



Monday, 4 September 2023

Dear Sir/Madam

A meeting of the Licensing and Appeals Committee will be held on Tuesday, 12 September 2023 in the Council Chamber, Council Offices, Foster Avenue, Beeston, Nottingham, NG9 1AB, commencing at 10.00am.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

Chief Executive

To Councillors:	R Bullock (Chair)	S Paterson
	E Winfield (Vice-Chair)	D D Pringle
	B C Carr	C M Tideswell
	A Cooper	S Webb
	G S Hills	E Williamson
	S Kerry	K Woodhead
	R D MacRae	

AGENDA

1. APOLOGIES

To receive apologies and to be notified of the attendance of substitutes.

2. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

3. MINUTES (Pages 5 - 6)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 13 June 2023.

4. EXCLUSION OF PUBLIC AND PRESS

The Committee is asked to RESOLVE that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2, and 3 of Schedule 12A of the Act.

5. APPEAL AGAINST DISMISSAL

5.1 BUNDLE A

5.2 BUNDLE B

6. REVIEW OF STATEMENT OF LICENSING POLICY 2024 - 2029 (Pages 7 - 74)

To recommend approval of the Council's draft revised Statement of Licensing Policy (SOLP) for statutory consultation.

7. HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE SPECIFICATION - ENGINE SIZE (Pages 75 - 82)

To consider a request from the taxi trade to amend the current specification of hackney carriage and private hire vehicle engine capacity as outlined in the Council's Hackney Carriage and Private Hire Vehicle Policy.

8. AMENDMENT TO THE HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE POLICY AGE OF VEHICLE (Pages 83 - 92)

To consider a request from the taxi trade to amend the current age policy for hackney carriage and private hire vehicles as outlined in the Council's Hackney Carriage and Private Hire Vehicle Policy.

9. EXCLUSION OF PUBLIC AND PRESS

The Committee is asked to RESOLVE that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2, and 3 of Schedule 12A of the Act.

10. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)
ACT 1976 HACKNEY CARRIAGE/PRIVATE HIRE
DRIVER'S LICENCE

11. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)
ACT 1976 HACKNEY CARRIAGE/PRIVATE HIRE
DRIVER'S LICENCE

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LICENSING AND APPEALS COMMITTEE

TUESDAY, 13 JUNE 2023

Present: Councillor R Bullock

Councillors: A Cooper
G S Hills
S Kerry
S Paterson
D D Pringle
C M Tideswell
S Webb
E Williamson
E Winfield
K Woodhead

Apologies for absence were received from Councillors B C Carr and R D MacRae.

17 DECLARATIONS OF INTEREST

There were no declarations of interest.

18 MINUTES

The minutes of the meeting held 21 February 2023 were confirmed and signed as a correct record.

19 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2, and 3 of Schedule 12A of the Act.

20 HACKNEY CARRIAGE VEHICLE LICENCE APPLICATION

RESOLVED that the application be deferred to a future meeting.

21 HACKNEY CARRIAGE VEHICLE LICENCE APPLICATION

RESOLVED that the application be approved.

RESOLVED that the application be deferred to a future meeting.

Report of the Chief Executive

REVIEW OF STATEMENT OF LICENSING POLICY 2024 - 2029

1. Purpose of Report

To recommend approval of the Council's draft revised Statement of Licensing Policy (SOLP) for statutory consultation.

2. Recommendation

The Committee is asked to RESOLVE that the draft statement of Licensing Policy for the purposes of statutory consultation be approved.

3. Detail

Section 5 of the Licensing Act 2003 requires licensing authorities to prepare and publish a statement of its licensing policy every five years. Such a policy must be published before the authority carries out any function in respect of individual applications made under the terms of the 2003 Act. A number of legislative changes have taken place since the last review in 2018 and the Home Office revised Section 182 statutory guidance has also made a number of amendments in respect of the Licensing Act 2003 and the Authority must now review, adopt and publish a new statement to reflect these changes by 7 January 2024

The Act obliges the licensing authority to consult widely on any revision of its SOLP. There are a number of statutory consultees outlined in the Act and a number of other interested parties and trade bodies have also been identified. A copy of the approved draft will be circulated to all of those so identified. Consultation is planned to commence on 13 September 2023 for a period of 6 weeks.

Members will also be aware that officers of the Nottinghamshire licensing authorities have been meeting to secure a co-ordinated approach to the new legislation and revised content of the SOLP. Considerable work has been undertaken by inter-authority groups to produce core documents common to the districts which reflect the statutory guidance.

