



Licensing Act 2003

Statement of Principles

2026 - 2030

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1. Statement of Principles

1.1 North Somerset District

North Somerset Council (the Council) is a Unitary Authority in Somerset covering approximately 145 square miles (38,955 hectares) with a population of 217,000.

There are approximately 95,000 households and 9,500 active business enterprises within the district. The Council area is a mixed urban and rural district with a dispersed population. The main urban areas are Weston-super-Mare, Clevedon, Nailsea and Portishead. The remainder of the area is a mixture of villages and farmland. The estimated population of Weston-super-Mare is 113,000, Clevedon 22,000, Nailsea 17,000 and Portishead 26,000. The area is not densely populated although there are concentrations of housing in the above towns.

The area adjoins the conurbation of Bristol and includes a major dock at Portbury, an International Airport at Lulsgate and the seaside resorts of Weston-super-Mare and Clevedon. The area has good transportation links that include the M5 motorway and main line railway routes and stations.

Tourism historically has been a significant economic sector in the local economy, most notably Weston-super-Mare which grew from a small village to a large resort town. Though tourism declined in the mid to late-20th century, in common with most British coastal resorts, this sector of the economy has stabilised and substantial regeneration is now taking place in Weston-super-Mare.

A wide range of licensed premises exist in North Somerset, and they play a significant role in the community and local economy. As at the 1 Jan 2025 the Authority licence 839 Premises Licences, 75 Club Premises Certificates and 3491 Personal Licences.

A map of the North Somerset District is shown at **Appendix A**.

1.2 Introduction

North Somerset Council is the Licensing Authority for the North Somerset administrative area under the Licensing Act 2003 (the Act). This means the Licensing Authority is responsible for granting premises licences, club premises certificates, personal licences and acknowledging temporary event notices in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late-night refreshment.

The Authority aims to facilitate the development of a healthy and diverse economy, offering a wide choice of activities and establishments that allow people to enjoy themselves and to feel safe, whilst improving the quality of life of residents and making the area attractive to visitors.

The Licensing Act 2003 requires a Licensing Authority to prepare and publish a statement of its Licensing Policy. In line with other Licensing policies this will now be known as a Statement of Principles.

The statement must be kept under review and the Licensing Authority may make any revisions to it, as it considers appropriate. This revised statement sets out the issues the Licensing Authority will consider when determining licences within North Somerset.

1.3 Purpose

- 1.3.1 The main purpose of this Policy is to provide clarity to applicants, other persons and Responsible Authorities on how the Licensing Authority will determine applications to supply alcohol, provide regulated entertainment and operate late night refreshment.

The Licensing Authority will consider all representations from any person. The Licensing Authority shall however apportion the weight of the representation between those persons immediately affected by the premises and its operation and those persons who may have a lack of knowledge of the area or of personal experience.

- 1.3.2 Where revisions are made to the Guidance there may be a period when this Policy is inconsistent with the Guidance. In these circumstances the Licensing Authority shall have regard, and give appropriate weight, to the revised Guidance in conjunction with this Licensing Policy.

1.4 Glossary of terms

The terminology used in this document is set out in [Appendix B.](#)

1.5 Licensing objectives

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

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

These objectives are of equal importance and are the only matters that can be considered in determining an application under the Licensing Act 2003.

1.6 Types of licence

This document sets out the policies that the Licensing Authority will apply when making decisions upon:

- Premises Licences
- Club Certificates
- Personal Licences
- Temporary Event Notices.

1.7 Licensable activities

This policy relates to all licensing activities identified as falling within the provisions of the Act, which are set out in [Appendix B.](#)

1.8 Fundamental Principles

- 1.8.1 This Statement sets out the Licensing Authority's general approach to the making of licensing decisions and is consistent with the provisions of the 2003 Act.

Nothing in the Policy will undermine the right of any individual to apply for authorisations and to have any such application considered on its individual merits. Similarly, nothing in the Statement will override the right of any person to make representations on an application or to seek a review of a Licence or Certificate in accordance with the provisions of the 2003 Act.

- 1.8.2 This Statement recognises that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.

The applicant must give due consideration to disabled persons under this Act for access and egress so that they are not at a substantial disadvantage.

- 1.8.3 The introduction of the Anti-Social Behaviour, Crime and Policing Act 2014 extends Police closure powers. The Licensing Authority further acknowledges and supports that this legislation has been introduced against the background of increasing alcohol-related anti-social behaviour and subsequent hospital admissions that has led to criticism due to the increased cost to residents.

This Act signifies a shift back from deregulation towards offering greater support for communities being adversely affected.

- 1.8.4 The Licensing Authority may recommend actions over and above the requirements of a licence/certificate and applicants are asked to give these recommendations serious consideration, as adoption of best practice may be considered in the investigation of complaints if they arise in connection with the premises in the future.

- 1.8.5 The Licensing Authority may only impose conditions on a premises licence if they are consistent with the operating schedule. However, they cannot impose any conditions unless its discretion has been exercised following receipt of relevant representations, and it is satisfied after a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.

- 1.8.6 The Licensing Authority acknowledges that the Government believes that in some circumstances flexible hours for the sale of alcohol can help to ensure that the concentrations of customers leaving premises simultaneously are avoided.

- 1.8.7 Where licensed premises are surrounded by housing, unrestricted extensions of hours could extend the time of disturbance to later in the night; therefore, the Licensing Authority acknowledges that tighter control may be justified in residential areas but will have regard to the individual merits of any application.

- 1.8.8 In general terms the Licensing Authority will closely scrutinise applications for premises licences showing a late terminal hour to be satisfied that they will have no adverse impact on the Licensing Objectives.
- 1.8.9 Once people are beyond the control of the individual, club or business holding the relevant authorisation, licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour. Licensing law will always be part of a holistic approach to the management of the evening and night-time economy in the district.
- 1.8.10 The Licensing Authority expects every licence holder or event organiser to minimise the impact of their activities on the surrounding area and any anti-social behaviour created by their customers in and within the vicinity of their premises by taking appropriate measures and actions consistent with that responsibility.

In addressing this matter, the Licensing Authority will primarily focus on the direct impact of the licensable activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

- 1.8.11 Objectors need to relate their objections to one or more of the licensing objectives, as detailed at 1.4, before the Licensing Authority will be able to consider them.
- 1.8.12 The Licensing Authority itself is included within the list of Responsible Authorities, enabling it to make representations; when supported by evidence, in respect of new and variation applications, and to call for the review of an existing licence. The Licensing Authority will not seek to act on behalf of those who can make representations for themselves or calling for a review. Therefore, inferences should not be drawn on such occasion when the Licensing Authority remains silent in respect of new, variation or review applications.
- 1.8.13 The 2003 Act enables licensing authorities to Act as responsible authorities as a means of early intervention; where it considers it appropriate the Licensing Authority may do so without having to wait for representations from other responsible authorities.
- 1.8.14 In cases where a licensing authority is also acting as responsible authority in relation to the same process, there will be a separation of responsibilities within the authority to ensure procedural fairness and eliminate conflicts of interest. The officer advising the licensing committee (i.e., the authority acting in its capacity as the licensing authority) will be a different individual to the officer who is acting for the responsible authority.
- 1.8.15 The officer acting for the responsible authority will not be involved in the licensing decision process and will not discuss the merits of the case with those involved in making the determination by the licensing authority. Discussion will not take place between the officer acting as responsible authority and the officer overseeing the licence application regarding the merits of the case. Communication between these officers in relation to the case will remain professional and consistent with communication with other responsible authorities.

In such cases licensing determinations will be made by the licensing committee or subcommittee comprising elected members of the authority (although they are advised by a licensing officer).

