESENTATION
PREVENTION OF CRIME AND DISORDER	LONGER DRINKING HOURS = MORE DRUNK & DISORDERLY FROM PASSENGERS & DRIVERS.
PREVENTION OF PUBLIC NUISANCE	THE VENUE IS SITUATED IN AN EXCEPTIONALLY QUIET RURAL VILLAGE. LOUD MUSIC UNTIL THE EARLY HOURS WILL DISTURB THE SLEEP OF YOUNG AND ELDERLY AND RUIN THE AMENITY OF GARDEN SPACE FOR ALL VILLAGERS.
PROTECTION OF CHILDREN FROM HARM	DISTURBED SLEEP WHICH WILL AFFECT THEIR HEALTH & EDUCATION. THIS COULD BE FROM LIVE MUSIC AND CARS LEAVING LATE AT NIGHT.
PUBLIC SAFETY	LONGER DRINKING HOURS WILL RESULT IN HIGHER PROBABILITY OF DRINK DRIVING. LOCAL ROADS ARE POORLY LIT & MOSTLY SINGLE TRACK.

Prevention of public nuisance

1. The use of the site and venue space for weddings and events shall be limited to the following:
 - Weddings / wedding receptions (maximum 1 per week (Sunday to Saturday inclusive, but never on consecutive days), and up to a maximum of 30 per year,
 - Other Events (to be a maximum of two 'other events' per week in total - Sunday to Saturday inclusive).
Educational events;
Workshops and demonstrations;
Art and craft exhibitions;
Cookery and local produce events
Corporate employee events (team building etc);
Fundraising events; and
Dinners and 'pop-up' food events.
2. No music will be performed or played outside at any time.
3. Doors and windows will be kept closed during events and performances, (except for access or egress), from 23:00 hours.
4. When events are taking place, the designated premises supervisor or in their absence, a suitably trained member of staff, will carry out external monitoring of noise levels. This will involve periodically walking around the immediate vicinity and boundary of the premises and any noise sensitive areas (nearby residential dwellings) to ensure the entertainment noise will not cause unreasonable disturbance to nearby dwellings and residents. Nearby dwellings and residents will be defined as those residing within 1000 metres of the sound source, that being the speakers within the licensable area. Records will be kept for 6 months and available to an authorised officer of the local authority upon request.
5. A complaints procedure for dealing with any noise complaints will be made available to residents within 1000m of the licensable area, with names and phone numbers supplied of those who the complaint should be addressed to.
6. All speakers will be positioned and directed away from windows and doors.
7. A sound limiting device will be fitted to all speakers and set to a level that is agreed by the Environmental Health Officer (EHO) of the local authority. All music either live or DJ music and amplified speech must be amplified through the sound limiter. The agreed sound levels cannot be altered unless agreed by the EHO.
8. Details of a taxi company or companies will be available at the premises. These taxi firms will be made aware by the licence holder or designated premises supervisor that there should be no sounding of horns etc. that may disturb nearby residents.
9. On occasions where events include the use of a DJ, the DJ will encourage guests to leave the premises quietly prior to the end of the event.

10. Notices will be displayed requesting guests and staff to leave the premises and area quietly.

West Suffolk Statement of Licensing Policy

Licensing Act 2003

Document adopted on: 13 December 2022
Document author: Christian Moore, Food, Safety and Licensing Manager and Andrew Newman, Service Manager (Regulatory)

Foreword

Welcome to the first edition of the West Suffolk Statement of Licensing Policy, created from the latest editions from the former councils of Forest Heath and St Edmundsbury.

Our policy encompasses our desire to encourage growth and diversity while considering impacts on existing businesses and residents. It is essential to ensure our residents can peacefully enjoy their homes and environment while also encouraging responsible and positive investment and economic growth.

We want to make sure that West Suffolk continues to offer a diverse range of high quality and well managed venues and experiences; valued by those who live here, work here and come to visit.

Contents

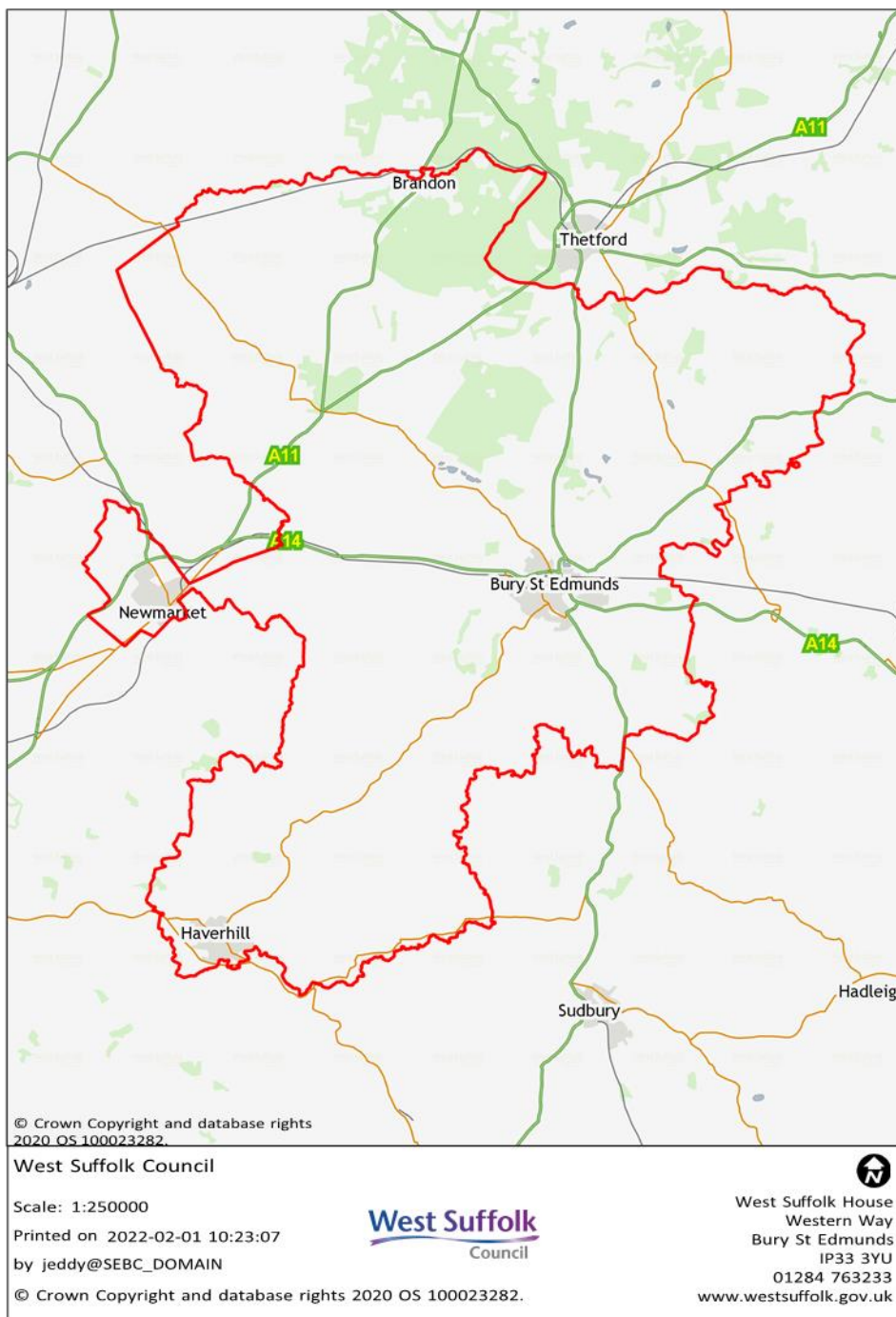
Foreword	2
1. Introduction	3
2. Purpose of the licensing policy	5
3. Licensing objectives.....	6
4. The role of the licensing authority in the decision-making process.....	7
5. Other legislation, strategies and guidance	7
6. Relationship with planning process.....	8
7. Cumulative impact	9
8. Licensing hours.....	10
9. Relevant representations.....	11
10. Administration, exercise and delegations of functions.....	12
11. Hearings.....	13
12. Conditions	14
13. Appeals	14
14. Enforcement.....	15
15. Closure of premises (section 19).....	16
16. Late night levy.....	17
17. Addressing the licensing objectives	17
18. Personal licences.....	22
19. Applications for premises licences	23
20. Transfer of premises licences	24
21. Club premises certificates.....	24
22. Temporary events notices (TEN).....	25
23. Provisional statements	25
24. Variations of licences	26
25. Reviews.....	27
26. Deliveries	29
Appendix 1	30
Appendix 2	30
Appendix 3	33
Appendix 4	34
Appendix 5	41
Appendix 6	42
Appendix 7	43
Appendix 8	44
Appendix 9	45

1. Introduction

- 1.1. The Licensing Act 2003 became fully implemented on 24 November 2005. The act integrates six separate licensing regimes covering:
 - the sale and supply of alcohol
 - the provision of regulated entertainment
 - the provision of late-night hot food or drink (between the hours of 11pm and 5am)
 - night café
 - theatres
 - and cinemas.
- 1.2. In drawing up this Policy, the Authority has had regard to the nature of the area and the needs and wishes of local communities and business. The Authority has consulted with all the statutory consultees and businesses and given due consideration to all comments received. This is in accordance with the requirements of the act, and with due regard to the Guidance. Guidance on the licensing objectives is available on the [Government's culture website](#).

About the area

- 1.3. West Suffolk Council is a district authority situated in the West of Suffolk. Predominantly rural, it has five main market towns: Brandon, Bury St Edmunds, Haverhill, Newmarket and Mildenhall.
- 1.4. As of 2020, the population of West Suffolk was estimated to be 177,302. While the population is aging (21.6 per cent over the age of 65), West Suffolk has the lowest proportion of over 65s in Suffolk outside of Ipswich. West Suffolk also has a slightly more youthful profile than much of the rest of Suffolk, with 59.2 per cent being working age (16-64) and 19.1 per cent aged between 0-15 years.
- 1.5. Population projections, however, indicate that the proportion of residents aged 65+ is likely to increase to 26.1 per cent by 2035. In comparison, working age (16-64) and young residents (0-15) will decrease to 55.8 per cent and 18.1 per cent, respectively.
- 1.6. The West Suffolk population is also more transient than in many other rural areas. This is due to the United States Air Force in Europe (USAFE) bases in Mildenhall and Lakenheath, as well as a number of migrant works in the district's horse racing and agricultural industries.



- 1.7 Today, West Suffolk has a diverse economy that embraces numerous business sectors – such as tourism, food and drink, life sciences and advanced manufacturing. The West Suffolk economy also accommodates a number of businesses trading with the two major US Air Force bases in West Suffolk.
- 1.8 Many residents benefit from a good quality of life. However, some areas have suffered more than others from the impact of COVID-19 and economic downturn, and others are facing issues such as: rural isolation, a lack of skills or qualifications amongst young people, an ageing population with some in need of more specialist housing or care, poverty, or health deprivation.

2. Purpose of the licensing policy

2.1 The purpose of this licensing policy is to:

- inform the elected Members serving on the licensing committee of the parameters within which licensing decisions can be made
- inform applicants, residents and businesses of the parameters within which the licensing authority will make licensing decisions
- inform residents and businesses about how the licensing authority will make licensing decisions, and
- provide a basis for decisions made by the licensing authority if these decisions are challenged in a court of law.

2.2 This policy relates to the following licensable activities as defined in the act:

- Retail sale of alcohol
- The supply of alcohol by or on behalf of a club, or to the order of a member of the club
- The provision of regulated entertainment, which includes:
 - a performance of a play
 - an exhibition of a film
 - an indoor sporting event
 - a boxing or wrestling entertainment (indoors and outdoors)
 - a performance of live music
 - any playing of recorded music
 - a performance of dance
 - entertainment of a similar description to that falling within the performance of live music, the playing of recorded music and the performance of dance
 - the provision of late-night refreshment.

2.3 It should be noted that the 2003 Act (Part 2 of Schedule 1) makes provision for exempt or unregulated activities or locations. Further information on some of these is available from the Department for Culture Media and Sport. Whether activities or locations may be entitled to benefit from an exemption would be assessed on a case-by-case basis.

2.4 The licensing authority will have due regard to the intention of the act to contribute to the overall economy of the borough and in particular to the potential benefits of longer opening hours, which the act foresees.

2.5 Where the guidance published by the government under s.182 is revised at any time the licensing authority will have regard to it where it departs from the Licensing Statement of Policy.

2.6 In some cases, additional licences may be required under separate legislation; for example, sexual entertainment venues may also require a licence under schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, or the venue may also require Performing Rights Society (PRS) permissions.

