

Statement of Licensing Policy

Sections relevant to application

6. CRIME AND DISORDER

- 6.1 Licensed premises, especially those offering late night entertainment, alcohol and refreshment can be a source of crime and disorder problems.
- 6.2 The Council is committed to reducing crime and disorder across the Borough through its statutory duty under the Crime and Disorder Act 1998 and the Community Safety Strategy. Statistics from the Community Safety Partnership regarding Crime and Disorder in the Licensing Authority area are given in Appendix 4.
- 6.3 The Community Safety Partnership will regularly monitor and review crime statistics within the Borough and their association with alcohol and provide reports to the Licensing Authority where appropriate. The Licensing Authority will give due consideration to any submissions made concerning the impact on crime and disorder of alcohol related problems. The Council may review this Policy where it considers it appropriate to do so.
- 6.4 The Council will have particular regard to the likely impact on licensing of related crime and disorder in the Borough particularly when considering the location, impact and the operation and management of all proposed licensed premises and applications for variations.
- 6.5 The promotion of the crime and disorder licensing objective, places a responsibility on licence holders to try and achieve this objective. Applicants will therefore be required to address, in their operating schedules, where appropriate, those measures that have been identified and will be implemented and/ or maintained to reduce or prevent crime and disorder in the vicinity of their premises. The Licensing Authority considers that best practice will be exemplified by the night safe initiative and would recommend that licence holders join this initiative.
- 6.6 Where relevant representations are received on the crime and disorder objective, the Licensing Authority may have regard to the following where relevant: (though this is not an exhaustive list):
- crime prevention measures
 - physical security features installed in the premises, (this may include CCTV both inside and outside the premises, where alcohol is stored in relation to off licences, the use of toughened drinking glasses).
 - weapon detection and search facilities.
 - procedures for risk assessing promotions and events such as 'happy hours', drinks promotions, for the potential to cause crime and disorder, and the plans to minimising such risks.
 - adoption of best practice guidance in relation to safer clubbing guide
 - measures to prevent the use or supply of illegal drugs including search and entry policies
 - employment of licensed door supervisors
 - participation in other appropriate schemes e.g. pub watch scheme

- measures to be taken for the prevention of violence or disorder.
- 6.7 The Licensing Authority where relevant representations are made, will consider attaching conditions to deter and prevent crime and disorder, if appropriate and necessary and these may include conditions from the model pool of conditions at Appendix 3. Certain premises may be required to install CCTV system to an evidential standard should the Council be satisfied it is necessary and /or appropriate to meet the licensing objectives.
- 6.8 The Council reserves its right to use its powers to designate areas where alcohol may not be consumed in a public place to meet the Public Safety and Crime and Disorder objectives.
- 6.9 Lancashire Constabulary operate a Best Bar None accreditation scheme. This promotes the development and operation of well-managed night time venues and incorporates multiagency inspections. The licensing authority recognises the benefits of accreditation and encourages premises to apply.
- 6.10 It is advisable that licensed premises have procedures in place for risk assessing drinks promotions and events such as 'happy hours' on the basis of preventing crime and disorder.

10. PROTECTION OF CHILDREN FROM HARM

- 10.1 The policy does not seek to prevent or limit the access of children to licensed premises unless it is necessary for the prevention of physical, moral or psychological harm to them. The Licensing Authority is committed to protecting children from harm and activities associated with premises that sell alcohol or provide regulated entertainment, may in certain circumstances, give rise to concerns for the health and welfare of children. For the purpose of this Policy, a 'child' is defined as any person who is under the age of 16
- 10.2 The Licensing Authority will not impose any conditions that specifically require access of children to premises and where no limitation is imposed this should remain a matter for the individual licence holder or club premises certificate holder. The Licensing Authority will consider the individual merits of each application. However, the Licensing Authority will have particular concern in respect of children:
- where there have been convictions of the current management for serving alcohol to minors or those where there is a reputation of under-age drinking.
 - where there is reputation of drug taking or dealing.
 - where there is a strong element of gambling on the premises.(but not for example, the simple presence of a small number of cash prize gaming machines)
 - where entertainment of an adult or sexual nature is provided (see paragraph 29 for additional information).
 - where the supply of alcohol is the exclusive or primary purpose of the services provided at the premises.
- 10.3 The Licensing Authority, in such circumstances as outlined above, may consider it necessary to impose a complete prohibition; it is envisaged that this would be rarely

imposed. The Licensing Authority would normally be likely to impose requirements such as:

- limitations on the hours when children may be present.
- age limitations for persons under 18
- limitations or exclusions when certain activities are taking place
- requirements for accompanying adults
- limitations of access to certain parts of the premises when particular licensable activities are taking place
- provision of suitable signage
- such other conditions or restrictions as may be necessary to achieve the licensing objectives.