1.9 Consultees

This Statement of Licensing Policy will be subject to consultation with:

- Responsible Authorities (named in the Act)
- Persons holding premises licences,
- Persons holding club premises certificates,
- Persons holding personal licences,
- Representatives of businesses and residents of the area.

The Licensing Authority may consult beyond these statutory requirements to seek additional comments from other bodies, groups or individuals as appropriate.

The consultation process took place between 25 June 2025 and 29 August 2025. All comments received were given due consideration prior to the final determination of this policy.

1.10 Policy review

This policy will be reviewed by the Licensing Authority at least every five years as required by the Act. If an issue arises that requires a change to this policy, an interim review will be carried out, and the policy will be amended as required.

2. Legislation, policies, and strategies

2.1 Legislation

2.1.1 In undertaking its licensing function under the Act, this Licensing Authority is also bound by other legislation, including:

- Section 17 of the Crime and Disorder Act 1988
- Human Rights Act 1998
- The Anti-Social Behaviour Act 2003
- Violent Crime Reduction Act 2006
- The Health Act 2006 (Smoke Free Regulations)
- The Clean Neighbourhoods and Environment Act 2005
- Policing and Crime Act 2017
- Equality Act 2010
- The Police Reform and Social Responsibility Act 2011
- The Live Music Act 2012

2.1.2 The Human Rights Act 1998 makes it unlawful for a licensing authority to act in a way that is incompatible with a convention right. The authority will have regard to the Human Rights Act when undertaking licensing functions, particularly the following relevant provisions:

Article 6 – everyone is entitled to a fair and public hearing within a reasonable time, by an independent and impartial tribunal established by law.

Article 8 – everyone has the right to respect for his home and private and family life

Article 1 of the first protocol – every person is entitled to the peaceful enjoyment of his or her possessions.

- 2.1.3 In all applications relating to premises, the Legislation requires applicants to specify methods by which they will promote the four licensing objectives in their operating schedules.

The operating schedule should include reference to the measures the applicant intends to use to promote the licensing objectives. Prior to applying, it may be useful to seek the views of responsible authorities and local community to obtain information on local issues and concerns that should be considered prior to making an application.

- 2.1.3 The Licensing Authority expects licence holders to ensure that gaming machines in premises licensed to sell/ supply alcohol (authorised by way of notification of automatic entitlement and/or permit) are made available strictly in accordance with the Gambling Commissions code of practice regarding gaming machines in alcohol-licensed premises.

[Section C - Gaming machines in clubs and premises with an alcohol licence - Gambling Commission.](#)

- 2.4.5 The Licensing Authority recognises the risk of alcohol advertising and marketing influencing children. This is regulated by the [Advertising Standards Authority \(ASA\)](#) which is the UK's independent regulator of advertising across all media.
- 2.4.6 The Licensing Authority will also have regard to other relevant legislation and legislative changes when exercising its function and will revise this policy accordingly.

2.2 Relationship with planning policies

- 2.2.1 The “need” for commercial premises relate to the commercial demand for such premises and is not a matter for the Licensing Authority discharging its functions. “Need” is a matter for the Planning Committee and for the market.
- 2.2.2 The Licensing Authority recognises that licensing applications should not be a re-run of the planning application process and there shall be a clear separation of the planning and licensing regimes to avoid duplication of process and requirements made of an applicant and to comply with statute. It should be noted, however, that there is no legal basis for the Licensing Authority to refuse a licence application because it does not have planning permission.
- 2.2.3 The issue of a premises licence is a separate and distinct process to the granting of planning permission. The Licensing Authority will consider applications for licences before planning permission is obtained although planning and building control permissions will have to be sought and approved before any development takes place.
- 2.2.4 The Licensing Authority will, where appropriate, provide reports to the planning committee on the situation regarding licensed premises in the area, including the general impact of alcohol related crime and disorder.

2.3 Integrating strategies

Where possible, the Licensing Authority will aim to integrate any national and local policies and strategies as it is recognised that these encourage vibrant, diverse, and sustainable communities.

By consulting widely prior to this policy statement being published the Licensing Authority has endeavoured to secure proper integration with local policies and strategies as follows:

2.3.1 Alcohol Harm Reduction

The Licensing Authority recognises that excessive alcohol consumption leads to poor health which, in turn places burdens on local health services. Regard will be given to the North Somerset People and Communities Strategy, health & wellbeing Strategy, Avon & Somerset Police crime plans, and other initiatives which support the aims of reducing alcohol harm and ensuring safer communities.

Encouragement and support will also be offered for participation in any national initiatives such as any Local Alcohol Action Area projects, Best Bar None, "Ask for Angela" and Licensing SAVI schemes and any local or voluntary initiatives which premises may adopt to help reduce irresponsible drinking such as the removal of cheap, super-strength Ciders and Lagers or low-priced alcohol which may lead to rapid or excessive consumption.

2.3.2 Crime Prevention

Conditions attached to premises licences and club premises certificates will, so far as possible, reflect local crime prevention strategies.

Support and encouragement will be offered for Pubwatch groups and Radio links where such schemes exist.

2.3.3 Cultural Strategies

Regard will be given to Place-making strategies and other local initiatives that look to support and encourage diverse cultural activities.

In its role of implementing local authority cultural strategies, the Licensing Authority recognises the need to encourage live music, dance and theatre for the wider cultural benefit of the community. The Licensing Authority will monitor the impact of licensing on regulated entertainment and ensure that only appropriate, proportionate and reasonable licensing conditions are imposed on licences granted.

2.3.4 Transport

Liaison shall be maintained with the Police and the Council in relation to the development of policies for the swift and safe dispersal of people from built up areas. Regard will be taken of transportation arrangements as set out in the West of England Joint Local Transport Plan.

2.3.5 Tourism and Employment

The Licensing Committee will, where appropriate, receive reports on:

- The local tourist economy
- The local employment situation

2.3.7 Street Trading

The Council has adopted a scheme for the regulation of street trading. Businesses operating on a Consent or Licensed Street and selling hot food or refreshments between 11.00 pm and 5.00am will be required to obtain a premises licence under the Licensing Act 2003 in addition to a street trading consent granted by the Council. The Licensing Authority has licensed public spaces under the Licensing Act 2003 and details can be found on the Council's website at www.n-somerset.gov.uk by using the [licensed premises search facility](#).

3. Decision making

3.1 Procedural Matters

- 3.1.1 The Licensing Committee shall consist of not less than 10 and no more than 15 councillors. The Licensing Authority in the interests of speed, efficiency and cost effectiveness has agreed the scheme of delegated decision making as shown at **Appendix C**.
- 3.1.2 A licensing sub-committee of three councillors shall sit to hear applications where representations have been received from interested parties and responsible authorities. Ward councillors shall not sit on a sub-committee involving an application within their ward.
- 3.1.3 The chairman of the licensing committee shall normally be elected at the annual meeting of the authority. The chairman of a licensing sub-committee shall be elected on each occasion by the councillors sitting on the sub-committee.
- 3.1.4 Where a councillor who is a member of a licensing committee or a licensing sub-committee is making or has made representations on behalf of or as an interested party, in the interests of good governance they shall disqualify themselves from any involvement in the decision-making process affecting the licence in question.
- 3.1.5 Where a councillor who is a member of a licensing committee or a licensing sub-committee has had a direct or indirect involvement in the affairs of an application before them, in the interests of good governance they shall disqualify themselves from being a member of a Committee in a decision-making capacity. The member may though speak at a licence hearing in the capacity of an Interested Person.
- 3.1.6 Every determination of a licensing decision by the licensing committee or a licensing sub-committee shall be accompanied by clear, cogent reasons for the decision. Reasons will be given at the hearing and will be confirmed in writing within five working days of the date of the decision. A summary of the decision shall be posted on the council's website as soon as possible after the decision has been confirmed in writing.