3. Licensing objectives

- 3.1 This policy must be read in conjunction with the Licensing Act 2003 section 4 (the act), secondary legislation and the latest guidance issued under s.182 of the Licensing Act 2003 (the guidance).
- 3.2 The licensing authority recognises that balancing the interests of owners, employees, customers and neighbours of licensed premises will not always be straightforward, but it has a duty to promote the four licensing objectives of the act:
- the prevention of crime and disorder
 - the prevention of public nuisance
 - public safety, and
 - protection of children from harm.
- These are the only four objectives in the act and as such they are paramount to all licensing considerations. The licensing authority's approach to addressing these four objectives is set out in section 16.
- 3.3 The licensing authority wishes to maintain and protect the amenity of residents and other businesses from the potential consequence of the operation of licensed premises while recognising the valuable cultural, social and business importance that such premises provide.
- 3.4 The aims of this Statement of Licensing Policy are to:
- encourage and support a strong and inclusive society that balances the rights of individuals and their communities
 - integrate the licensing authority's aims and objectives with other initiatives and strategies that will:
 - reduce crime and disorder
 - ensure the safety of the public engaging in licensable activities
 - encourage tourism and cultural diversity
 - reduce alcohol misuse
 - encourage the self-sufficiency of local communities, and
 - reduce the burden of unnecessary regulation on business
 - protect vulnerable children and others.
- 3.5 This Statement does not seek to undermine the right of any individual to apply for permissions under the terms of the act - all applications will be considered on their merits where the licensing authority's discretion has been engaged. Nor does it seek to override the right of any person to make representations on or about an application or seek a review of a licence or certificate where provision has been made for them to do so in the act.
- 3.6 The licensing process can only seek to regulate those measures within the control of the licensee or certificate holder (and their staff/agents), and in the immediate vicinity of the premises involved in licensable activities (for example, on the pavement, in a beer garden or smoking shelter). Licensing law cannot

prevent anti-social behaviour by individuals once they are away from such premises and beyond the direct control of the licence holder.

4. The role of the licensing authority in the decision-making process

- 4.1 It is important for any person reading this Statement of Licensing Policy to note that the licensing authority's discretion and decision-making role, referred to throughout this statement of licensing policy, is only engaged following a relevant representation being lodged in respect of an application, and where that representation is not withdrawn. As the 'responsible authority', it is also within the remit of the Licensing Authority to submit representations to applications and apply for a Review of a Licence or Club Premises Certificate.
- 4.2 The application will then ordinarily be heard by a sub-committee of the council's licensing and regulatory committee. However, it must be noted that, in contrast, the process and determination in respect of minor variations and community premises mandatory conditions 'alternatives' are exceptions to these usual arrangements, as referred to later in this document.
- 4.3 The Licensing Act 2003 provides for a mediation process between parties. Where it is appropriate for the licensing authority to do so, following a relevant representation being made, the authority shall make all reasonable efforts to facilitate mediation. In doing so, the licensing authority will be mindful of the legislative framework and any relevant government guidance.
- 4.4 Where a premises licence application or club premises certificate has been lawfully made - and no responsible authority or other person has made a representation - the application must be granted on the terms sought. This is subject only to conditions consistent with the operating schedule and relevant mandatory conditions in the act. This is undertaken as an administrative process by the licensing authority's officers who will translate the licensing objectives into clear and understandable conditions. As above, there are different arrangements in place for some minor processes under the act.
- 4.5 It is the intention of the licensing authority to work closely with licensees and their representatives, responsible authorities, other persons and partner authorities to promote the licensing objectives. The authority also seeks to minimise the burden to ensure that the licensing arrangements work satisfactorily and successfully.

5. Other legislation, strategies and guidance

- 5.1 When carrying out its functions the licensing authority must be aware of the following legislation:
 - Crime and Disorder Act 1998
 - Human Rights Act 1998
 - Race Relations Act 1976 (as amended by the Race Relations (Amendment) Act 2000)
 - Anti-Social Behaviour, Crime and Policing Act 2014 (within this, PSPO
 - 'Public Space Protection Order' which are active in West Suffolk)
 - Violent Crime Reduction Act 2006

- Environment Bill, 2021
- Health Act 2006
- Health and Safety at Work Act
- Clean Neighbourhoods and Environment Act 2005 (including powers for the local authority to issued fixed penalty notices to licensed premises emitting noise that exceeds the permitted level between 11pm and 7am)
- Policing and Crime Act 2009
- Police Reform and Social Responsibility Act 2011
- Equality Act, 2010
- Gambling Act, 2005
- Public Health Act 2006 (section 10)
- West Suffolk Council Safeguarding Policy
- West Suffolk Council Enforcement Policy.

- 5.2 Premises operators are normally responsible for compliance with any other statutory requirements which may apply, for example the Regulatory Reform (Fire Safety) Order 2005.
- 5.3 The licensing authority will seek to avoid duplication with other regulatory regimes when dealing with the licensing function. If other existing law already places certain statutory responsibilities on an employer or operator of premises, to the licensing authority will not impose the same duties on the premises licence holder or club.
- 5.4 Other local authority and government policies, strategies, responsibilities, and guidance documents may also refer to the licensing function, and the licensing authority may liaise with the relevant authorities or its directorates with regard to these. Whilst some of these may not be directly related to the promotion of the four licensing objectives, they can indirectly impact upon them. For example, a Home Office direction.
- 5.5 It is the licensing authority's intention to integrate its licensing function with other relevant strategies. To that end, the licensing committee will monitor how this impacts licensing and other functions.
- 5.6 The council may seek premises licences for public spaces in the community in its own name. With regard to those places, performers and entertainers may not need to obtain a licence or give a temporary event notice themselves in order to perform. Instead, they may require permission from the council as the premises licence holder. The council may use this method of licensing to encourage circus and street arts to our local communities.
- 5.7 Where it considers it appropriate, and in order to seek proper integration of the licensing function, the licensing authority may share data with other areas of the council. This may, for example, include instances where alcohol-related crime and disorder is having an impact on a local area.

6. Relationship with planning process

- 6.1 It makes operational sense to ensure that planning and licensing are compatible. Any premises for which a licence is required should have either:
- a. planning consent, or

b. lawful use under the planning legislation in order to operate lawfully.

However, the lack of either a. or b. above must not prevent the licensing authority from considering and determining an application.

- 6.2 Planning matters are subject to the licensing authority's four objectives. Similarly, licensing and planning authorities are responsible for enforcing conditions attached under their respective licences and consents. Licensing applications will not, therefore, be treated as re-run of planning application.
- 6.3 The licensing and planning authorities are only responsible for enforcing conditions attached under their respective licences or consents.
- 6.4 Where the terminal hour for the operation of a premises is stated on a planning consent, but differs from that specified on the licence, the licence holder must observe the earlier closing time to operate lawfully.
- 6.5 The Licensing and Regulatory Sub-Committee may grant a variation of a licence, which involves a material alteration to a building. However, this would not relieve the applicant of the need to apply for planning permission or building control consent where appropriate.

7. Cumulative impact

- 7.1 The licensing authority recognises that the cumulative effect of licensed premises may have negative consequences in line with the licensing authorities four objectives. Where there are licensed premises that cause concern or are within an area of concern, the licensing authority would first consider imposing conditions.
- 7.2 Licensing is only one means of addressing the problems identified above and cannot in isolation provide a solution to many of the problems that may be experienced. Other mechanisms to address problems could include:
- planning controls
 - positive measures to create a safe and clean town centre environment in partnership with local business, transport operators and other departments of the local authority using best practice schemes or BIDS
 - powers of local authorities or police to designate parts of the local authority area as places where alcohol may not be consumed publicly and confiscation of alcohol in these areas
 - the confiscation of alcohol from adults and children in designated areas
 - police powers to close down premises or temporary events for up to 48 hours on the grounds of preventing crime, disorder or nuisance
 - police enforcement of the general law concerning disorder and anti-social behaviour including the issuing of fixed penalty notices
 - prosecution of personal licence holders who sell alcohol to people who are drunk or underage
 - local authority powers under the Anti-Social Behaviour, Crime and Policing Act 2014 (which includes the adopted PSPO's and community protection notices)

- powers available to responsible authorities under the provisions of the Policing and Crime Act 2009 or Violent Crime Reduction Act 2006
- Early Morning Restriction Orders (EMRO's).

- 7.3 The cumulative effect of licensed premises selling alcohol for consumption on the premises can have a disproportionate detrimental effect on neighbouring businesses and residents and the operation of a number of premises in a defined area has the effect of undermining the licensing objectives. The licensing authority recognises that a concentration of shops, stores and supermarkets selling alcohol for consumption off the premises does not normally lead to significant problems.
- 7.4 In 2008 and 2014, the council agreed to implement a cumulative impact assessment (CIA) in Newmarket and Bury St Edmunds town centre respectively (See Appendix A and B for more information, including all evidence). These areas have significant numbers of licensed premises of all types. Although they have staggered closing times, their concentration still leads to large numbers of people on the street and has an impact on the capability of the transport system to disperse these numbers rapidly with minimal impact on crime and disorder and public nuisance.
- 7.5 The CIAs are intended to target premises that can act as a flash point for crime and disorder and public nuisance, such as:
- premises that will increase the numbers of customers
 - premises serving alcoholic drinks and or takeaway food after 11.00pm.
- 7.6 It is the licensing authority's policy that:
- a all matters within CIA, which attract representation will be determined at a committee
 - b there will be a rebuttable presumption that applications for new premises licences or club premises certificates, which are primarily drinking establishments or for the sale and consumption of alcohol, will be refused if relevant representations are received about the cumulative impact on the licensing objectives.
 - c there will be a rebuttable presumption that applications for material variations from current licensees will be refused if relevant representations are received about the cumulative impact on the licensing objectives.
 - d there will be a rebuttable presumption that applications for new premises seeking a licence to provide hot food between 11.00pm and 05.00am (especially where the food purchased will be eaten off the premises) will be refused if relevant representations are received about the cumulative impact on the licensing objectives.
- 7.7 In respect of other areas within West Suffolk, the licensing authority would need to be provided with evidence-based information and each area would be considered on its own merits. This evidence could be part of the information made available by the police, responsible authorities or other groups when they are reporting on matters affecting members of the public.

8. Licensing hours

- 8.1 The licensing authority, through the exercise of its licensing function, will not seek to restrict the trading hours of any premises unless this is appropriate to

promote one or more of the licensing objectives. Each application will be considered individually on its own merits.

- 8.2 The consideration of hours of operation will be in the context of the particular circumstances of each application and the licensing objectives.
- 8.3 The licensing authority will aim, through the promotion of the licensing objectives, to reduce the potential for concentrations of patrons leaving the premises and achieve a slower dispersal of people from licensed premises through flexible opening hours.
- 8.4 While no part of West Suffolk is currently subject to any Early Morning Alcohol Restriction Order (EMRO), the Licensing Authority has the power to make, vary or revoke an EMRO, as set out in sections 172A to 172E of the 2003 Act. The exercise of the licensing authority's functions may be delegated by its committee to a sub-committee, other than the decision to make, vary or revoke an EMRO (which is exercised by full council).
- 8.5 The licensing authority has a published cumulative impact area in its Statement of Licensing Policy and will always consider the relationship between the CIA and proposed EMRO area and the potential overall impact on its local licensing policy.

9. Relevant representations

- 9.1 A relevant representation is one that is made in writing and:
- is about the likely effect of a licence on the promotion of the licensing objectives (for new applications representations may be
 - probative or speculative and it will be for the licensing authority in each case to determine what weight to attach to representations and any supporting evidence)
 - has been made by a responsible authority, or other person or elected councillor as defined by the act, within the relevant time period as prescribed by regulation
 - has not been withdrawn, and
 - has not been determined by the licensing authority as frivolous, vexatious or repetitious (or repetitious in respect of a review).
- 9.2 Electronic representations will be administered in accordance with the requirements of the Licensing Act 2003 (Premises licences and club premises certificates) (Amendment) (Electronic Applications etc.) Regulations 2009. They are accepted by the licensing authority provided that the representation is received within the prescribed time limits. An electronic representation is not deemed to be received until it is opened, which will be within office hours, and if the email is sent outside those hours and the consultation period finishes before the office is next open then the representation is late and will be refused.
- 9.3 In 'borderline' cases, the licensing authority will normally give the benefit of the doubt to the other person or responsible authority making the representation. Any subsequent hearing would provide an opportunity for the person or body making the representation to amplify or clarify it. However, the licensing

authority could decide not to take any action in respect of the application if, for example, the representation could not be supported.

9.4 It will be for the Licensing and Regulatory Sub-Committee to determine whether any ordinary and reasonable person would consider the issue raised in a representation as either vexatious or frivolous (or repetitious in respect of a review). Therefore, the representation will be deemed to be accepted by the licensing authority until such decision is made. A person aggrieved by a rejection of his representation on these grounds may challenge the licensing authority's decision by way of judicial review.

9.5 Local councillors play an important role in their communities. They can make representations in writing and subsequently at a hearing as:

1. a member of the relevant licensing authority, such as an elected councillor of the licensing authority for the area in which a premises is situated
2. on behalf of a named other person such as a resident or local business if specifically requested to do so
3. or as an individual in their own right.