There are no changes proposed for the policy statements

Further input has been received by Nottinghamshire Police Counter Terrorism Security Advisor (CTSA) in respect of counter terrorism advice for licensed premises following the publication of guidance for Martyn's Law. The Public Health team at Nottinghamshire County Council has also updated the health content of the policy. The draft revised licensing statement reflects the co-operation between the Nottinghamshire authorities.

A copy of Broxtowe's draft licensing statement is circulated with the agenda and will be placed in the members' room, on the intranet and on the Council's website as part of the consultation process.

Appendix 1 contains the proposed statement of licensing policy 2024-2029

Appendix 2 contains an Equality Impact Assessment

Appendix 3 shows a proposed timescale for consideration of the document and its adoption in time for the revised policy to be implemented.

Appendix 4 lists the substantive changes in the policy document.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

There are no direct financial implications arising from this report.

5. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

The legal and policy considerations are contained within the report, therefore there are no direct legal implications arising from the report.

6. Human Resources Implications

The comments from the Human Resources Manager were as follows:

No comments

7. Union Comments

The Union comments were as follows:

No comments

8. Climate Change Implications

The comments from the Waste and Climate Change Manager were as follows:

No comments

9. Data Protection Compliance Implications

This report does not contain any [OFFICIAL (SENSITIVE)] information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

As this is a change to policy an equality impact assessment is included in the appendix to this report.

11. Background Papers

Nil

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**Broxtowe
Borough**

C O U N C I L

**STATEMENT
OF
LICENSING POLICY**

Effective from 7 January 2024

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1. INTRODUCTION

- 1.1 Broxtowe Borough Council is a Licensing Authority for the purpose of the Licensing Act 2003. Section 5 of the Act requires all licensing authorities to prepare and publish a Statement of Licensing Policy that they propose to apply in exercising their functions under the Act during the five year period to which the policy applies. The Statement of Licensing Policy can be reviewed and revised by the Authority at any time.
- 1.2 The Borough of Broxtowe is situated in the south west of Nottinghamshire and forms the western edge of the greater Nottingham conurbation with the City of Nottingham bordering much of the eastern boundary of the Borough. The administrative centre for the Council is at Beeston, situated 5 miles from the centre of Nottingham. This is also the largest of the four principal towns in the Borough, the others being Stapleford, Eastwood and Kimberley all of which have a thriving evening economy.
- 1.3 The Authority recognises that licensed premises are a major contributor to the Borough, attracting tourists and visitors and making for vibrant towns and communities. The Council also recognises the problems that can be caused if licensed activities are not properly managed and premises well run.
- 1.4 Broxtowe Borough Council believes that good management of the entertainment, alcohol and late night refreshment industries (and of the street environment within which it operates) is essential to the continued success of the Borough and to attracting the wide range of people who want to come here to work, to visit and to live. The Council will monitor the impact of licensing on the provision of regulated entertainment, and particularly live music in the area.
- 1.5 This Policy Statement seeks to establish sensible controls and appropriate guidance to encourage and further the efforts that are being made by the Council and its partners together with the licensed trade to help the Authority deal with issues that arise from licensable activities.
- This will be achieved by:
- Establishing and building upon best practice within the industry;
 - Recognising and facilitating the role of partners and stakeholders;

- Encouraging self-regulation by licensees and managers;
 - Providing a clear basis for the determination of licence applications; and
 - Supporting related policies and strategies of the Borough Council.
 - Implementing an inspection and enforcement regime targeted at premises that present a high risk.
- 1.6 The Authority is committed to working with its licensing partners and stakeholders in delivering the licensing function. This Policy Statement therefore seeks to provide information on the general approach that the Authority will take in carrying out its licensing functions.
- 1.7 In preparing and publishing this Policy Statement due regard has been given to the guidance issued by the Secretary of State under section 182 of the Act, and to good practice advice issued by approved government advisory bodies. In particular, the Authority has consulted those persons and bodies as required by the guidance and given proper weight to their views. Partnership working between licensing authorities in Nottinghamshire has enhanced the production of this Policy Statement and will help ensure consistency in terms of both policy and enforcement where licensing boundaries meet.
- 1.8 This Policy Statement should not be regarded or interpreted as indicating that any requirement of law may be overridden; each application will be considered and treated on its own merits. No restrictive controls will be introduced or imposed unless they are felt to be necessary and appropriate.
- 1.9 There are certain matters which the Authority is prevented from taking into account or from dealing with in a specified way. For example, the Authority is not entitled to take the issue of the “need” for further licensed premises into account when determining licence applications. On the other hand, the cumulative impact of licensed premises on the promotion of the Licensing Objectives is a matter that can be properly considered by the Authority. Cumulative impact and related matters are dealt with in section 7 of this Policy Statement.
- 1.10 Nothing in this Statement of Policy prevents any one person or body applying for a variety of current permissions under the Act. Nor does it override the right of any Responsible Authority, any person or business to make

representations or seek a review of a licence or certificate where provision has been made for them to do so in the Act.