3.2 Licence Reviews

- 3.2.1 The Licensing Authority acknowledges the importance of working in partnership to achieve the promotion of licensing objectives. Wherever possible responsible authorities will aim to give licensees early warning of any concerns identified at a premises prior to making an application to review a licence or certificate.

Prior to a review, however, Responsible Authorities or the Licensing Authority may seek to meet with the licence/certificate holder to address issues through a Premises Action Plan.

- 3.2.2 Local residents, businesses and district councillors have the power to apply for a licence to be called in for review if the premises are causing problems and failing in terms of the licensing objectives. Responsible Authorities such as the Police, Environmental Health or Trading Standards can also call licences in for review.

Where a person or body is considering making an application for a review, they are advised to contact the Licensing Team. This is so that Officers may provide some initial feedback on the matter and then, if appropriate, attempt to facilitate a meeting or a series of meetings between relevant persons and bodies to consider alternative solutions and/or discuss the review process.

A review can be requested at any time; however, the government guidance recommends that a reasonable period elapses between an earlier review or grant of a licence. A review will though be undertaken after notification from the Magistrates' Court of a Closure Order coming into force for a licensed premises.

- 3.2.3 The Licensing Authority itself can also initiate the review process applying for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons.
- 3.2.4 However, it is not expected that Licensing Authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate if they have grounds to do so. It is also reasonable for Licensing Authorities to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority.

For example, the Police should take appropriate steps where the basis for the review is concern about crime and disorder. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the Local Authority exercising environmental health functions for the area in which the premises are situated to make the application for review.

- 3.2.5 Where the relevant licensing authority does act as a responsible authority it will ensure a clear distinction between those administering the process and those applying to ensure a fair determination of its' outcome at a hearing.
- 3.2.6 A review application needs to be in writing on the statutory form. There will need to be clear and factual evidence to support the application, and this

should show that incidents are not isolated and that there is a direct link with the premises.

The Licensing Authority shall expect applicants for a review to gather sufficient and relevant evidence relating to the specific premises that is subject to the review. This may include a diary of events and any potential witnesses. Regarding reviews on noise complaints, applicants are encouraged to liaise with the Licensing Authority's Environmental Protection Service who may be able to assist with and support the review process.

Grounds for review must also be based on one or more of the licensing objectives as detailed below. The grounds given are not exhaustive and are intended to illustrate the areas that are likely to form the basis of a review of a licence or certificate.

3.2.7 A review of the licence in connection with crime and disorder may be sought where:

- A serious crime has occurred at, or can be linked to a particular premises.
- There are a series of crimes that can be linked to a particular premises.
- There have been prosecutions or penalty notices served for underage sales.
- There have been incidents which raise concerns that the premises are not being properly managed.
- There have been breaches of the terms or conditions of the licence.
- There have been repeated complaints from the public, including anti-social behaviour.

3.2.8 In cases when the crime prevention objective is being undermined the revocation of the licence, even in the first instance, will be seriously considered.

3.2.9 A review of the licence in connection with public safety may be sought where:

- Where it is considered that the management had failed to maintain the appropriate level of fire safety provision
- Failure to comply with a fire related enforcement notice.
- Following the outcome of any investigation and inspection of a fire occurring within a premises
- Serious or regular contraventions of health and safety legislation
- Failure to comply with a condition of a licence
- Prosecution for failure to comply with health and safety legislation.
- Prosecution or poor compliance with Food Safety legislation

3.2.10 A review of the licence in connection with public nuisance may be sought where:

- Complaints have been received that have been substantiated by investigating officers
- Breaches of licence conditions in respect of public nuisance have been identified
- Action is being considered under Environmental Protection, Noise or Anti Social Behaviour Legislation.

- 3.2.11 A review of the licence in connection with protection of children from harm may be sought where:
- There have been underage sales or underage drinking taking place
 - Breaches of licence conditions in respect of protection of children have taken place
 - Complaints that have been received which can be substantiated.

4. Operational Matters

4.1 Applications

- 4.1.1 The Licensing Authority will accept online and electronic applications; however, applications will not be treated as valid until all relevant documents have been received together with the appropriate fee.
- 4.1.2 All hard copy applications will be treated in line with the relevant regulations and all applications and relevant documentation must continue to be submitted in their entirety and not in piecemeal form to avoid the potential for any errors or confusion.
- 4.1.3 As the Regulations require advertising of all new and full variation applications, the Licensing Authority recommends that the applicant contact them prior to displaying the statutory notice or advertising the application in a local newspaper circulating in the vicinity of the premises. This will ensure that an accurate consultation date will be given which will avoid any errors and the potential of a breach of the regulations that would result in the application being rejected or delayed.
- 4.1.4 Photographs clearly showing the notice on display at the premises and a scanned copy of the notice in the newspaper will both need to be provided to the Licensing Authority as part of the application process.
- 4.1.5 Applications must include all the relevant documentation, fee and plans as set out in the Licensing Act 2003 and accompanying regulations. Plans submitted with applications need to comply with the relevant legislation as regards content and scale.
- 4.1.6 The level of detail to be provided in the operating schedule shall be proportional to the scale and nature of the application being made. The Council however expects all applicants to demonstrate in the operating schedule how they will comply with the four licensing objectives in relation to the application that is being made.
- 4.1.7 The applicant may ask the Licensing Authority for advice on the scope of the information to be provided. Details of the Responsible Authorities for the purposes of the Licensing Act 2003 where specific information may be obtained are shown at **Appendix E**.
- 4.1.8 Licensing Officers can offer a paid for pre-application service. The service is designed to assist and advise applicants what they should consider when completing their application and operating schedule.

This does not guarantee the licence will be granted, nor will it negate the need of a licensing hearing should valid representations be received.

4.2 Licensing hours

4.2.1 Longer licensing hours can help to avoid the concentration of customers leaving

premises at the same time, leading to friction at late night food outlets, taxi ranks and other sources of transport. It is also recognised that licensing hours should not restrict the development of safe evening and night-time entertainments that are important for investment and employment locally. However, providing consumers with greater choice and flexibility must always be balanced carefully against the licensing objectives and the rights of residents to peace and quiet.

4.2.2 There shall be no general presumption in favour of lengthening licensing hours; the overriding principle will be the promotion of the four licensing objectives.

4.2.3 Stricter measures for controlling noise are likely to be sought for late licences, particularly in residential areas or where there has been a history of noise complaints.

4.2.4 When the Licensing Authority's discretion is engaged, consideration will be given to the individual merits of an application, but the presumption will be to grant the hours requested unless there are objections to those hours raised by responsible authorities or interested parties based on the licensing objectives.

4.2.5 Applicants should state in their operating schedule the time they require the premises to remain open to members of the public after the termination of licensable activities. In normal circumstances, this will not exceed 30 minutes from the last sale of alcohol. Where an applicant can show that an extended period would assist in the promotion of the licensing objectives, the licensing authority will consider permitting longer than 30 minutes, where it is entitled to do so.

4.2.6 Shops, stores and supermarkets will generally be permitted to sell alcohol for consumption off the premises during the normal hours they intend to open for shopping purposes. However, in the case of individual shops that are known to be a focus of disorder and disturbance then, subject to representations from the police, a limitation on licensing hours may be appropriate.

4.2.7 Applications for premises offering late night take away food and drink will be considered on their individual merits. However, such premises can be the focus of disorder with large numbers of people gathering there after other licensed premises have closed. The closing times of other licensed premises in the vicinity will therefore be taken into consideration.

The Licensing Authority will expect applicants for licences in respect of late-night refreshment premises to detail in their operating schedules how they intend to promote the licensing objectives and how they intend to address queue management, litter and noise disturbance.