Their involvement in or participation in meetings to discuss matters is subject to a code of conduct under the Localism Act 2011.

9.6 The licensing authority seeks to consider each representation on its merits, and taking into consideration the following matters:

- location of the premises which is the subject of the application
- the nature of the surrounding area.

9.7 Where a relevant representation is made in respect of an application or an existing licensed premises, a hearing will be held. However, if an agreement is reached between the licensing authority, the applicant and all the parties who have made relevant representations, a hearing is not required. It is not anticipated that a hearing will be held where the only representations received are in support of an application and without qualification.

9.8 The licensing authority will attempt mediation between the relevant parties wherever it may be practicable or appropriate to do so, to avoid unnecessary hearings. It may also extend the normal time limits for hearings where it is considered in the public interest to do so, for example where all parties are on the point of reaching agreement.

9.9 It should be noted that the usual hearing arrangements, following receipt of a relevant representation, do not apply to minor variations. For these processes the power to determine the application has been delegated to the licensing officers, and no hearing mechanism is involved. Relevant representations and statutory guidance will, however, be considered as part of this process, and applications shall be assessed individually and on merit by the relevant officer.

10. Administration, exercise and delegations of functions

- 10.1 The council's published Scheme of Delegation for functions under the Licensing Act 2003 is set out in Section 4 of the council's constitution and is available on the [West Suffolk Council website](#) or by emailing Customer Services at customer.services@westsuffolk.gov.uk.
- 10.2 The licensing authority will grant the application in accordance with the requirements of the act under authority delegated to an officer where an application has been made in accordance with the statutory requirements, and either
- no relevant representations have been received
 - or relevant representations have been received and have all been withdrawn.

The exceptions to these usual processes include applications for minor variations and community premises mandatory conditions disapplication requests as referred to earlier in this document.

- 10.3 Where an application does not meet the statutory requirements, it will be returned to the applicant with an explanation of the matters that need to be addressed in order to meet the statutory requirements.

11. Hearings

- 11.1 Where a hearing is held, any relevant representations will be put before the Licensing and Regulatory Sub-Committee. The representations, including the name and address of the person making them will be part of a public document.
- 11.2 The hearing will be conducted in accordance with the licensing authority's published procedure available on [West Suffolk Council website](#) or directly from the licensing team upon request.
- 11.3 Where an application is determined at a hearing, the Licensing Act Sub-Committee will give appropriate weight to the:
- relevant representations
 - submissions and evidence presented by all parties
 - steps appropriate to promote the licensing objectives
 - licensing authority's statement of policy, and
 - guidance issued under s.182 of the act (as may be amended from time to time).
- 11.4 The licensing authority may use the power given within the hearings regulations to extend time limits where it considers this to be in the public interest. Extending time limits in the public interest will be assessed on a case-by-case basis.
- 11.5 The Licensing Act 2003 provides for a mediation process between parties. Where it is appropriate for the licensing authority to do so, following a relevant representation being made, the authority shall make all reasonable efforts to facilitate mediation. In doing so the licensing authority will be mindful of the legislative framework and any relevant government guidance. Any guidance provided by the authority will be available on the [West Suffolk Council website](#).

12. Conditions

- 12.1 Mandatory conditions are imposed by the act whether or not the application is opposed.
- 12.2 Except for mandatory conditions, which are imposed by the act, the licensing authority will only attach conditions to a premises licence or club premises certificate or, in certain circumstances, a temporary event notice where these:
- are consistent with the additional steps identified in the operating schedule which the applicant submits in support of their application, or
 - at a hearing following a relevant representation, the conditions are considered appropriate for the promotion of the licensing objectives and are proportionate and reasonable.

In these circumstances, it is the intention of the licensing authority to express any such conditions in unequivocal and unambiguous terms and such conditions will be tailored to the specific premises concerned.

- 12.3 In so far as conditions proposed by any applicant is concerned, the guidance states that it is not acceptable for the licensing authorities to simply replicate the wording from the operating schedule. The authority will endeavour to interpret any condition in accordance with the applicant's intention.
- 12.4 The Violent Crime Reduction Act 2006 amends the Licensing Act 2003 enabling the licensing authority, on the application of a senior police officer to attach interim conditions to licences pending a full review of the licence.
- 12.5 The Regulatory Reform (Fire Safety) Order 2005 provides that any conditions imposed by the licensing authority that are or could be imposed by the order automatically cease to have effect, with certain exceptions.
- 12.6 Although the guidance confirms that the conditions should be tailored to the specific premises, the licensing authority has produced an operating schedule tool kit that is regularly reviewed and updated which the applicant and others may draw upon as appropriate. In addition, the Home Office has produced supporting guidance in respect of pools of conditions and which can be located on the [Home Office website](#).
- 12.7 A committee or board of individuals with responsibility for the management of community premises ('the management committee') may apply to have an alternative licence condition included in a premises licence in place of the normal mandatory conditions. The alternative condition is that every supply of alcohol under the licence be made or authorised by the management committee.

13. Appeals

- 13.1 Entitlement to appeal against any decision of the licensing authority is set out in Schedule 5 of the act.

- 13.2 Please note that there are no provisions for appeals to the magistrates' court in respect of applications for minor variations or disapplication for requirement for designated premises supervisor.
- 13.3 Where the police make application for summary review under section 53A of the Licensing Act 2003 the relevant licensing authority will normally consider whether it is necessary to take interim steps pending the determination of the review applied for. Such consideration may take place without the holder of the premises licence having been given an opportunity to make representations to the relevant licensing authority. The interim steps the relevant licensing authority must consider taking are:
- a. modification of the conditions of the premises licence
 - b. exclusion of the sale of alcohol by retail from the scope of the licence
 - c. removal of the designated premises supervisor from the licence; and
 - d. suspension of the licence.
- 13.4 Should a summary review be instigated; the licensing authority shall follow the procedures as set out in the Licensing Act 2003 (Summary Review of Premises Licences) Regulations 2007.

14. Enforcement

- 14.1 West Suffolk Council has a commitment to effective enforcement practices and will work with partners to ensure that licenced premises comply with licensing objectives. Enforcement action will be considered in accordance with the compliance code, and the council's general enforcement policy ([West Suffolk Council Enforcement Policy](#)).
- 14.2 Risk assessment will be carried out through inspections concentrating on those premises which either:
- present a greater risk, or
 - have a history of non-compliance with conditions or regulations, or
 - demonstrate poor management practice which undermines the licensing objectives.
- 14.3 The council will normally act as the enforcing authority in respect of offences under the act, unless the circumstances of the particular case are such that it is appropriate for another responsible authority.
- 14.4 The Suffolk Constabulary will retain responsibility as the enforcing authority in respect of the following offences under the act:
- Section 97 Power to enter and search
 - Section 143 Failure to leave
 - Section 144 Keeping of smuggled goods
 - Section 155 Confiscation of alcohol, and
 - Part 8 Offences with respect to closure of premises.

Suffolk County Council Trading Standards will retain responsibility as the enforcing authority in respect of the following offences under the act:

- Section 146 Sale of alcohol to children
- Section 147 Allowing the sale of alcohol to children
- Section 147A Persistently selling alcohol to children
- Section 154 Enforcement role for weights and measures authorities.

14.5 Where expedient for the promotion or protection of the interests of the inhabitants of their area, the licensing authority may also take action under Section 222 of the Local Government Act 1972 and other relevant provisions including Section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014. The council will also have due regard to section 17 of the Crime and Disorder Act 1998 whilst carrying out its functions.

15. Closure of premises (section 19)

15.1 (Closure by magistrate) Sections 19-21 of the Criminal Justice and Police Act 2001. of the Licensing Act 2003 (closure notices are not relevant to part 8 of LA03, relates to closure of premises) provides for the arrangements relating to closure orders, and there are also powers available to the local authority and/or responsible authorities or court to close premises via other legislation on grounds of serious crime or disorder, persistent nuisance or protection of children - for example under the Violent Crime Reduction Act 2006, Criminal Justice and Immigration Act 2008 and Anti-Social Behaviour, Crime and Policing Act 2014.

- The Anti-Social behaviour, Crime and Policing Act 2014 makes provision for the closure of premises for up to 24 hours where the noise from any licensed premises is causing a public nuisance. Should be together with 15.1
- Closure notice Sections 19, 20, 21 Criminal Justice and Police Act 2001

15.2 An authorised licensing officer or police officer who is satisfied that a premises has been used within the past 24 hours for the unauthorised sale of alcohol for consumption on or in the vicinity the officer may serve a notice in respect of those premises. The notice shall contain the details of the complaint and if the complaint is not satisfied within seven days the officer may make an application to a justice of the peace for a closure order in relation to those premises to be made.

15.3 Where the magistrates' court has determined to exercise any of its powers in respect of closure orders under any existing legislation, the licensing authority will:

- serve notices on the premises licence holder and responsible authorities and advertise the review in accordance with the regulations
- hold a hearing in accordance with the procedure outlined in section 11 above to review the premises licence, and
- determine the review at the conclusion of the hearing and within 28 days of receipt of the notice of the closure order from the magistrates' court.

15.4 When determining a review following the notice of a closure order, the licensing authority will consider:

- the closure order and any extension of it
- any magistrates' directives in relation to the order; and
- any relevant representations.

The authority will take such steps as it considers appropriate to promote the licensing objectives as outlined in section 3.4 of this Statement of Licensing Policy.

15.5 The licensing authority will notify the licence holder, the chief officer of the police and any person who made relevant representations of the outcome of the review hearing and the reasons for the decision. The licensing authority may suspend the operation of its decision until the end of the period given to appeal, or until the appeal is disposed of (if not already suspended by the magistrates' court).

15.6 The Anti-Social Behaviour, Crime and Policing Act 2014 makes provision for the closure of premises for up to 24 hours where the noise from any licensed premises is causing a public nuisance.

16. Late night levy

16.1 The Police Reform and Social Responsibility Act 2011 introduces the principle of a late-night levy, which is a power for licensing authorities to introduce a charge for premises that have a late alcohol licence. At the time of this policy adoption, there is no late-night levy order in place within West Suffolk Council.

17. Addressing the licensing objectives

17.1 General

17.1.1 In respect of each of the four licensing objectives, when completing their operating schedule, applicants should consider:

- the nature and style of the venue
- the activities being conducted there
- the location
- any special effects or risks, and
- the anticipated or target clientele.

17.1.2 Applicants are encouraged to carry out a risk assessment before completing the operating schedule and identifying those additional measures appropriate to promote the licensing objectives. Any risk assessment completed would not need to be provided to the licensing authority as part of the application, although responsible authorities would find this information helpful when assessing whether to make a representation. Reference should be made as to whether additional measures will be taken on an occasional or specific basis such as when a special event or promotion is planned, which is intended to, or likely to attract larger audiences.

- 17.1.3 Applicants should be aware that any measures included in their operating schedule will be converted into conditions consistent with these measures attached to the licence. For this reason, applicants should, where possible, identify measures that specifically set out the action to be undertaken and who is responsible for that action.
- 17.1.4 Where a relevant representation is made and the discretion of the licensing authority is engaged, the proposed operating schedule submitted by the applicant may be amended by the licensing authority where it considers this appropriate and proportionate to address the licensing objectives.
- 17.1.5 Organisers of large, temporary outdoor events (such as music festivals, fairs, shows and carnivals) are strongly encouraged to engage as early as possible with the responsible authorities to ensure that their planned event is developed in a way likely to promote the licensing objectives. They should also seek the advice of the Suffolk Safety Advisory Group or any successor body.

17.2 Prevention of Crime and Disorder

- 17.2.1 The council is committed to further improving the quality of life in its area by continuing to help reduce crime and disorder and the fear of crime. To this end, the licensing authority strongly encourages applicants and licensees to ensure that relevant factors within their control that impact on crime and disorder have been considered, for example:
- underage drinking
 - drunkenness on the premises
 - drunkenness in public
 - drugs
 - violent behaviour
 - criminal damage at the premises or in the immediate vicinity, and
 - antisocial behaviour.
- 17.2.2 In order to promote the prevention of crime and disorder objective, the licensing authority encourages licence holders to become active partners with the licensing and responsible authorities. Applicants are encouraged to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises.
- 17.2.3 Examples of control measures given to assist applicants when developing their operating schedule can be viewed in Appendix 5.
- 17.2.4 Within the operating schedule for premises where alcohol will be sold, a premises supervisor must be designated ('designated premises supervisor' (DPS)), unless a relevant community premises disapplication has been applied for/authorised. The licensing authority will expect the DPS to be the first point of contact for authorised officers. In exceptional circumstances, the Suffolk Constabulary may object to the designation of a new premises supervisor where they believe this would undermine the crime prevention objective.
- 17.2.5 Where the Suffolk Constabulary object to an individual being appointed as a designated premises supervisor, or object to an application made by community premises management committee for the inclusion of the

alternative licence condition, the licensing authority will arrange for a hearing. The hearing will consider the issue and both parties may put forward their arguments.