10.4 Licensees are not to provide alcohol except as provided for by the Act. The Council expects applicants to consider child access in their operating schedules and volunteer appropriate conditions where relevant. The Council recommends that the following documents should be used as evidence of age:

- Passport
- Photo Card Driving licence issued in the European Union
- Proof of Age Scheme Card and schemes which carry the Proof of Age Standard Scheme logo
- Citizen Card supported by the Home Office
- Official ID Card issued by HM Forces or a European Union Country bearing a photograph and date of birth of the holder.

10.5 It is best practice for all staff to receive training on how to refuse under age sales of alcohol.

10.6 The Licensing Authority requires applicants to consider, where relevant, those factors that impact on the protection of children objective, and identify where necessary and appropriate, suitable measures to promote this objective. Applicants may wish to consider, where appropriate:

- arrangements to prevent children acquiring or consuming alcohol including reducing the risk of proxy sales of alcohol to adults for the consumption by children
- arrangements to prevent children being exposed to drugs, drug taking, or drug dealing
- arrangements to prevent children being exposed to gambling, or activities of an adult or sexual nature
- steps to be taken to prevent children being exposed to violence or disorder
- arrangements for training staff in relation to the protection of children
- steps to be taken to prevent children purchasing cigarettes from vending machines and preventing access to Amusement with Prize Machines (except in accordance with the Gaming Legislation).

10.7 Applicants may volunteer prohibitions and restrictions on their Operating Schedules as a result of their own risk assessments determining that the presence of children is undesirable or inappropriate. Where no relevant representations are made to the Licensing Authority these volunteered prohibitions and restrictions will become conditions attached to the licence or certificate. The Licensing Authority may impose conditions where relevant representations are made if it considers it necessary and/or appropriate including those drawn from the Model Pool of Conditions shown at in Appendix 3.

- 10.8 The Licensing Authority will also expect applicants, where relevant, to consider how they intend to provide for the supervision of children as unaccompanied customers and as performers providing regulated entertainment. Licence holders should give consideration to the welfare of children as performers in such cases. As a minimum requirement the Licensing Authority will require an adult to be nominated to be responsible for such child performers.
- 10.9 Where large numbers of unaccompanied children are to be present e.g. children's show or pantomime, conditions may be imposed, where relevant representations are received, requiring the presence of an appropriate number of adult staff to ensure public safety and protection of children from harm. The Licensing Authority requires applicants to address those matters in their operating schedules. See paragraph 12.1 for further guidance.
- 10.10 The Licensing Authority recognises Lancashire County Council Social Services Department or a future body with the relevant legislative functions of a social services department as being competent to advise on matters relating to the protection of children from harm.

26. DESIGNATED PREMISES SUPERVISORS

- 26.1 The main purpose of the designated premises supervisor is to ensure that there is one specified individual, who can be readily identified at the premises where a premises licence is in force. The premises licence holder would normally have given that person the day to day responsibility for running the premises.
- 26.2 Lancashire Police are able to object to the designation of a new designated premises supervisor where, in exceptional circumstances, they believe the appointment would undermine the Crime Prevention objective as set out in the Act.
- 26.3 Where the police do object, the Licensing Authority will hold a hearing as required by the Act. The Act provides that the applicant may apply for the individual to take his post up immediately and in such cases, the issue will be whether the individual should be removed. The Licensing Authority will confine their consideration to the issue of crime and disorder and give comprehensive reasons for their decision.
- 26.4 Where a designated premises supervisor is to be newly specified, the normal course of action will be for the premises licence holder to apply to the Licensing Authority (including an application for immediate effect). This should be accompanied by a form of consent by the individual concerned and, Lancashire Police must be notified of the application.