Where a new applicant wishes to sell alcohol either on or off the premises in such an establishment or provide an alcohol delivery service, the

Licensing Authority recommends that the Operating Schedule sets out specific measures to promote the licensing objectives.

Any premises that seek to provide an alcohol delivery service are expected to consult with both the Licensing Authority and Police prior to applying and provide details of their proposed age verification procedure.

- 4.2.8 It is recognised that businesses may wish to apply for non-standard hours for Bank Holidays, Christmas Eve, Saints or other event days. However, any additional days should be clearly identified in their licence operating schedules with dates and times so that proper consideration can be made of their impact on the licensing objectives and so that the licence is clear and unambiguous in this respect.
- 4.2.9 In relation to last entry or re-entry times for licensed premises the Authority will consider each case on its merits. As a general guideline a last entry or re-entry to licensed premises for customers shall be two hours prior to close of premises which are open to members of the public after 2.00 am.
- 4.2.10 It is not the Licensing Authority's overall approach to include any "zoning" of closure hours as experience in other areas shows that this can lead to the significant movement of people in search of premises opening later. However, if presented with evidence of serious alcohol related crime, disorder or anti-social behaviour within a specific area that cannot be attributed to one specific premise, the Licensing Authority may consider making an Early Morning Restriction Order (EMRO) to further the licensing objectives.

4.3 Representations

- 4.3.1 Under the 2003 Act both Responsible Authorities and 'other persons' may make representations on licence/certificate applications and review existing premises licences/certificates.
- 4.3.2 Other persons are defined as any individual, body or business that may be affected by the operation of a licensed premises regardless of their geographical location.

Although the other person may be in any geographical location, any representation they make must be relevant to one or more of the licensing objectives.

In addition, the other person is encouraged to provide evidence supporting their representation or review. This may be for example by way of recording dates where noise nuisance or anti-social behaviour occurs.

Any representation however must be specific to the premises in question and not to the area in general. The representation should also detail how the granting of the application is likely to affect the person making it.

- 4.3.3 The Licensing Authority will however consider the geographical location of the other person who has made the representation in their consideration of their evidence.

- 4.3.4 In addition all representations must be relevant relating to the likely effect of the grant of the licence/certificate on the promotion of at least one of the licensing objectives. The Licensing Authority will determine whether a representation from an individual, body or business is relevant, frivolous, repetitive or vexatious. If appropriate, the benefit of the doubt will be given to the person or body making that representation.

4.4 Cumulative impact

- 4.4.2 Cumulative Impact refers to the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area.
- 4.4.3 The Council recognises that the cumulative effect of a proliferation of late-night entertainment premises (including night cafes) may result in an increase in numbers of people either walking through or congregating in streets during the night and this in turn may have a number of undesirable consequences which undermine the licensing objectives.

These may include: -

- An increase in crime against both property and persons.
- An increase in noise causing disturbance to residents.
- Littering and fouling.

This may result in the amenity of residents being placed under severe pressure, as it will not always be possible to attribute a particular problem to customers of particular premises.

This means that whilst enforcement action to ensure conditions are complied with is taken, this may not resolve all problems.

- 4.4.4 Where there is evidence that a particular area of the district is already suffering adverse effects arising from the concentration of late-night premises, or that residential areas are under stress, this will be considered in determining any further applications for premises within the area identified.
- 4.4.5 The effect of adopting a CIA of this kind is to create a rebuttable presumption if relevant representations to that effect are received, that applications for new premises authorisations or club premises certificates or material variations will normally be refused, unless it can be demonstrated that the operation of the premises involved will be unlikely to add to the cumulative impact already being experienced
- 4.4.7 The aim is to provide a safe, vibrant and diverse night-time economy and it is not felt that the introduction of a CIA is appropriate currently.
- 4.4.8 This will be kept under review and the Licensing Authority recognises that the Act now provides a mechanism for consideration should the need arise in the future.

4.5 Conditions

- 4.5.1 Where conditions are imposed at a licensing hearing, they shall be appropriate and proportionate and shall be tailored to the size, style, characteristics and activities that take place at the premises concerned.

However, the Licensing Authority accepts that Responsible Authorities may suggest conditions following negotiation with the applicant when completing their Operating Schedules.

- 4.5.2 In addition conditions imposed by a Licensing Authority shall be precise and enforceable, clear in what they intend to achieve, should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation, shall not replicate offences set out in the 2003 Act or other legislation, shall be justifiable and capable of being met and shall not seek to manage the behaviour of customers once they are beyond the direct management of the licence/certificate holder and their staff.
- 4.5.2 The Licensing Authority recommends that conditions volunteered in the Operating Schedule should be: -
- Targeted on the deterrence and prevention of crime and disorder
 - Appropriate for the promotion of the licensing objectives.
 - Proportionate and enforceable.
 - Consistent and not conflicting.
 - Relevant, clear and concise.
 - Not duplicating other legislation; and
 - Expressed in plain language capable of being understood by those expected to comply with them.
- 4.5.3 The Licensing Authority when preparing the licences/certificates shall not simply replicate the wording from an applicant's Operating Schedule but will interpret conditions in accordance with the applicant's overall intentions.
- 4.5.4 In relation to community premises it is possible to apply for the removal of the mandatory condition relating to the requirement for a Designated Premises Supervisor (DPS) and the requirement for this person to have a personal licence. Further information can be obtained from the licensing authority on how to apply make an application for the removal of the DPS from a licence.

4.6 Temporary Event Notices

- 4.6.1 Temporary Event Notices (TENs) can be given for small-scale licensable events. TENs may cover a wide range of activities such as permitting the sale of alcohol from a beer tent at a school fete or for a school play, to a pub who wants to extend their permitted licensing hours and/or want to have a live music event not permitted by their premises licence.
- 4.6.2 TENs do not involve the Licensing Authority in giving permission for the event to take place, it is a notification procedure in which only the Police and Environmental Protection may intervene to prevent or modify the arrangements for such an event. The Licensing Authority will only intervene if the limit on the number of notices is exceeded.
- 4.6.3 The 2003 Act states that the premises user must give the Licensing Authority a minimum of 10 clear working days' notice for a standard temporary event notice and between 5 and 9 clear working days for a late temporary event notice.

The 'working day' requirement means that the day of receipt of the notice, Saturdays or Sundays, Bank Holidays, or the day of the event are not included as a working day.

4.6.4 Premises users are advised to submit their TENS well before the date of the event, preferably using our online service. When serving TENS in a hard copy format, the premises user must serve the notice on the Licensing Authority, Police and the "local authority exercising environmental health functions" ("EHA") at the same time to avoid a situation where one of the bodies does not receive their copy within the statutory timescale, which could mean that the event cannot proceed even if the other bodies have received their copy in time.

4.6.5 It is a legal requirement for all organisers to carry out Health and Safety and Fire Safety Risk Assessments with regards to their event. Guidance on how to conduct such risk assessments may be obtained from the relevant enforcing authority.

Members of any relevant Safety Advisory Group (SAG) may also be notified of any TENS so they can offer advice to event organisers if necessary.

Organisers are recommended to give thought to the provision of first aid at such events.

4.6.6 Those intending to serve a TEN are strongly advised to consider whether their proposals should be considered by a SAG (see paragraph 4.8) and ensure they follow the advice given, this is particularly relevant for small scale festivals and/ events that take place over more than 1 day.

4.6.7 Premises users are reminded that there are limits in terms of individuals submitting TENS and those that can be used in respect of a premises. Information is available on the Council's website - [Temporary Event Notice](#).