- 17.2.6 The sub-committee considering the matter will confine their consideration to the issue of crime and disorder.
- 17.2.7 Certain events (see section 22 below), which may require authority under the Licensing Act 2003, must be notified to the licensing authority using the temporary event notice procedure. Depending on the nature and location of such events these may, on occasion, have serious crime and disorder implications. Organisers of these events are encouraged to submit their notification as soon as reasonably practicable before the event, in line with existing statutory requirements, to enable the Suffolk Constabulary, the environmental health department of West Suffolk Council and the licensing authority to work with them to identify and reduce the risk of crime and disorder.

17.3 Public safety

- 17.3.1 The licensing authority is committed to ensuring that the safety of any person visiting or working at a licensed premises is not compromised. To this end, applicants will be encouraged to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety.
- 17.3.2 When addressing the issue of public safety, an applicant should demonstrate that those factors that impact on the standards of public safety have been considered. Examples of what this may include can be viewed at Appendix 6.
- 17.3.3 Examples of control measures given to assist applicants when preparing their operating schedules can also be viewed under Appendix 6.
- 17.3.4 The design and layout of licensed premises are important in determining capacity, as is the availability and size of exits within recommended travel distances. Other factors should also be considered when assessing the appropriate capacity for premises or events. These include, but are not limited to:
- the nature of the premises or event
 - the nature of the licensable activities being provided
 - the provision or removal of such items as temporary structures, (for example, stages, or furniture)
 - the number of staff available to supervise customers both ordinarily and in the event of an emergency
 - instruction, training, and supervision of staff
 - the age of the customers
 - the attendance by customers with disabilities, or whose first language is not English
 - availability of suitable and sufficient sanitary accommodation, and
 - nature and provision of facilities for ventilation.
- 17.3.5 Where the applicant identifies a capacity limit for a premises or events, this should not be interpreted as a requirement to also provide permanent

monitoring arrangements. However, where the capacity is likely to be reached (such as on known busy evenings) and particularly where a special event or promotion is planned, the applicant will be expected to detail the additional arrangements that will be put in place to ensure that the capacity of the premises is not exceeded.

17.4 Prevention of public nuisance

17.4.1 Licensed premises may have a significant potential to adversely impact on communities through public nuisances that arise from their operation.

17.4.2 Subject to case law, the licensing authority interprets 'public nuisance' in its widest sense. This includes such issues as noise (whether music or speech), light, odour, litter and antisocial behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in the vicinity of a premises.

17.4.3 Applicants and licensees are encouraged to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance, relevant to the individual style and characteristics of their premises and events.

17.4.4 The licensing authority expects the licensee to apply a high standard of control to minimise the potential for and mitigate the effects of any public nuisance that may arise from their operation of the premises, particularly where:

- they are situated in a residential or noise sensitive area, or
- where extended opening hours are proposed.

The licensing authority recognises that beyond the immediate vicinity of the premises the control that a licence holder can exert over its patrons diminishes, and individuals who engage in antisocial behaviour are accountable in their own right.

17.4.5 When addressing the issue of prevention of public nuisance, the applicant is encouraged to carry out a risk assessment to identify whether there are any factors which impact on the likelihood of public nuisance, and, if so, to address these in their operating schedule. Examples of what this may include can be viewed under Appendix 7.

17.4.6 Examples of control measures given to assist applicants when preparing their operating schedules can also be viewed under Appendix 7.

17.5 Protection of children from harm and other vulnerable persons

17.5.1 A child is an individual under the age of eighteen (or any subsequent age of majority determined by Government) and the current West Suffolk Council safeguarding policy can be found on the [West Suffolk Council website](#).

17.5.2 The act places responsibilities upon licence holders, while recognising that parents and others accompanying children also have responsibilities. Licensees should be aware that children will normally see licensees and their staff as

responsible adults – and that children are particularly vulnerable to adults who are ‘responsible’ and ‘in authority’ if those adults use their position to develop inappropriate relationships or otherwise abuse children’s trust.

- 17.5.3 The protection of children from harm means that children should be protected from moral, psychological and physical harm. This includes the exhibition of films, or transmission of programmes or videos, and avoiding exposure to strong language and sexual expletives or acts. In certain circumstances, children are more vulnerable, and their needs require special consideration. This vulnerability includes their susceptibility to suggestion, peer group influences, inappropriate examples, the unpredictability of their age and their lack of understanding of danger.
- 17.5.4 While it is not possible for the licensing authority to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature, examples would generally include topless bar staff, striptease, lap-dancing, table-dancing, pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language, whether regularly or occasionally. It should be noted that premises deemed as ‘sexual entertainment venues’ under the Policing and Crime Act 2009 will in most cases to require an additional licence under the Local Government (Miscellaneous Provisions) Act 1982. The council has adopted a policy on the licensing of sex entertainments venues which may be found on the [West Suffolk Council website](#).
- 17.5.5 Where its discretion is engaged following a relevant representation, the licensing authority will take into account the nature of the activities proposed to be provided and the history of a particular premises, when considering an application for a premises licence and any options appropriate to prevent harm to children. This may include, but is not limited to:
- the purchase, acquisition or consumption of alcohol
 - exposure to drugs, drug taking or drug dealing
 - exposure to a strong element of gambling (but not, for example, the presence of a small number of cash prize gaming machines)
 - exposure to activities of an adult or sexual nature
 - exposure to incidents of violence or disorder, and
 - where there have been convictions of members of the current staff at the premises for serving alcohol to minors, or premises with a reputation for underage drinking.
- 17.5.6 Where its discretion is engaged following a relevant representation, the licensing authority will not:
- impose conditions restricting or prohibiting the admission of children to any licensed premises, or
 - limit the access of children to licensed premises, or parts thereof, unless appropriate for their protection from harm.

The licensing authority considers that, unless restriction of access is appropriate to protect children from harm, this is a matter for the discretion of the licensee.

- 17.5.7 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm.
- 17.5.8 In these circumstances, where included in the operating schedule, or where the discretion of the licensing authority's discretion is engaged, conditions may be attached to any licence to:
- a. limits on the hours during which children may be present
 - b. limiting or excluding the presence of children under certain ages when particular activities are taking place
 - c. limits on the parts of premises to which children might be given access
 - d. age limitations (below 17)
 - e. requirements for accompanying adults, and
 - f. full exclusion from those under 18 from the premises when any licensable activities are taking place.
- 17.5.9 Examples of control measures given to assist applicants when preparing their operating schedules can be viewed under Appendix 8.
- 17.5.10 Where film exhibitions are given at premises, licensees must ensure that children are restricted from viewing age-restricted films classified according to the British Board of Film Classification, or by the licensing authority.
- 17.5.11 The licensing authority recognises the Suffolk Safeguarding Partnership, or its designated nominee for the time being as being competent to advise on matters relating to the protection of children from harm. The contact details are set out in the guidance to applicants.
- 17.5.12 Suffolk County Council Trading Standards service and the Suffolk Constabulary, in conjunction with other appropriate agencies may, through making purchases, test the compliance of retailers with the prohibition on underage sales of alcohol.

18. Personal licences

- 18.1 The licensing authority will grant a personal licence if the applicant has met the requirements set out in the act and no objection notice is received from the Suffolk Constabulary.
- 18.2 Where the Suffolk Constabulary object to the application on the grounds that an applicant has an unspent conviction for a relevant offence or a foreign offence, the application will be referred to sub-committee.
- 18.3 All personal licence holders must ensure they are aware of the offences relating to personal licences. It is the duty of the licence holder to advise the court of the existence of their personal licence if charged with a relevant offence and advise the licensing authority of changes to name or address.
- 18.4 The licensing authority considers that, when establishing whether an authorisation for the retail sale of alcohol has been granted, the following factors are relevant:

- there should be an overt act of authorisation from the DPS, (this could, for example, a specific written statement given to the individual being authorised)
- the person(s) authorised to sell alcohol at any particular premises should be clearly identified in writing
- the authorisation should specify the acts which may be carried out by the person authorised
- there should be in place sufficient arrangements for the personal licence holder to monitor the activity authorised on reasonably regular basis, and
- training records should be kept relevant to the training provided to each individual authorised by the personal licence holder.

18.5 Individuals applying for a personal licence must have the right to be granted a licence. The Immigration Act 2016 amended the Licensing Act 2003 with effect from 6 April 2017 to assist in the prevention of illegal working in the UK. The licensing authority must be satisfied that an applicant has the right to work in the UK and will require applicants to produce a document listed at Annex A to demonstrate their entitlement to work in the UK.

19. Applications for premises licences

19.1 The Department for Culture, Media and Sport (DCMS) provides a written guide to making an application, and this is available free of charge by contacting the licensing team or visiting the [Government's culture website](#). Local guidance information, such as contact details for responsible authorities and other guidance documents, is available on the [West Suffolk Council website](#) or by contacting the licensing team.

19.2 Section 182 guidance recommends pre-application discussions with responsible authorities are encouraged to assist applicants to develop their operating schedule in a way that is likely to promote the licensing objectives.

19.3 The licensing authority may make provision for a negotiation procedure to mediate between the applicant, responsible authorities and interested parties where relevant representations are made. This would be within the restrictions of the statutory time limits and in accordance with any relevant government guidance. It may also extend the normal time limits for hearings where it is considered in the public interest to do so (for example where all parties are on the point of reaching agreement, or so as to ensure that it is possible for a party to attend the hearing).

19.4 An application may be made to the licensing authority for any place within its area to be used for licensable activities or recognised club activities. The application must be accompanied by:

- the prescribed fee
- an operating Schedule, which may be supported by any appropriate risk assessments the applicant has undertaken
- a plan of the premises, in accordance with the regulations. The council may reduce plans submitted to a scale suitable for publishing on the public register, and

- if it is intended that the premises be authorised to sell alcohol, a form of consent given by the person the applicant wishes to have specified in the premises licence as the designated premises supervisor, or else an application to disapply the mandatory condition must be contemporaneously applied for to disapply this usual requirement if for an eligible 'community premises'. This is only relevant if it is intended that the premises be authorised to sell alcohol
- a document from Schedule A showing the applicants right to work in the UK (if required).

19.5 Where a valid representation is received about an application and those representations are not withdrawn, the application will be referred to a licensing and regulatory sub-committee.

20. Transfer of premises licences

20.1 Where an application is made under the act for a transfer of a licence for any reason and the Suffolk Constabulary submit an objection to an application, the licensing authority will hold a hearing. This hearing will be confined to consideration of the crime and disorder objective. The application may be rejected where the licensing authority considers it appropriate for the promotion of the crime prevention objective.

21. Club premises certificates

21.1 An application for a club premises certificate must be accompanied by:

- the relevant fee
- the club operating schedule, which may be supported by any appropriate risk assessments the applicant has undertaken
- a plan of the premises, in accordance with the regulations. The council may reduce plans submitted to a scale suitable for publishing on the public register
- a copy of the rules of the club, and
- evidence that the club is a qualifying club (see the Guidance to Applicants).

21.2 The club operating schedule must contain the following:

- details of the recognised club activities to which the application relates
- the times during which it is proposed the recognised club activities take place
- any other times during which it is proposed the premises are open to members and their guests
- the steps which it is proposed to take to promote the licensing objectives, and
- any other prescribed matters.

21.3 Where valid representations are received in respect of an application, and those representations are not withdrawn, the application will normally be referred to the Licensing and Regulatory Committee or one of its sub-committees.

22 Temporary events notices (TEN)

- 22.1 The act sets out the terms and conditions under which a person submits a notice of a Temporary Event Notice of licensable activities. Where reference is made to the minimum period for the submission of a standard TEN, the licensing authority understands this to mean 10 days exclusive of the day on which the event is to start and exclusive of the day on which the notice is given. Should any statutory modifications be made to the TEN system, for example relating to service requirements, then the licensing authority shall have due regard to these and publicise any such changes including via the [West Suffolk Council website](#).
- 22.2 There is provision for making an application for a late TEN. Such application may be made no earlier than nine working days before the event and no less than five working days before the event. Again, the licensing authority understands this to mean nine or five days exclusive of the day on which the event is to start and exclusive of the day on which the notice is given.
- 22.3 Where either a standard TEN or late TEN is given and one or more of the relevant statutory limits are exceeded, the licensing authority will serve a counter-notice in accordance with section 107 of the Licensing Act 2003. This will prevent the licensable activities from going ahead. There is no provision under the act to appeal against the issue of a counter-notice.
- 22.4 Where a TEN complies with the statutory requirements, the licensing authority will record the notice in its register and send an acknowledgement to the premises user. The event may then proceed in accordance with the submission. If it is believed that the notice was not served in accordance with the legislation, or an objection notice was subsequently received from either the Suffolk Constabulary or environmental health, the event will not take place.
- 22.5 Where either the Suffolk Constabulary or environmental health issue an objection notice to a standard TEN, the licensing authority will normally consider this at a hearing (unless the objection notice is withdrawn before the hearing date).
- 22.6 If the TEN is submitted, and there is an objection notice for an event that is at a premises, with either a premises licence or club premises certificate for all or part of the premises, then the licensing authority can add conditions to the TEN. The conditions added must support the promotion of the licensing objectives and are consistent with the carrying out of the licensable activities under the TEN.
- 22.7 Where either the Suffolk Constabulary or environmental health issue an objection notice to a late TEN, there is no provision either for the licensing authority to consider a hearing or add conditions.
- 22.8 The licensing authority will notify the applicant of its decision at least 24 hours before the beginning of the event period specified in the temporary event notice.