4.6.8 Finally, the Authority strongly recommends that premises users address the following issues: -

- Applicants are strongly advised to consider and mitigate the potential impact in terms of public nuisance, i.e. noise, vehicle parking of attendees, traffic
- Seek relevant professional advice on public liability insurance
- Seek relevant professional advice on noise, public safety, sanitation, food hygiene, health & safety and fire safety matters
- Liaise with residents and businesses that may be affected by the event, to raise awareness of the nature and duration of the event
- Seek relevant professional advice on medical provision
- Ensure that the event site and environs are maintained free of litter to a reasonable extent during an event and completely cleared following an event. This includes the removal of all advertising material used to promote events, within a reasonable period

- Consider the conditions attached to a Premises Licence or Club Premises Certificate and manage the event in accordance with such conditions, where appropriate. (This is to mitigate the potential for adverse impacts on the promotion of the Licensing Objectives and/or complaints).

4.6.9 The contact details of the Police and Environmental Protection Authority on which a TEN must be served are given at [Appendix D.](#)

4.7 Personal Licences

4.7.1 The Licensing Authority places particular emphasis on the role of premises supervisors and Personal Licence holders at a licensed premise.

Where the Police object, on the grounds of prevention of crime and disorder, there will be a presumption against issuing a personal licence to any applicant with an unspent conviction for a relevant offence. If the applicant can demonstrate exceptional and compelling reasons for disregarding the conviction, this will be taken into consideration.

4.7.2 The Licensing Authority advises that it is good practice for the Personal Licence Holder to give specific written and dated authorisation to individuals to demonstrate due diligence. Whilst the DPS and Personal Licence Holder may authorise sales in their absence, they remain responsible for those sales.

Similarly, the Premises Licence Holder also remains responsible for ensuring that the licensing law and conditions are complied with at that premises. Any authorisations should be meaningful and properly managed.

4.7.3 Where a Premises Licence is in force authorising the supply of alcohol, a DPS will need to be nominated. The main purpose of the DPS is to ensure that there is always one specified individual who can be readily identified by Responsible Authorities as the individual who has day-to-day responsibility for running the business and who can therefore ensure that any problems are dealt with swiftly.

As such the DPS will occupy a pivotal position. Experience has proved that in some cases the Premises Licence Holder has employed a DPS who is remote from the premises and therefore not involved in the day-to-day running of that premises; the Licensing Authority will therefore pay particular attention to those premises.

4.7.4 Whilst the Licensing Authority recognises that a DPS may supervise more than one premises, the DPS must be able to ensure that the four Licensing Objectives are promoted and that the licensing law and licensing conditions are complied with. Where the DPS is not available at the premises for whatever reason, the Licensing Authority recommends a responsible individual is nominated who can deal with matters in the absence of the DPS.

In addition, the Licensing Authority recommends that a notice is displayed prominently indicating the name and position of that nominated person. Whenever alcohol is to be sold it is recommended that written and dated consent be given to that nominated person.

4.7.5 Experience has indicated that a number of Personal Licence Holders have failed to produce their Personal Licence to the court in accordance with

Section 128 of the 2003 Act. In view of this the Licensing Authority will take appropriate action against those who continue to fail to notify the courts and/or provide notification of their change of address in accordance with their statutory duty.

- 4.7.6 Where a community premises applies for an exemption from the requirement to have a DPS, the Licensing Authority must be satisfied that arrangements for the management of the premises by their committee or Board of individuals are sufficient to ensure the adequate supervision of the supply of alcohol on the premises.

The applicant will be required to set out how the premises is managed, its committee structure and how the supervision of alcohol sales is conducted. Copies of the Constitution and other management documents must be submitted.

The management committee is strongly encouraged to notify the Licensing Authority if there are any key changes in the committee's composition as this committee will collectively be responsible for ensuring compliance with licence conditions and licensing law. Where management arrangements are unclear, the Licensing Authority may seek further details to confirm that the management board or committee is properly constituted and accountable.

While overall responsibility lies with the management committee where premises are hired out, the hirer will be clearly identified as having responsibilities falling within their control. Community premises are encouraged to check with the Licensing Authority before making any application.

4.8 Outdoor Events

- 4.8.1 North Somerset Council's area is a popular location for a wide range of cultural and entertainment events to be held, and these events can enhance the availability of such activities for the benefit of the area; and even beyond, with events of national or even international significance. Events can range from village days to small scale festivals to large scale events such as food festivals, markets, illuminated carnivals, and music concerts.

However, such events can involve considerable and complex planning and management. This involves a high level of competency from those involved with organising and managing such events.

These events have significant potential to undermine the promotion of the Licensing Objectives, due to their sheer size and complexity.

- 4.8.2 The enforcement policies of the Licensing Authority may be significantly undermined by the short duration and potentially occasional nature of these events. This is because the Licensing Authority's graduated response to problems arising may not be as effective in responding to these issues on an occasional and irregular basis, particularly with different event organisers.
- 4.8.3 Sites for large occasional events are not usually entirely purpose built for the proposed licensable activities to take place. Therefore, there is considerable work involved in planning and organising these events. The Authority believes that this is only achievable by ongoing involvement of the Authority and Responsible Authorities in dealing with such events, as far as is reasonable and appropriate.

- 4.8.4 Applicants are expected to rely most heavily on their own competence and knowledge or that of persons/ bodies that they employ in making their plans. They cannot and should not rely on the input of the Responsible Authorities to ensure that detailed and comprehensive plans for their event are produced.
- 4.8.5 The Authority expects applicants of large-scale temporary events to submit their applications at least 3-6 months before the proposed event takes place. Organisers planning to entertain 500-3000 persons should give a minimum notice period of 3 months and events over 3000 a minimum notice period of 6 months.
- 4.8.6 Events can impact heavily on our resources, society, and the environment, as they can generate significant waste, put a strain on local resources like water or energy, and generate large volumes of traffic. It is, therefore, important that event organisers are taking the right steps to integrate sustainability into their event management and ensure that they are organised responsibly.

4.9 Safety Advisory Groups (SAGS)

- 4.9.1 The Authority acknowledges the benefits of working closely with Responsible Authorities and other statutory bodies in supporting event organisers in operating safe and well managed events. Safety Advisory Groups or 'multi agency meetings' are one means of promoting such partnership working.
- 4.9.2 The Authority will facilitate and host such meetings from time to time to assist applicants and those organising events, (including those that do not require an authorisation under the 2003 Act), where appropriate.
- 4.9.3 All applicants should consider whether to attend such a meeting before they apply, as failure to do so could undermine the promotion of Licensing Objectives.

4.10 Fees

The Licensing Authority will ensure the correct statutory fees are applied and for those which are set locally will ensure they are based entirely on cost recovery and will be included within the Council published fees and charges.

Invoices for annual fees will be sent in advance and subject to the normal Council payment terms. Licence holders not paying the correct annual fee within the timescale will have their premises licence suspended until such time as arrears are cleared.

Charges for pre-application advice may be applied in accordance with the Councils published fees and charges.

4.11 Enforcement

- 4.11.1 Enforcement will be in accordance with the Regulatory Services Enforcement Policy 2025 . A copy is available on the Council's website, or from the Licensing Team (see **Appendix D** for details).
- 4.11.2 Enforcement action will be: -
- Targeted toward those premises presenting the highest risk
 - Proportional to the nature and seriousness of the risk those premises present.

- Consistent, so that the Licensing Authority takes similar approaches in similar situations
 - Transparent, so those who are subject to enforcement action know what to expect
 - Accountable, so that the Licensing Authority and its officers take responsibility for their actions.
- 4.11.4 The Licensing Authority shall use a risk assessment scheme for determining the frequency of visits to licensed premises to ensure that resources are targeted to high-risk premises while providing a lighter touch for low-risk premises which are well run.
- 4.11.5 The Licensing Authority will look to share information relating to incidents of crime, nuisance, public safety or other related issues including the general management of premises, with partner agencies and may use this as part of any risk assessment scheme used.
- 4.11.6 The Licensing Authority intends to use appropriate enforcement to promote the licensing objectives. Once licensed, it is essential that premises are monitored to ensure that they are run in accordance with their operating schedules, in compliance with the specific requirements of the 2003 Act and any licence conditions. It will also monitor the district for unlicensed activities that may or may not require authorisation.
- 4.11.7 The Licensing Authority has established protocols with the other Responsible Authorities on enforcement issues to ensure an efficient deployment of officers. Where official warnings are given prior to any decision to prosecute for an offence, the Licensing Authority shall ensure that these enforcement authorities are informed of these warnings and the result of any action taken.
- 4.11.8 In order to ensure compliance with the law and licensing conditions, the Licensing Authority will also carry out whenever possible unscheduled 'non routine' evening inspections with Avon and Somerset Constabulary or other partner agencies. After each visit, the Designated Premises Supervisor and Premises Licence Holder shall be notified of any concerns and be given an opportunity to rectify any issues.
- 4.11.9 The Licensing Authority recognises that most Licence Holders seek to comply with the law and any enforcement action will normally follow a graduated approach and in the first instance will include education and support. Where licence holders continue to flout the law or act irresponsibly firm action will be taken.
- 4.11.10 The Licensing Authority may seek to meet with the licence or certificate holder and/or DPS working closely with them and relevant Responsible Authorities in implementing a Premises Action Plan where appropriate.
- 4.11.11 Where the premises does not comply with an agreed Action Plan and continues to breach the licensing laws and/or licence conditions, the Responsible Authority or Licensing Authority can consider further sanctions, either by way of a review, formal caution or prosecution. In any event, the Licensing Authority will have regard to the Regulators' Compliance Code (www.gov.uk/government/publications/regulators-code) together with the Licensing Authority's own Regulatory Services Enforcement Protocol.

- 4.11.12 Any decision to instigate legal proceedings will take account of the criteria set down in the Code of Crown Prosecution and Attorney General Guidelines.

5. The Licensing Objectives

5.1 Operating schedules

The Premises Licence application outlines the operating conditions and the Operating Schedule that will form the basis of conditions that will be attached to the Licence. It should include information that is necessary to enable any Responsible Authority or other person to assess whether the steps to be taken to promote the licensing objectives are satisfactory.

The Licensing Authority shall expect the applicant to have carefully considered the promotion of all four Licensing Objectives in their Operating Schedule.

- 5.2 It is recommended that applicants liaise with neighbours and/or any relevant community group such as a resident's association, or other such groups, as may be appropriate prior to submitting an application.
- 5.3 The Licensing Authority especially recommends that applicants liaise with the Relevant Authorities prior to submitting their applications, e.g. Police or Fire Authority, when compiling their Operating Schedules and the local Pubwatch if one operates in that area.
- 5.4 In completing their Operating Schedule the Licensing Authority suggests the applicant considers the following: -

General

- Management and staff training and awareness of duties under the 2003 Act
- Policies and procedures relating to e.g. age restricted sales, capacity, noise monitoring, dispersal, queuing, etc.
- Safe capacities
- Evidence of competent management procedures

5.5 Prevention of Crime and Disorder

When addressing crime and disorder the applicant should initially identify any issues, having regard to their particular type of premises and/or activities, which are likely to affect the promotion of the crime and disorder objective. Such steps as are required to deal with these identified issues should be included within the applicants operating schedule and could include:

- Drugs policy
- CCTV
- Pub Watch and Radio links with other licensed premises
- Security Industry Authority Door supervisors and Approved Contractor Scheme
- Polycarbonate or shatterproof vessels
- Frequency of glass bottle disposal and provision of secure storage before collection

- An appropriate ratio of tables and chairs to customers
- Management of outside areas
- Use of 'spikeys' or similar anti drink spiking device
- Calming atmosphere at close of business/event
- Safe capacities
- Queuing policy
- Stewards for events and event plan

5.6 **Public Safety**

The public safety objective is about ensuring the physical safety both of performers and people attending licensed premises. The risk to public safety will vary according to the type of premises and the activities that take place there. Most risks will be adequately covered by other legislation such as Health and Safety at Work requirements or fire safety legislation and will normally be identified through a risk assessment process.

Other public safety legislation may not cover risks that are associated with types of activities or entertainment and will therefore need to be addressed in preparing licence applications. The following are matters that may need consideration:

- Health and Safety and Fire Safety risk assessments and staff training
- Safeguarding measures
- Use of CCTV in and around the premises
- Safe capacities and monitoring procedures
- Provision of local taxi companies who can provide safe transportation home
- Procedures to control access to and egress from premises
- Patrolling of premises
- Glass clearance policy
- Control of ventilation
- Control of litter immediately outside the premises
- The presence of trained first aiders and appropriate & sufficient first aid kits
- Adequate external lighting
- Consideration of the safety of performers appearing at any premises
- Indoor sporting events: medical practitioner; flame retardant material, location of public to wrestling ring; water sports events – lifeguards
- Stewards for events and event plan; and regard to standards of the National Sporting Body
- Ensuring appropriate access for emergency services

5.7 **Prevention of Public Nuisance**

Operating schedules must contain sufficient information for officers to form a view as to whether noise from licensable activities is likely to cause a problem to people living nearby.

Applicants need to provide details of proposed noise control measures, particularly if premises are in residential areas where regulated entertainment is being applied for late at night, or where there is a history of noise complaints.

The licensing authority will normally apply stricter conditions in these circumstances where relevant representations have been received.

Whilst each application will be considered on its individual merits it should be noted that restricting the hours of regulated entertainment may be necessary to prevent public nuisance.

The measures that can be included within the operating schedule may include:

- Control of general noise, disturbance, light, odour, litter and anti-social behaviour
- Whilst regulated entertainment taking place, management of noise disturbance
- Control of litter (e.g. cigarette ends, rubbish, etc.), vomiting, urinating and anti-social behaviour in the vicinity of the premises
- Dispersal policy to ensure customers respect their neighbours
- Removal of persons causing disturbance
- Management of outside areas, e.g. pub gardens, smokers, etc.
- Control of deliveries in early hours
- Queuing policy
- Winding down period

5.8 **Protection of Children from Harm**

The Licensing Authority has decided that the “Responsible Authority” in relation to the protection of children from harm will be the North Somerset Children’s Safeguarding Partnership whose contact details are shown at **Appendix D**.

The authority will not seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm. In all other cases it will be left to the discretion of the licensee.

When addressing protection of children, the applicant should initially identify any particular issues, having regard to their particular type of premises and/or activities, which are likely to cause concern in relation to children. Such steps as are required to deal with these identified concerns should be included within the applicants operating schedule.

Where alcohol is to be sold, applicants must include details of the measures they propose to prevent the supply of alcohol to children. These could include:

- Refusals book
- Consideration of access to premises where adult entertainment may take place
- Consideration to proximity of premises to schools and youth clubs
- Restriction on hours when children under a specified age can be present and whether they should be accompanied by a responsible adult
- Clarity on activities and times at which events take place to determine whether it is appropriate to allow access to children
- Challenge 21 or 25 policy
- Prompting mechanism on tills at retail outlets
- Measures to control access to hotel minibars
- Operational measures to avoid proxy purchases
- How to prevent children from being exposed to alcohol sales at underage events, gambling, incidents of violence and disorder and drugs or drug taking

- Consideration of safeguarding issues
- Consideration of children as performers where relevant
- Supervision of children
- Under 18 event Code of Conduct, for example: searches, ticketed event, door supervisors, DBS checks, stewards monitoring event, set hours for event, restricted event, policy to ensure young people leave premises safely, etc.