23. Provisional statements

- 23.1 The act sets out the terms and conditions under which an application for a provisional statement may be made.
- 23.2 Where a provisional statement has been issued and a person subsequently applies for a premises licence in respect of the premises, in accordance with the provisions of the Licensing Act representations made by a person to the licensing authority will not be taken into account, if:
- the information in the application for a provisional statement the person objecting could have made the same, or substantially the same, representations about the application but failed to do so without reasonable excuse, and
 - there has been no material change in circumstances relating either to the relevant premises or to the area in the vicinity of those premises.

24. Variations of licences

- 24.1 An application for the variation of a premises licence or a club premises certificate will be required for any circumstances set out in the act and where any change to the premises has an impact on any of the four licensing objectives, for example:
- varying the hours during which a licensable activity is permitted
 - adding or removing licensable activities
 - amending, adding or removing conditions within a licence, and
 - altering any aspect of the layout of the premises which is shown on the plan.
- 24.2 It should be noted that there is no provision in the act for a variation application to be made in respect of a substantial variation. The licensing authority considers this to mean that any proposed increase in the size of the premises of greater than 50 per cent of the existing licensed area, should result in an application for a new premises licence. However, each proposed application will be considered on its merit.
- 24.3 In certain circumstances, there is provision for a limited consultation where the proposed changes are unlikely to adversely impact on the licensing objectives. This is known as a minor variation. The licensing authority will normally consider the following proposals as suitable for an application for a minor variation:
- minor changes to plans
 - removal of extant conditions to include those carried through from the Licensing Act 1964
 - changes to the operating schedule to promote the licensing objectives as the result of discussions with any responsible authority.
- 24.4 The Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls etc.) Order 2009 (SI 2009/1724) amends the 2003 Act to allow certain 'community premises' which have, or are applying for, a premises licence that authorises alcohol sales to also apply to include the alternative licence condition in sections 25A(2) and 41D(3) of the 2003 Act. This is instead of the usual mandatory conditions in sections 19(2) and 19(3) of the 2003 Act. These new

provisions took effect from 29 July 2009.

- 24.5 The act and guidance set out the terms, conditions and considerations under which an application for a minor variation, may be made. Minor variation processes may be applied for in some circumstances, subject to some specific exclusions, to reduce the normal service, advertising and consultation requirements (and associated financial impacts in cost and time).
- 24.6 The minor variation process is intended for some small variations to licences or certificates that will not adversely impact on promotion of the licensing objectives (for example small variations to layout or some minor alterations to activities, timing or conditions). In each case, the licensing authority will consult the relevant responsible authorities and decide on whether the variation could impact adversely on the licensing objectives.
- 24.7 This process also makes a more limited provision for interested parties to make comment on the proposals. In determining these applications, under his or her delegated authority on behalf of the licensing authority, the licensing officer shall carefully assess each application on a case-by-case basis in the light of government guidance and all relevant factors. In advance of submitting an application, the licence or certificate holder may wish to seek advice from responsible authorities regarding whether the licensing objectives are likely to be affected by the proposals.
- 24.8 At its discretion, the licensing authority may determine a Premises Licence or Club Premises Certificate so that different conditions may apply to:
- different parts of the premises concerned, and
 - different licensable activities.
- 24.9 If the Suffolk Constabulary consider that granting it would undermine the Crime and Disorder Objective, a hearing will be held. In these circumstances, this only applies to:
- an application to vary a designated premises supervisor
 - a community premises to disapply the usual mandatory conditions.

25. Reviews

- 25.1 The review of a premises licence or club premises certificate is a key protection for local communities where problems associated with one or more of the licensing objectives are occurring and these are linked to the operation of the licensed premises.
- 25.2 Where an application has been made by any party for a review of an existing licence, the licensing authority will normally hold a hearing to consider them unless:
- the application is considered to be a repetition (that is, identical or substantially similar to a ground specified in an earlier application for a licence, provisional statement or review), or
 - the licensing authority, the applicant and everyone who has made an application agree that the hearing is not necessary

- where a representation in relation to a review application is considered to be a repetition (that is, identical or substantially similar to a ground specified in an earlier application for a licence, provisional statement or review), it can be disregarded.

25.3 A review of the premises licence will normally also follow:

- any action by the Suffolk Constabulary or local authority to close the premises for up to 48 hours on grounds of disorder or public nuisance
- any exercise of the summary review powers of the police pursuant to section 21 (regarding serious crime and disorder) of the Violent Crime Reduction Act 2006, or
- any exercise of the closure order powers available to the magistrates' court.

25.4 Where a responsible authority seeks review of a premises licence or club premises certificate, the licensing authority will only consider noncompliance with other statutory requirements where this has or continues to undermine one or more of the licensing objectives.

25.5 In determining a review application, the licensing authority will take such steps as it considers appropriate to promote the licensing objectives, which may include:

- modifying the conditions of the licence (by inclusion, amendment or omission)
- excluding a licensable activity from the scope of a licence
- removing a designated premises supervisor
- suspending the licence for a period not exceeding three months, or
- revoking the licence.

25.6 Where the police make application for summary review under section 53A of the Licensing Act 2003, the licensing authority will normally consider whether it is necessary to take interim steps pending the determination of the review. Such consideration may take place without the holder of the premises licence having been given an opportunity to make representations to the licensing authority. The interim steps the licensing authority must consider taking are:

- a. the modification of the conditions of the premises licence
- b. the exclusion of the sale of alcohol by retail from the scope of the licence
- c. the removal of the designated premises supervisor from the licence, and
- d. the suspension of the licence.

Should a summary review be instigated, the licensing authority shall follow the procedures as set out in the Licensing Act 2003 (Summary Review of Premises Licences) Regulations 2007.

25.7 Applications may also be made for the review of licences that are held by a management committee in respect of community premises, and which include the alternative licence condition instead of the normal mandatory conditions. In relation to such applications, the licensing authority may determine that the normal mandatory conditions should apply instead of the alternative condition. This is only if it considers this to be appropriate for the promotion of the licensing objectives.

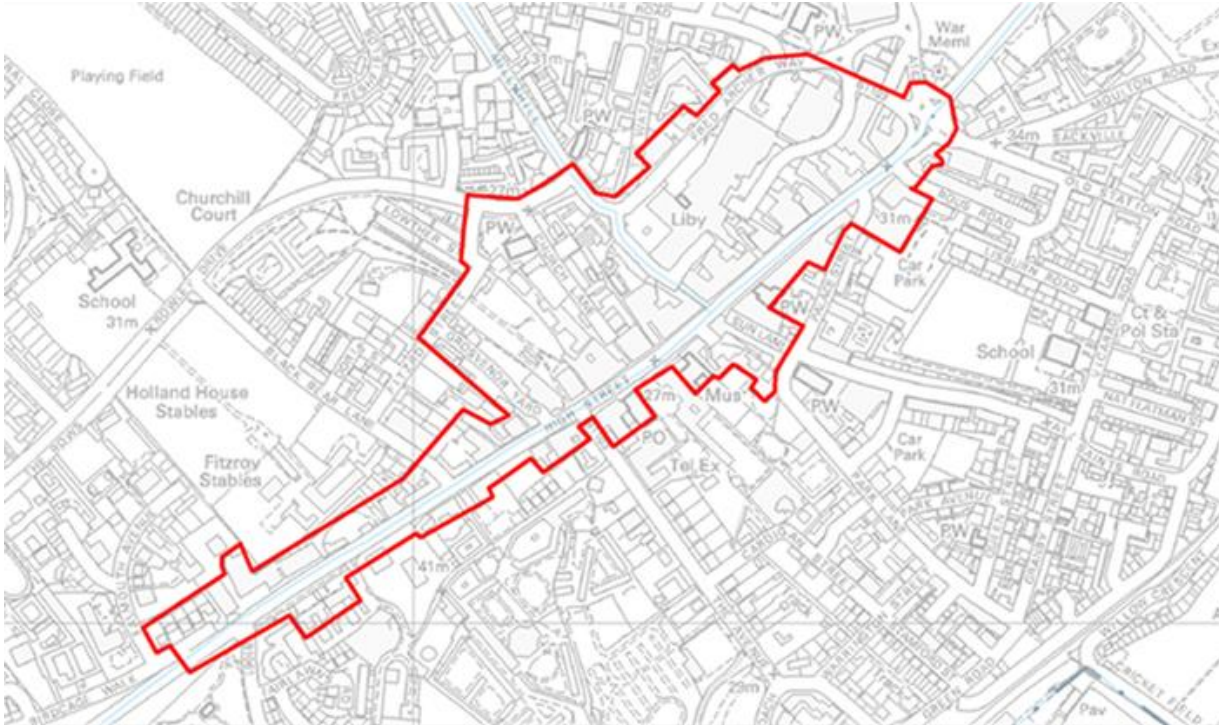
25.8 The outcome of the hearing will not have effect until such time as the period given for appealing (21 days) expires or an appeal is disposed of.

26. Deliveries

26.1 For information on Ancillary Delivery of Alcohol and/or Late-Night Refreshment, please see Appendix 9.

Appendix 1

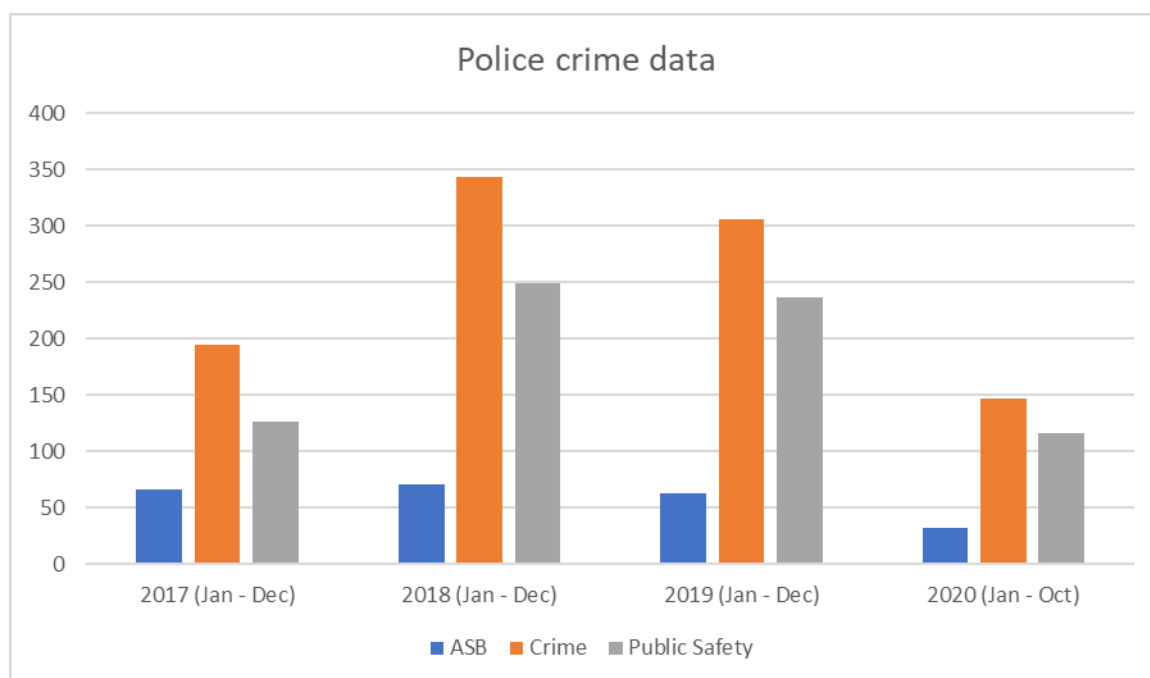
Newmarket Town Centre Cumulative Impact Area Expires January 2024



Appendix 2

Crime Statistics and complaints to Support consultation of Newmarket Cumulative Impact Assessment

- On reviewing the consultation feedback, the authority has considered whether there is good evidence that crime and disorder are happening and are caused by customers of licensed premises and that the risk of cumulative impact is imminent.
- The information provided includes a broad sweep of incidents in Newmarket from 2017 to 2020. The incidents recorded cover ASB, Public Safety issues and Crime as shown in the graph below



- The data indicates that ASB increased between 2017 and 2018, but that it has been on a downward trend between 2018-2020. The overall trend suggests that the number of incidents of ASB in the town are at a stable level. However, public safety and crime have increased significantly since 2017. Public safety incidents have increased from 126 in 2017 to 249 in 2018. Similarly, crime incidents increased from 194 in 2017 to 1343 in 2018. This trend is on a downward trajectory following 2018, however.
- The Police information for 2017-2020 also provides some location data. Three locations in Newmarket account for 87 per cent of all incidents. The most incidents are recorded in Newmarket High Street (1047), Guineas Centre (241) and Fred Archer Way (185).