Applicants needing advice on how to avoid age-restricted sales should contact the North Somerset Trading Standards Service (contact details are shown at [Appendix D](#)) before preparing their operating schedules.

- 5.9 These lists are not exhaustive, and advice can be obtained from the relevant Responsible Authorities to seek their expert advice before an application is submitted to the Licensing Authority.

6. Access to cinemas and theatres

- 6.1 The 2003 Act provides that where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (currently only the British Board of Film Classification (BBFC)) or by the licensing authority itself.
- 6.2 In relation to the exhibition of film, a mandatory condition will apply, requiring access to be restricted to those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification or, in specific cases, by the Licensing Authority.
- 6.3 Certification by the Licensing Authority will be in accordance with the North Somerset Council Film Classification Policy.
- 6.4 This policy acknowledges the Secretary of State's Guidance which states that it may be necessary to impose a condition to restrict the admission of children to theatres which are incorporating adult entertainment in their productions.

7. Health Bodies Acting as Responsible Authorities

Although there is no specific Public Health objective, the Licensing Authority recognises that the Statement of Licensing Principles provides an important opportunity to consider relevant local Public Health concerns and that, as a responsible authority, the Director of Public Health (DPH) has a key role in identifying and interpreting health data and evidence.

The DPH collates data which may be unavailable to other Responsible Authorities, but its analysis may be presented to assist the Licensing Authority in exercising its functions. The Licensing Authority will, therefore, as far as the legislation will allow, consider health related harms when they are relevant to the promotion of the licensing objectives.

When the DPH exercises its functions as a Responsible Authority and wishes to make representations, these should be evidence based and may potentially cover any of the licensing objectives.

8. Garages

Regarding the licensing of garages, and/or filling stations, Section 176 of the 2003 Act prohibits the sale or supply of alcohol from premises that are used primarily as a garage. However, the Licensing Authority will use the court's approach based on intensity of use, to establish primary use.

Where such applications are submitted, the Licensing Authority will expect sufficient relevant evidence to accompany the application form to prove the issue of primary use.

Section 176 also refers to land acquired or appropriated by a special road authority and associated facilities. Applicants will, therefore, be expected to seek advice from the Licensing Authority in advance of applying to consider the sale or supply of alcohol from premises within service areas, including those associated with Motorways.

9. Complaints against licensed premises

9.1 Complainants are advised, whenever possible, in the first instance to raise their complaint directly with the licensee to resolve the matter. The Licensing Authority, however, recognises that it is not always possible or practical for complaints to be raised directly. In such circumstances, complaints in the first instance should be addressed to the most appropriate body. For example, crime and disorder related issues should be raised with the Police.

9.2 All noise-related complaints are investigated by the Licensing Authority's Environment Protection Service and complaints regarding unlicensed activities and operating outside the permitted hours are investigated by the Licensing Team.

There will be collaboration between the two teams to assist in reaching effective and appropriate outcomes for noise related matters.

9.3 On receipt of a complaint, the Authority shall investigate the circumstances, discussing the complaint with the Designated Premises Supervisor of the licensed premises, the Premises Licence Holder, any Relevant Responsible Authority and the complainant. Where it is a valid complaint, the Licensing Authority shall endeavour to seek a resolution through informal means prior to taking any legal action.

9.4 Suitably qualified officers will be allocated to discharge enforcement duties as appropriate to their seniority, professional qualifications and/or experience to resolve any complaint.

9.5 The Licensing Authority recognises that this Policy and the promotion of the Licensing Objectives relies on partnership between all the parties. Therefore, where there are any concerns identified at the premises, or there is need for improvement, the Licensing Authority shall work closely with the parties at an early stage to address these concerns.

9.6 The Licensing Authority is unlikely to investigate any complaints that are made anonymously. In most cases, however, the complainant's identity will not be disclosed to the licence holder during the early stages of a complaint being dealt with.

Complainants may be asked to complete logs of the disturbances that they are experiencing to provide evidence for licensing and/or environmental health officers. This will be relevant should, for instance, a review of the premises licence be undertaken, or action taken under environmental health legislation.

10. Partnership Working

- 10.1 The Licensing Authority recognises that Licensing functions under the 2003 Act are not the only means of promoting the principles behind the Licensing Objectives. Delivery includes working with Planning, Environmental Health, the Police, the Fire Authority, Immigration services, the Crime Reduction Partnerships, Town Councils, Parish Councils, Local Community Networks (LCN's), Pubwatch, local businesses and residents, transport operators and those involved with child protection.
- 10.2 The Licensing Authority recognises that co-operation across services within the Authority and with our external partners remains the best means of promoting the Licensing Objectives.
- 10.3 The Licensing Authority seeks to encourage and support the night-time economy by providing a vibrant and safe town centre experience. It shall work closely with the Responsible Authorities to promote the Licensing Objectives, including the licensed trade, local people and businesses. The Licensing Authority will continue to work closely as part of these groups to promote the common objectives and shall recognise its duty under Section 17 of The Crime and Disorder Act 1998 when carrying out its functions under the 2003 Act. In addition, the Licensing Authority will seek to support strategies where they are allied to the Licensing Objectives such as the National Alcohol Harm Reduction Strategy and any other relevant strategies and policies.
- 10.4 The Licensing Authority recognises that the private sector, residents and community groups in particular have a vital role to play in promoting the licensing objectives. The Licensing Authority shall work closely with other enforcement agencies in the management of the nighttime economy, particularly relating to the tackling of underage sales and proxy sales of alcohol and drunkenness or disorder on or in the immediate vicinity of the licensed premises.

11. Safeguarding

For information on Safeguarding issues, applicants and existing licence holders are advised to consider **Appendix E** of this Policy.

12. Further information

Further information about the Act and this Statement of Licensing Policy can be obtained from:

The Licensing Team
North Somerset Council
Town Hall
Walliscote Grove Road
Weston-super-Mare
BS23 1UJ

Tel: 01934 426 800

Email: licensing@n-somerset.gov.uk

[North Somerset Council website - Licences & Permits](#)

Information is also available from the Home Office website:

www.gov.uk/alcohol-licensing

Further details about the licensing and application processes, including application forms, fees and details regarding each type of application, can be obtained from the Licensing Team as detailed above.

Electronic applications will be accepted where available.

APPENDIX A – map of North Somerset



APPENDIX B – Glossary of Terminology

Club Premises Certificate	<p>A certificate granted to a qualifying club under the Act in respect of premises occupied and habitually used for the purposes of a club.</p> <p>Alcohol must not be supplied other than to members by or on behalf of the club.</p>
Entertainment facilities	<p>Defined as facilities for enabling persons to take part in entertainment for the purpose of being entertained.</p> <p>The descriptions of entertainment are making music, dancing, and entertainment of a similar description to that falling within those mentioned above.</p>
Hot food or hot drink	<p>Food or drink supplied on or from any premises is “hot” for the purposes of Schedule 2 to the Act if the food or drink, or any part of it:</p> <ul style="list-style-type: none"> • before it is supplied, is heated on the premises or elsewhere for the purpose of enabling it to be consumed at a temperature above the ambient air temperature and, at the time of supply, is above that temperature, <p>or</p> <ul style="list-style-type: none"> • after it is supplied, may be heated on the premises for the purpose of enabling it to be consumed at a temperature above the ambient air temperature.
Interested Party	<p>Defined as:</p> <p>any individual, body or business entitled to make representations in relation to defined applications made to the Licensing Authority.</p>
Licensable activities and qualifying club activities	<p>Defined in the Licensing Act as:</p> <ul style="list-style-type: none"> • the sale by retail of alcohol • the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club • the provision of regulated entertainment • the provision of late-night refreshment - for those purposes the following licensable activities are also qualifying club activities: • the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption on the premises where the supply takes place • the sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place • the provision of regulated entertainment where that provision is by or on behalf of a club for members of the club or members of the club and their guests.
Operating Schedule	<p>A document that must be prepared by or on behalf of an applicant for a premises licence or club premises certificate containing a statement including the following matters:</p> <ul style="list-style-type: none"> • the relevant licensable activities

	<ul style="list-style-type: none"> the times at which licensable activities are to take place and any other times the premises are to be open to the public information about the Designated Premises Supervisor whether any alcohol sales are on and/or off sales the steps being taken to promote the licensing objectives.
Personal Licence	Authorises an individual to supply or authorise the supply of alcohol in accordance with a premises licence.
Premises Licence	Authorises the premises to be used for one (or more) licensable activity.
Provision of late-night refreshment	Defined as the provision of hot food or hot drink to members of the public, or a section of the public on or from any premises, whether for consumption on or off the premises between 11 pm and 5 am
Regulated Entertainment	<p>Defined as:</p> <ul style="list-style-type: none"> a performance of a play an exhibition of film an indoor sporting event a boxing or wrestling entertainment a performance of live music any playing of recorded music a performance of dance entertainment of a similar description to that falling within paragraph (e)
Responsible Authority	<p>Defined as:</p> <ul style="list-style-type: none"> Chief Officer of Police for any Police area in which the premises are situated Fire Authority for any area in which the premises are situated Enforcing authority within the meaning given by section 18 of the Health and Safety at Work etc Act 1974 for any area in which the premises are situated the local planning authority within the meaning given by the Town and Country Planning Act 1990 (c.8) for any area in which the premises are situated the local authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health a body which represents those who, in relation to any such area, are responsible for, or interested in matters relating to the protection of children from harm, and is recognised by the licensing authority for that area for the purposes of this section as being competent to advise it on such matters

	<ul style="list-style-type: none"> • any licensing authority (other than the relevant licensing authority) in whose area part of the premises is situated • in relation to a vessel - a navigation authority (within the meaning of section 221(1) of the Water Resources Act 1991 (c.57)) having functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is or is proposed to be, navigated at a time when it is used for licensable activities • Director of Public Health • The Home Office – alcohol licensing team • The Licensing Authority for the area in which the premises is situated.
Temporary Event	<p>Defined as the use of premises for one or more of the licensable activities during a period not exceeding 168 hours (seven days) usually where a premises licence covering the licensable activity is not in place.</p> <p>The following limitations also apply to where the temporary event notice procedure is used:</p> <ul style="list-style-type: none"> • The number of times a person (the “premises user”) may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people). • The number of times a person (the “premises user”) may give a late temporary event notice (5 times per year for a personal licence holder and 2 times per year for other people). • The number of times a temporary event notice may be given for any particular premises (15 times in a calendar year). • The maximum total duration of the periods covered by temporary event notices at any individual premises (21 days). • The scale of the event in terms of the maximum number of people attending at any one time (less than 500). • There must a minimum of a 24-hour break between events subject to the temporary event notice procedure.
Temporary Event Notice	A document giving notice to the Licensing Authority of intention to hold a temporary event.

APPENDIX C - table of delegations of licensing functions

Matter to be dealt with	Full committee	Sub committee	Officers
Application for personal licence		If a representation is made	If no representation is made
Application for personal licence, with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a representation is made	If no representation is made
Application for provisional statement		If a representation is made	If no representation is made
Application to vary premises licence/club registration certificate		If a representation is made	If no representation is made
Application to vary designated premises supervisor		If a police representation is made	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police representation is made	All other cases
Application for Interim Authorities		If a police representation is made	All other cases
Application to review premises licence/club premises registration		All cases	
Revision and introduction of licensing policies.	All cases		

Appendix D - Responsible Authorities Contacts

Service	Postal Address	E-Mail Address	Telephone Number
Avon and Somerset Police	Liquor Licensing WsM Police Station Filers Way Weston-super-Mare BS24 7JP	northsomersetpoliceliquorlicensingteam@avonandsomerset.police.uk	
Avon Fire and Rescue Service	Avon Fire & Rescue Police & Fire Headquarters PO Box 37, Valley Road Portishead Bristol BS20 8JJ	Licensing@avonfire.gov.uk	01179 262 061 Ext 560
Home Office	Immigration Enforcement Licensing Compliance Team, 2 Ruskin Square (Floor 6), Dingwall Road Croydon CR20 2WF	IE.licensing.applications@homeoffice.gov.uk	
North Somerset Council			
Licensing Authority	Town Hall, Walliscote Grove Road, Weston-super-Mare BS23 1UJ	licensing@n-somerset.gov.uk	01934 426800
Environmental Protection Team	Town Hall, Walliscote Grove Road, Weston-super-Mare BS23 1UJ	epenquiries@n-somerset.gov.uk	01275 888802
Food, Health and Safety Team	Castlewood Tickenham Road Clevedon BS21 9AX	foodandsafety@n-somerset.gov.uk	
Trading Standards Team	Castlewood Tickenham Road Clevedon BS21 9AX	trading.standards@n-somerset.gov.uk	01275 888634
Planning	Town Hall, Walliscote Grove Road, Weston-super-Mare BS23 1UJ	Planning.support@n-somerset.gov.uk	01275 888811
North Somerset Safeguarding Children Board	Ruth Sutherland Town Hall Weston Super Mare BS23 1UJ	Ruth.sutherland@n-somerset.gov.uk	01275 888211
Public Health	Fiona Dixon Town Hall, Walliscote Grove Road, Weston-super-Mare BS23 1UJ	Fiona.dixon@n-somerset.gov.uk	01934 426293

Appendix E – Safeguarding & child exploitation

Child sexual exploitation or trafficking of children or young people

This Licensing Authority is helping to tackle child sexual exploitation and trafficking by working together with key partners. Through agencies working together and sharing information, we aim to identify and prevent sexual exploitation, disrupt the activities of perpetrators, protect children and young people, and prosecute perpetrators of sexual exploitation.

Sharing information with Police and Child Protection services helps to protect young people from harm. Safeguarding children and young people is everyone's responsibility. Child sexual exploitation and trafficking is a crime that can affect any child, anytime, anywhere – regardless of their social or ethnic background.

Sexual exploitation of children and young people involve exploitative situations, contexts and relationships where young people (or a third person or persons) receive something, e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money, etc. as a result of them performing, and/or another or others performing on them, sexual activities.

Violence, coercion, and intimidation are commonly involved in such exploitative relationships. Child sexual exploitation involves perpetrators grooming youngsters and using their powers to sexually abuse them. Sexual exploitation of children and young people can take many forms, whether it occurs through a seemingly 'consensual' relationship with an older boyfriend, or a young person having sex in return for attention, gifts, alcohol, or cigarettes.

How licensed premises and their employees can help tackle child sexual exploitation.

Licensed premises and their employees should ask themselves the following questions when they see young and vulnerable people on their premises:

- Do any of your customers appear to be under 18 years old?
- Are they with a much older person and appear to be in a relationship?
- Do you think that they are under the influence of alcohol or drugs?
- Are children/young people being brought regularly to your premises by older people?

If so, ask yourself why? Licensed premises are encouraged to have in place appropriate Safeguarding measures and should seek appropriate advice where necessary to ensure that they are aware of both national and local issues, best practice and/ or priorities.

Further information on reporting child/ adult abuse in North Somerset can be found at [North Somerset Safeguarding Children Partnership](#).

If you have reason to suspect that a child is being abused or at risk of abuse it is your responsibility to report your concerns to and share information with [the Police](#) and North Somerset Council Child Protection Team on 01275 888 808.