Instances of crime (ASB, Crime and Public Safety) by street: 2017 – October 2020

Street name	2017	2018	2019	2020	Grand total
Fred Archer Way	49	79	60	37	185
Grosvenor Yard	2	11	19	7	39
Guineas Centre	64	97	77	48	241
High Street	240	408	385	172	1,047
Palace	5	10	5	8	25
Sun Lane	7	24	27	5	61
Wellington Street	20	33	32	18	86
Grand total	387	662	605	295	1,949

Instances by time category (ASB, Crime and Public Safety): 2017 – October 2020

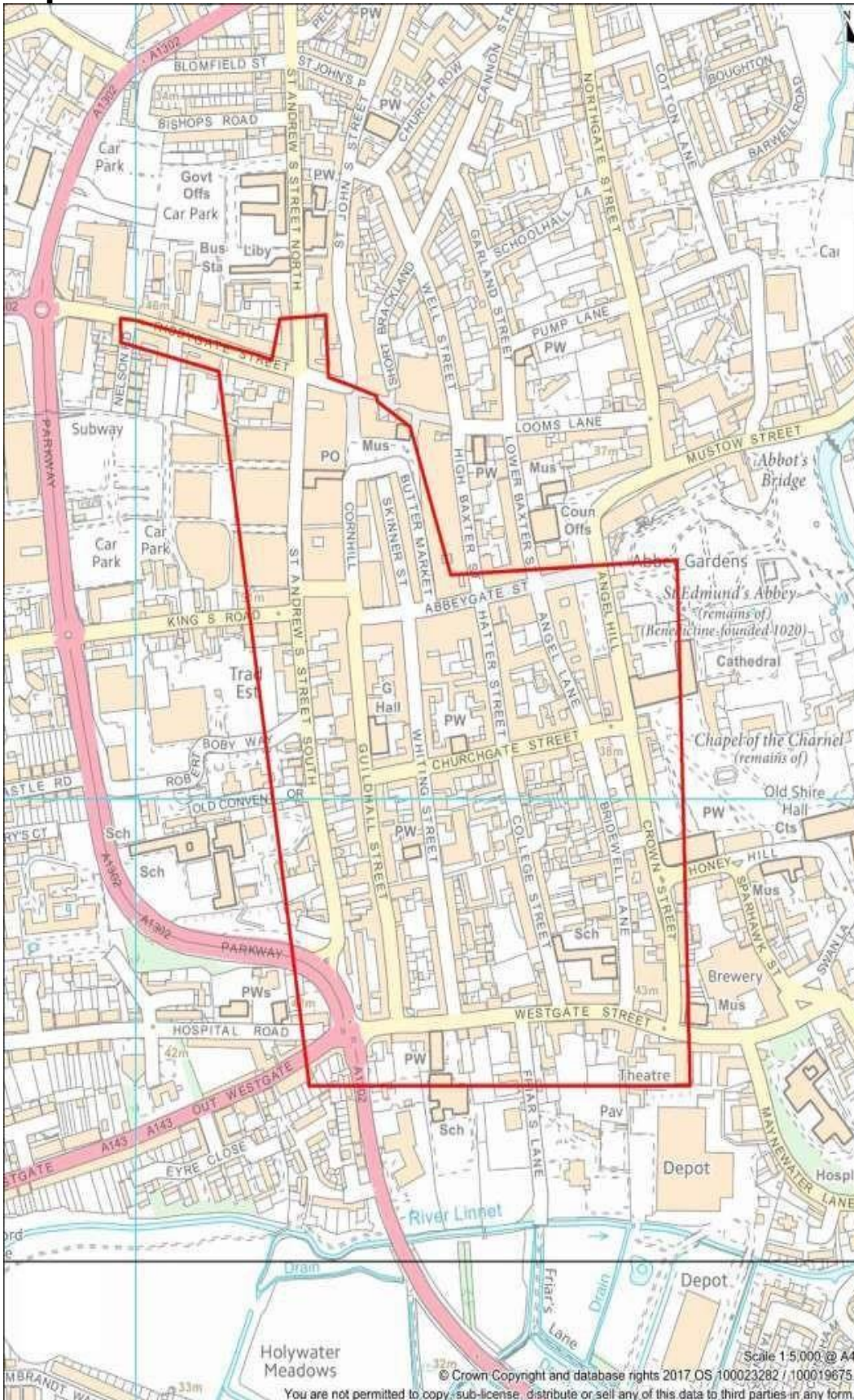
Time categories	2017	2018	2019	2020	Grand total
Daytime (5am to 7pm)	315	409	393	197	1,314
Evening (7.01pm to 11.59pm)	45	132	120	69	366
Late evening (midnight to 4am)	25	107	87	26	245
Early morning (4.01am to 4.59am)	2	14	5	3	24
Grand total	387	662	605	295	1,949

Newmarket Cumulative Impact Area Noise Complaints 2013-2021 (January)

Details of complaint	Complaint	Date
Resident complained of noise from amplified music from Innocence	CNOI Noise Complaint	October 2014
Resident complained of amplified music coming from The White Lion PH	CNOI Noise Complaint	September 2014
Resident complains of amplified music from The Waggon and horses PH	CNOI Noise Complaint	June 2014
Resident complains of amplified music from The Yard PH	CNOI Noise Complaint	May 2014
Resident complains of amplified music from The Yard PH	CNOI Noise Complaint	June 2015
Resident complains of amplified music from The Yard PH	CNOI Noise Complaint	June 2016
Resident complained of amplified music from Innocence	CNOI Noise Complaint	June 2016
Resident complains of amplified music from The Yard PH	CNOI Noise Complaint	July 2016
Resident complained of alarm noise from Co-operative	CNOI Noise Complaint	July 2016
Resident complains of amplified music from the Wagon and Horses	CNOI Noise Complaint	July 2016
Resident complains of amplified music from the Wagon and Horses	CNOI Noise Complaint	September 2016
Resident complains of amplified music and people noise using garden from The Wagon and Horses	CNOI Noise Complaint	May 2017
Resident complains of amplified music from The Yard PH	CNOI Noise Complaint	July 2018
Residents have also complained of buskers (twice) and alarm of the shell garage and old De Niro's premises	CNOI Noise Complaint	July 2016 and June and July 2017 respectively

Appendix 3

Adopted Bury St Edmunds Cumulative Impact Assessment Area Expires December 2023



Appendix 4

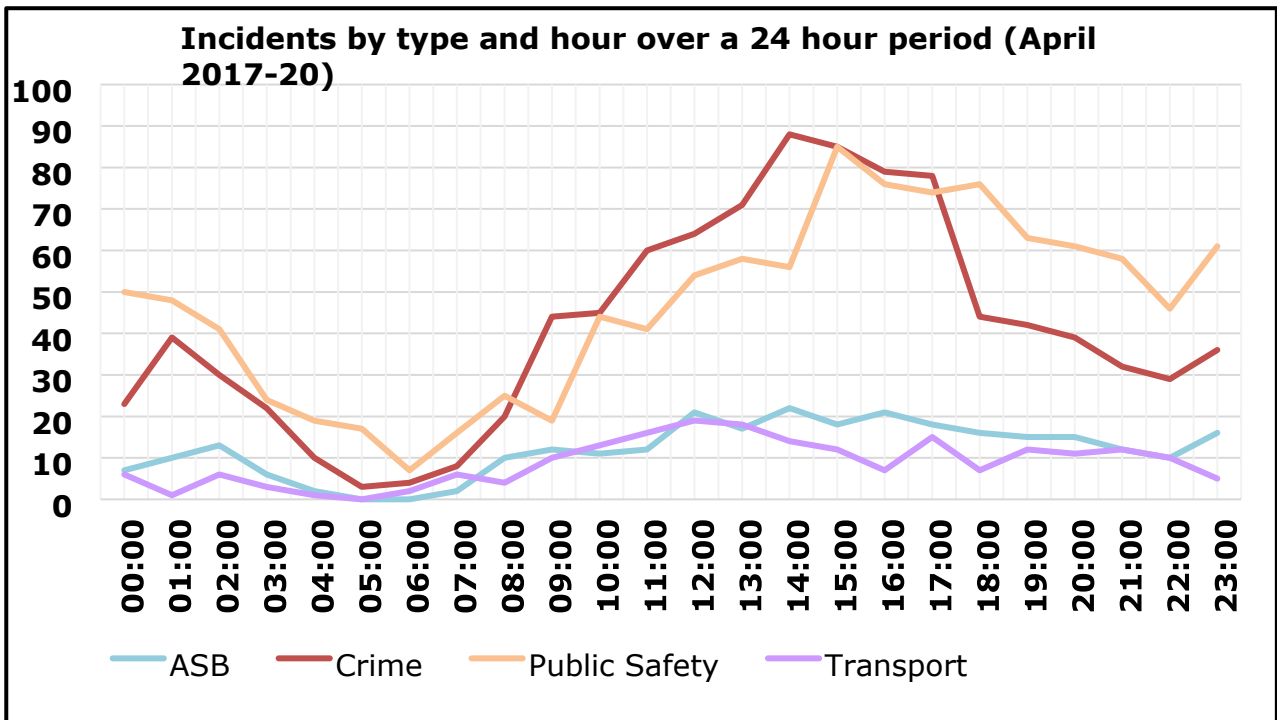
Cumulative Impact Assessment (CIA) - Bury St Edmunds Crime Statistics (2017-20): Summary crime statistics covering the period 1 April 2017 to 30 April 2020

Incidents by type and time period (April 2017 to 2020)

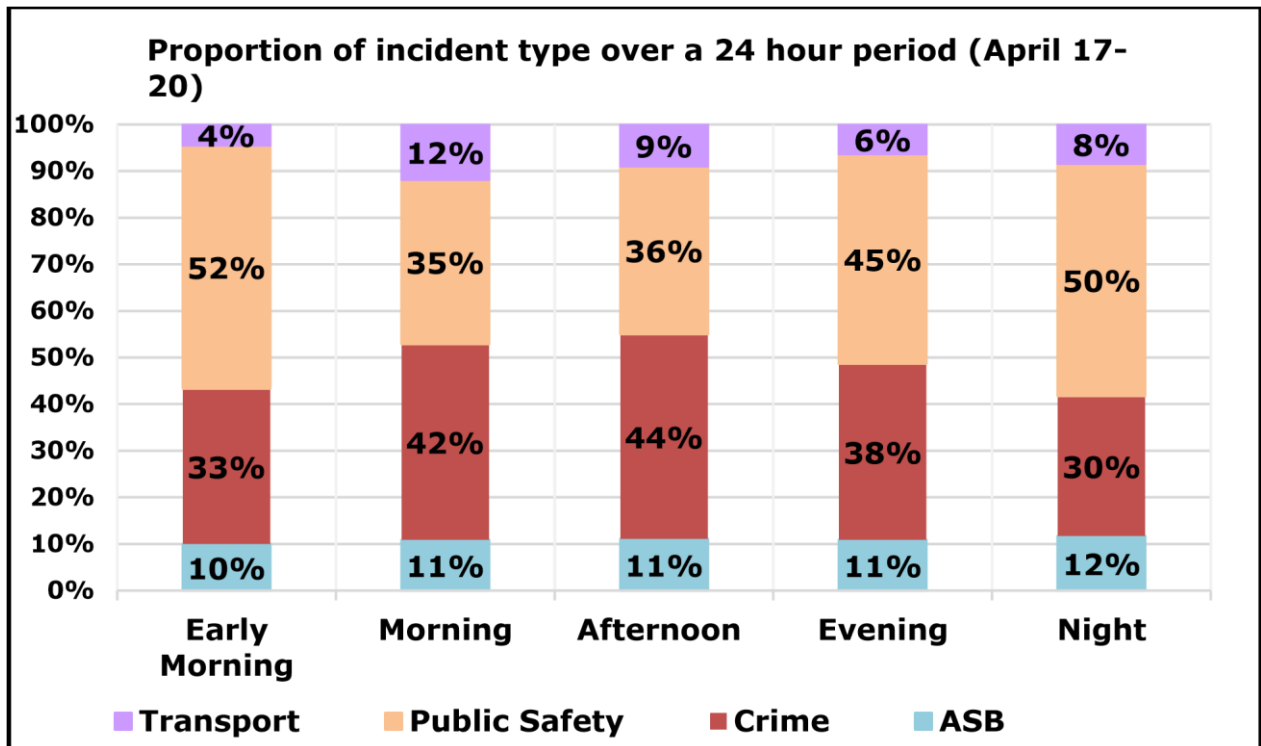
- Over the three-year data period, public safety accounted for almost 50% of all incidents recorded (1,119 incidents of 2,610) and Transport less than 10% (286 incidents).
- With the exception of public safety, the fewest incidents in all other categories were recorded between the hours of midnight and 6am.
- The time period where the largest number of incidents were recorded was the afternoon period (702), which is almost double the number recorded during the early morning period (381).
- Throughout the time sectors, public safety and crime dominate, accounting for between 77% and 83% of all incidents recorded.
- Public safety accounts for the Highest percentage of incidents during the early morning, evening and night (52%, 45% and 50%).
- Crime accounts for the highest percentages of incidents during morning and afternoon (42 and 44% respectively).
- Crime reaches a peak between 1pm and 3pm and public safety between 3pm and 5pm. With both categories falling significantly afterwards, before starting to increase again between the hours of 10pm and midnight.
- Antisocial behaviour (ASB) and transport incidents were highest during the afternoon and evening hours (noon to 8pm) with a peak in ASB incidents between 1pm and 3pm, and a peak in transport incidents between 4pm and 6pm.

Category	Early morning (midnight to 6am)	Morning (6am to noon)	Afternoon (noon to 4pm)	Evening (4pm to 8pm)	Night (8pm to midnight)	Total
Antisocial behaviour	38	47	78	70	53	286
Crime	127	181	308	243	136	995
Public safety	199	152	253	289	226	1,119
Transport	17	51	63	41	38	210
Total	381	431	702	643	453	2,610

The table indicates that the categories with the highest occurrences are public safety incidents at 1,119 and crime at 995.



The graph indicates that the period between 2pm and 6pm is the time when incidents most regularly occur.



The graph indicates that during the evening, night and early morning, public safety is more frequent; crime is more frequent in the morning and afternoon.

- Akin to the three-year data period (April 2017-20), the April 2019-20 data mirrors the trend of public safety accounting for almost 50% of all incidents recorded (444 incidents of 1176). Transport related incidents account for less than 10% of those recorded during the year period.

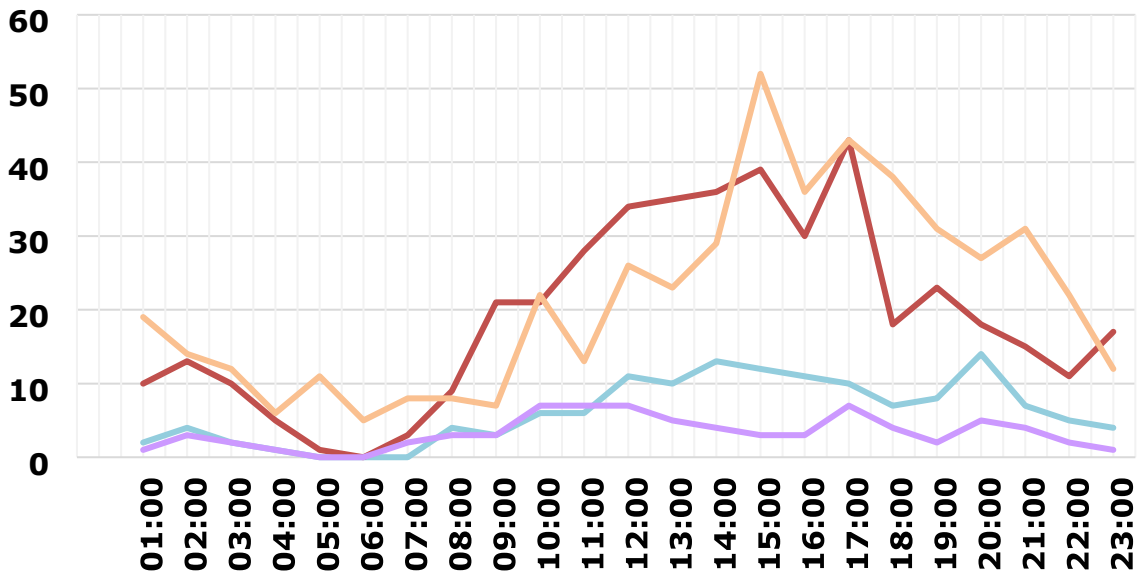
- The fewest incidents occurred during the hours of midnight and 6am and accounted for 12% of all incidents recorded.
- Afternoon incidents recorded were double that of the morning period (339 against 142) and accounted for the largest time sector of incident recording during the year period.
- Similar breakdowns by each category were observed in both evening Hours (4pm to 8pm) and hours of the night (8pm to midnight), with public safety accounting for 47% of all recorded incidents in both time sectors.
- Throughout all time sectors, public safety and crime dominated, accounted for between 78% and 86% of all incidents recorded.
- Public safety accounted for the highest percentage of incidents during the early morning, evening and night (56%, 47% and 47%).
- Crime accounted for the highest percentages of incidents during morning and afternoon (44 and 42% respectively).
- Crime incidents peaked between 4pm and 6pm and public safety between 2pm and 4pm. With a second peak in public safety between 5pm and 7pm.
- ASB incidents were highest during the afternoon hours with a peak between noon and 3pm. Transport incidents were highest during the morning period with a peak between 10am and noon.

April 2019 to 2020

Category	Early morning (midnight to 6am)	Morning (6am to noon)	Afternoon (noon to 4pm)	Evening (4pm to 8pm)	Night (8pm to midnight)	Total
Antisocial behaviour	9	19	46	36	30	140
Crime	43	82	144	114	61	444
Public safety	80	63	130	148	92	513
Transport	10	22	19	16	12	79
Total	142	186	339	314	195	1,176

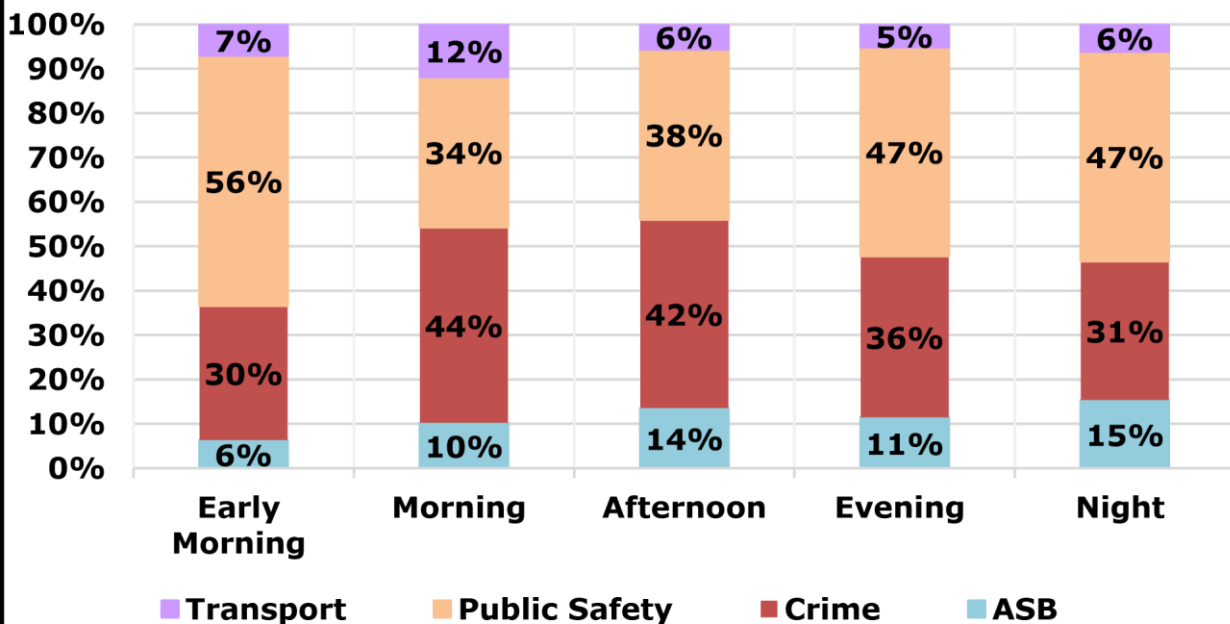
The table shows that of the total 1,176 incidents, the two most reported incident types in 2019-20 were crime at 444 and public safety at 513.

Incidents by type and hour over a 24 hour period (April 2019-20)



The graph indicates that in 2019-20 public safety incidents increase sharply at 3pm, while crime hits a peak at 5pm.

Proportion of incident type over a 24 hour period (April 2019-20)



The graph highlights that in 2019 public safety was the most frequent incident in the early morning, the evening and during the night; crime was the most frequent incident in the morning and afternoon.

Incidents by location and time period (April 2017-20)

- The highest number of incidents were recorded on Cornhill (928 incidents). The fewest number of incidents were recorded in Lower Skinner Street, with just one incident noted in the data period.
- Public safety and crime collectively accounted for 81% of all incident types recorded across all streets in all time settings. With the largest volumes of these being reported in Cornhill (393 and 382 incidents).
- 50% more crime and public safety incidents than ASB incidents were recorded in all streets with the exception of Skinner Street, Angel Hill and Lower Skinner Street which all recorded roughly the same amount of incidents in each category.
- The top five streets with the highest number of recorded incidents were: Cornhill (928), St Andrews Street (464), Buttermarket (342), Abbeygate Street (289) and Risbygate Street (170). Collectively these streets accounted for 84% of all locations of incidents.
- Cornhill, Risbygate Street and St Andrews Street all see a peak in incidents between the Afternoon and Evening time sectors, with the highest numbers of incidents recorded in these locations during the hours of 4pm to 8pm.
- Half as many incidents occurred in Westgate Street during the evening (18) as during the early morning (44). Skinner street also noted half as many offences during the night period (1) as during the early morning period (2).
- The percentage of incidents that occurred during the morning period at least doubles from the values of the early morning period for all streets with the exception of Risbygate Street, Skinner Street, St Andrews Street and Whiting Street, whose figures almost decrease by 50%.

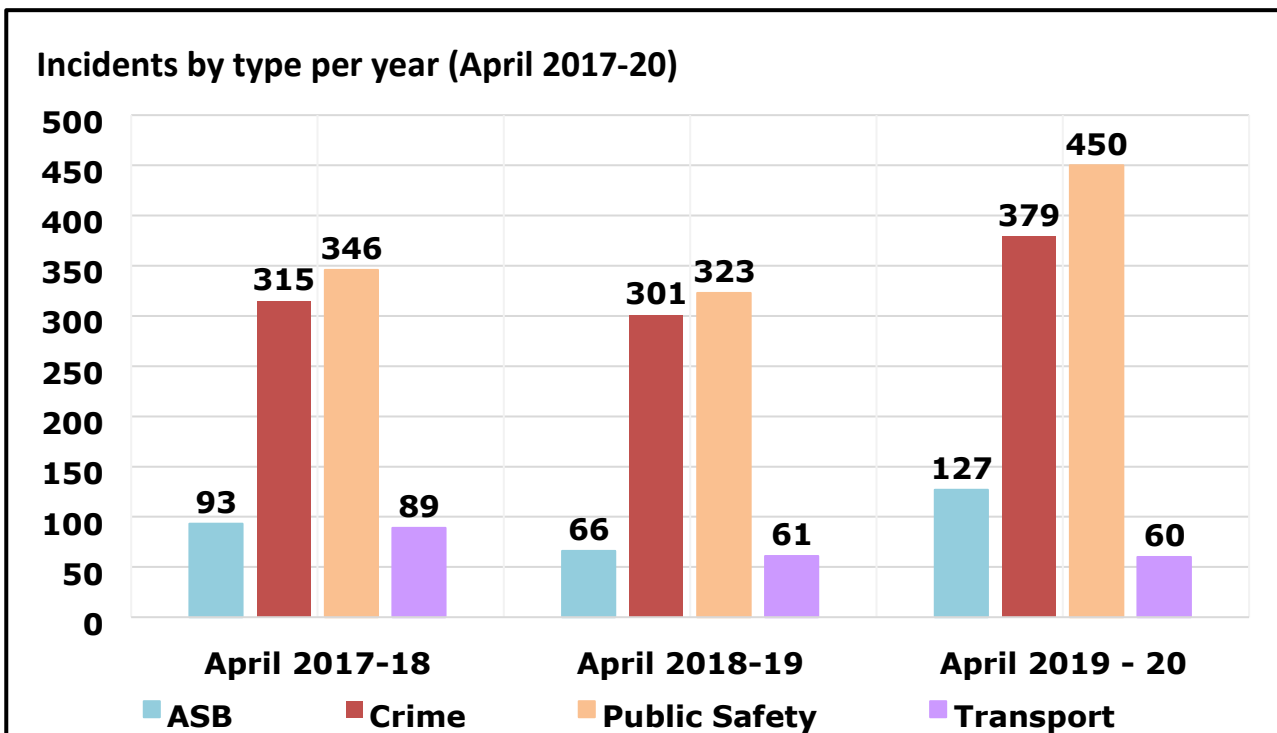
Incidents by location and time period (April 2019 to 2020)

- Akin to the three-year data review, the highest number of incidents were recorded on Cornhill (452 incidents) which collectively accounted for 38% of the year's data.
- In total, almost 50% more ASB incidents were recorded compared to Transport incidents during the year.
- Public Safety and Crime collectively accounted for 81% of all incident types, with transport alone accounting for less than 10% of all incidents recorded.
- The largest proportion of incidents occurred during the afternoon period, with 62% of these occurring in the Buttermarket and Cornhill locus.
- The top five streets with the highest number of recorded incidents were: Cornhill (452), St Andrews Street (173), Buttermarket (152), Abbeygate Street (147) and Risbygate Street (82). Collectively these streets accounted for 85% of all locations of incidents.
- Abbeygate and St Andrews see a peak in incidents during the evening period (4pm to 8pm). Whereas the Buttermarket, Cornhill and Risbygate Street see their peak recording during the afternoon (noon to 4pm).
- Five times as many incidents are recorded in Abbeygate and Cornhill during the afternoon as during the early morning. However, half as many are recorded in St Andrews Street (51 against 22) and Westgate Street (18 against 7).

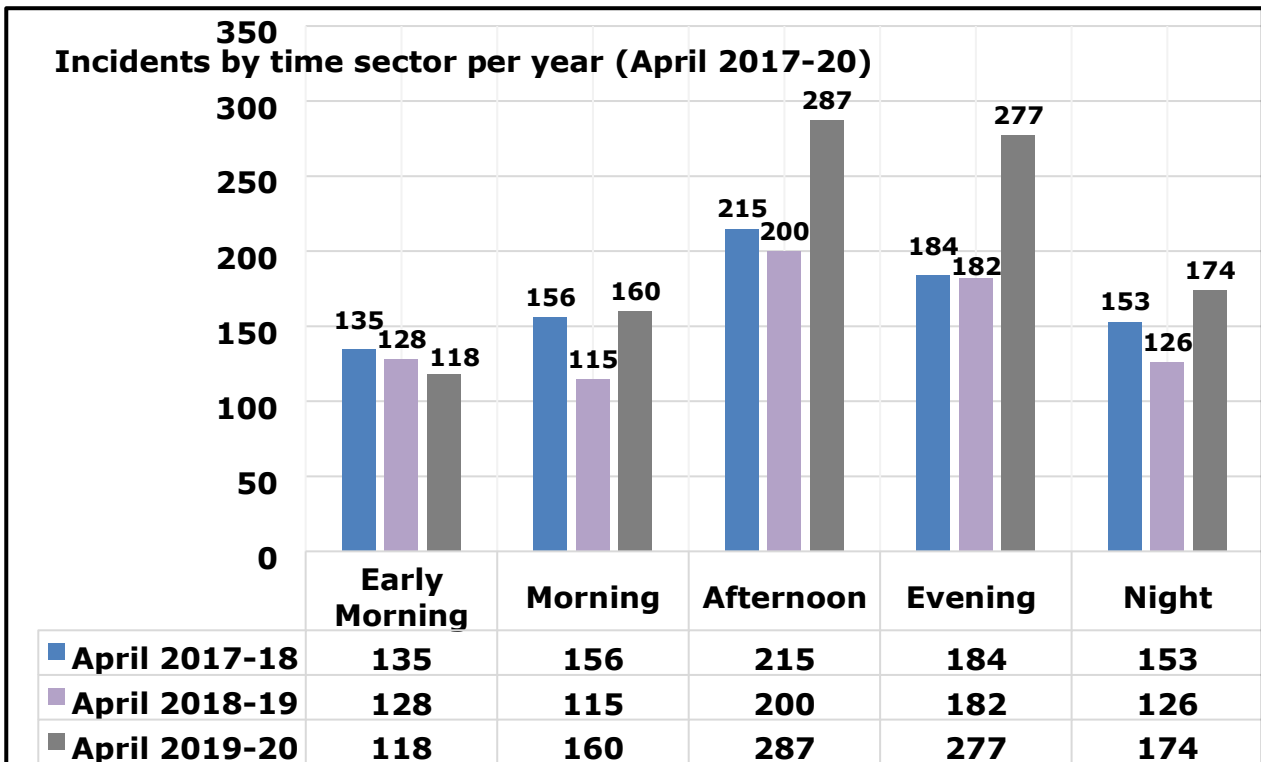
Incident trends year by year (April 2017 to 2020)

- Of the 2610 incidents which were recorded during the three-year data period, 39% of these occurred in the period April 2019-20.

- Between the periods April 2017-18 to April 2018-19 the total number of incidents recorded decreased by 92, alongside the number recorded in each category also decreasing.
- During every year period, public safety accounted for the highest number of incidents and transport the fewest.
- In comparison to April 2017-18, April 2019-20 showed a 30% increase in Public Safety incidents (346 against 450) and a 20% increase in the number of crime incidents (315 against 379). Transport incidents however decreased by 32% (89 against 60).
- The total number of incidents recorded during April 19-20 was 35% higher than the number of incidents recorded during the previous year, and 20% higher than the figures recorded during April 2017-18.
- During each year period, the largest number of incidents were recorded in the afternoon, and the second largest during the evening. Across the three years' worth of data the number of events that occurred during the morning were comparable in magnitude to that of the night period (431 against 453).



The graph shows that the most frequent kind of incident over three years are public safety and crime. There is an upward trend.



The graph shows that more incidents occur in the afternoon and evening between 2017-20.

Appendix 5

Prevention of crime and disorder

The following examples of control measures are given to assist applicants when developing their operating schedule, having regard to their particular type of premises or activities:

- a. capacity limits (including prevention of overcrowding)
- b. maintaining records of training and supervision of staff
- c. specific actions identified from best practice guidance (for example Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit and other voluntary codes of practice, such as The Point of Sale Promotions published by BBPA and the Portman Group)
- d. use of accredited 'proof of age' schemes (for example Challenge 21 or Challenge 25) where it is intended to operate more stringent measures than those contained within mandatory conditions
- e. signing up to and participating in a crime prevention partnership scheme where it is in operation
- f. provision and use of effective CCTV in and around premises
- g. employment of Security Industry Authority licensed door staff
- h. provision of toughened, polyethylene terephthalate (PET) or plastic polycarbonate drinking glasses
- i. decanting glass bottles into toughened, polyethylene terephthalate (PET) or plastic polycarbonate drinking glasses
- j. provision of secure, deposit boxes for confiscated items ('amnesty bins')
- k. provision of litter bins and other security measures, such as lighting, outside premises
- l. provision for the disposal of waste on the frontage of the premises
- m. provision of:
 - a dispersal policy
 - a searching policy, and/or
 - risk assessment process to consider the crime and disorder implications of individual DJ's and promoters.
- n. control or prevention of customers entering and leaving with opened bottles or glasses – for example while they are observing smoke free regulations demarcation, capacity control, supervision and monitoring of areas immediately in the vicinity of the premises, used by smokers.

Appendix 6

Public safety

When addressing the issue of public safety, an applicant should demonstrate that those factors that impact on the standards of public safety have been considered. These may include, but are not limited to:

- a. the occupancy capacity of the premises (including staff and performers). Note: If a capacity has been imposed or set through other legislation, for example under fire safety legislation, it may not be appropriate to reproduce it in a premises licence. Anticipated maximum capacity or attendance for large, temporary outdoor events should be made clear
- b. the age, design and layout of the premises, including means of escape in the event of fire
- c. the nature of the licensable activities to be provided, in particular the sale or supply of alcohol, or provision of any special effects in conjunction with, or as part of regulated entertainment and including whether those activities are of a temporary, occasional or permanent nature
- d. the hours of operation (differentiating the hours of opening from the hours when licensable activities are provided, if different)
- e. customer profile (such as age, disability or culture), and
- f. the use of special effects such as lasers, pyrotechnics, smoke machines, foam machines, and so on
- g. demarcation, capacity control, supervision and monitoring of areas immediately in the vicinity of the premises, used by smokers.

The following examples of control measures are given to assist applicants when preparing their operating schedules, having regard to their particular type of premises or activities. These are not exhaustive, but include:

- a. suitable and sufficient risk-assessments. Some applicants may wish to consider a commitment in their operating schedule to providing the relevant authorities with a full risk assessment prior to the commencement of licensable activities (this may be particularly relevant to large temporary outdoor events)
- b. provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons
- c. appropriate instruction, training and supervision of those employed or engaged to secure the safety of the premises and patrons
- d. Specific actions identified from best practice guidance (for example, Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit and other voluntary codes of practice)
- e. provision and use of effective CCTV in and around premises
- f. provision of toughened, polyethylene terephthalate (PET) or plastic polycarbonate drinking glasses and decanting glass bottles into toughened, polyethylene Terephthalate (PET) or plastic polycarbonate drinking glasses
- g. implementation of crowd management measures
- h. monitoring arrangements such as door staff, ticketing, attendance clickers or maintenance of attendance records, and
- i. regular or periodic review and testing (and certification where appropriate) of procedures, appliances, systems and so on, pertinent to safety (for example fire extinguishers, fire warning systems, emergency installations and building control certificates).

Appendix 7

Prevention of public nuisance

When addressing the issue of prevention of public nuisance, the applicant is encouraged to carry out a risk assessment to identify whether there are any factors which impact on the likelihood of public nuisance, and, if so, to address these in their operating schedule. These may include, but are not limited to:

- the location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices, care homes and places of worship
- the hours of operation, particularly between 11pm and 7am
- the nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside
- the design and layout of premises and in particular the presence of any noise limiting features
- the occupancy capacity of the premises
- the availability of public transport, taxi and private hire services to assist the speedy dispersal of patrons after events
- the hours during which licensable activities take place and closure of the premises
- last admission time
- a dispersal policy, and
- provision for the disposal of waste on the frontage of the premises.

The following examples of control measures are given to assist applicants when preparing their operating schedules, having regard to their particular type of premises or activities. These are not exhaustive, but include:

- appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance
- control of operating hours for all or parts (such as garden areas) of premises, including such matters as deliveries or the collection or disposal of glass ware
- impact on neighbours due to customers opening doors or going outside to observe smoke free regulations
- adoption of best practice guidance (such as the Good Practice Guide on the Control of Noise from Pubs and Clubs, produced by Institute of Acoustics, Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit and other industry codes of practice)
- installation and effective maintenance of soundproofing, air conditioning, acoustic lobbies and sound limitation devices
- management of people, including staff, and traffic (and resulting queues) arriving and leaving premises (arrival and dispersal policy)
- liaison with public transport, taxi and private hire service providers
- siting of external lighting, including security lighting
- effective ventilation systems to prevent nuisance from odour
- any adverse noise created by any ventilation or air conditioning system, or any other machinery positioned outside the building.

Appendix 8

Protection of children from harm and other vulnerable persons

The following examples of control measures are given to assist applicants when preparing their operating schedules, having regard to their particular type of premises or activities. These are not exhaustive, but include:

- a. provision of a sufficient number of people employed or engaged to secure the protection of children from harm
- b. appropriate instruction, training, supervision and background checks of those employed or engaged to secure the protection of children from harm
- c. specific actions identified from best practice guidance
- d. limitations on the hours when children may be present in all or parts of the premises
- e. limitations or exclusions by age when certain activities are taking place
- f. imposition of requirements for children to be accompanied by an adult
- g. the presence of an adequate number of adult staff to control the access and egress of children and to protect them from harm whilst on the premises
- h. an adequate number of adult staff to be responsible for the child performers, and
- i. use of accredited 'proof of age' schemes or photo-id driving licences where it is intended to operate more stringent measures than those contained within mandatory conditions.

Appendix 9

Ancillary Delivery of Alcohol and/or Late-Night Refreshment

Applications for premises that intend to sell alcohol and/or late-night refreshment for delivery to customers at a residential or workplace address, which is ancillary to the main use of the premises, will generally be granted subject to not being contrary to other policies within this Statement of Licensing Policy and that it meets the criteria below:

- The hours when delivery will take place is within the relevant operating hours for that premises use
- The delivery of alcohol and/or late-night refreshment to customers at their residential address or workplace will be ancillary to the main premises use
- The applicant has demonstrated that they will not add to cumulative impact if the premises are located within Cumulative Impact Zones.
- That the applicant will:
 - implement their own age verification procedures for the sale and supply of alcohol for their delivery staff and ensure that they receive regular training in the company's age verification procedures, or
 - ensure that any third party, to which they have contracted the delivery of alcohol and/or food has sufficient age verification procedures in place for the sale of alcohol and has regular training for its delivery personnel on their age verification procedures.
- That the applicant will:
 - implement their own procedures and provide mitigation to reduce the risk that their delivery service and delivery personnel will create public nuisance either at the premises where the delivery originates and at the delivery destination, or
 - ensure that any third party, to which they have contracted their delivery service to have sufficient procedures and mitigation in place to ensure that their delivery personnel do not create public nuisance either at the premises where the delivery originates and at the delivery destination.

Applications that do not meet the above criteria will be considered on their own merits, subject to other relevant policies within this statement.

This page is intentionally left blank