2. LICENSING OBJECTIVES AND LICENSABLE ACTIVITIES

- 2.1 In exercising their functions under the Licensing Act 2003, licensing authorities must have regard to the licensing objectives as set out in section 4 of the Act. The licensing objectives are:
- (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.
- 2.2 Guidance on the Licensing Objectives is available on the Government's website at <https://www.gov.uk/alcohol-licensing>
- 2.3 Licensing law is not the primary mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual club, or business holding the licence, certificate or permission concerned. Licensing is about the management of licensed premises and activities within the terms of the Act and conditions attached to various authorisations will be focussed on matters which are within the control of the individual licence holder and others.
- 2.4 The Act only covers certain "licensable activities" namely:
- (a) the sale by retail of alcohol
 - (b) the supply of alcohol by or on behalf of a club to a member
 - (c) the provision of "regulated entertainment" and
 - (d) the provision of late night refreshment
- 2.5 The definition of what constitutes "regulated entertainment" is complex and has been (and remains) the subject of Government deregulation. Whilst "regulated entertainment" potentially covers live or recorded music, dancing, plays, films, and certain types of sporting activity, the Act itself provides various exemptions and restrictions on the types of activities which are subject to licensing. Changes to entertainment legislation have removed the ability of the Licensing Authority to regulate live music at certain times and in certain circumstances. Deregulation initiatives have added further exemptions particularly where it

relates to entertainment taking place primarily between 8am and 11pm and where that entertainment takes place before an audience of a prescribed size. It cannot be assumed therefore that a licence is required for all forms of entertainment or, even if a licence is required, that the Licensing Authority will necessarily have the power to impose restrictions or conditions on such entertainment. Each activity is determined on its own circumstances and arrangements.

- 2.6 Where an activity is licensable, the promotion of the Licensing Objectives is the paramount consideration for the Authority. In the absence of valid representations from responsible authorities or other persons, all applications must be granted subject only to any prescribed mandatory conditions and such other conditions which are consistent with the operating schedule provided by the applicant. Where valid representations are received and maintained, the application will normally be determined at a hearing before the Licensing Committee or one of its Panels. The Committee or Panel will then assess whether the application would result in the licensing objectives being undermined to such an extent that the application should be refused or, whether it would be possible to grant the licence subject to such conditions as are felt appropriate by the Authority. Conditions will be tailored to the size, style, characteristics and activities taking place at the premises concerned. Conditions will be focused on matters that are within the control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places. Whether or not incidents can be regarded as being “in the vicinity” of licensed premises or places, is ultimately a matter of fact to be decided by the courts in cases of dispute. In addressing such matters consideration will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned. The imposition of standardised conditions is prohibited as being disproportionate and burdensome. It should be noted, however, that the Authority is permitted to establish pools of conditions from which appropriate and proportionate conditions may be drawn. Further details regarding such conditions can be obtained from the Licensing Team.

3. HOW THIS STATEMENT OF POLICY WORKS

3.1 The purpose of the Statement of Policy is to:

- provide a clear basis for determining licence applications;
- provide a clear framework for licensing strategies, including the effect known as ‘cumulative impact’;
- support wider strategies and policies of the Council.

3.2 The text of this Statement of Policy in **bold type** indicates the Policies with *the reason* for each policy shown immediately after *in bold italics*.

3.3 This Policy sets out the Authority’s expectations in relation to certain matters. Whilst applicants are not obliged to meet these expectations in their Operating Schedules they may find that responsible authorities, other persons and businesses are more likely to raise representations if they do not. This can lead to a delay with the application having to be considered by a Committee/Panel and which may then either refuse the application or impose conditions if the application is not found to sufficiently promote the licensing objectives and meet this Policy. On appeal the Court is also obliged to have regard to the terms and requirements of this Policy and can only depart from it if it has good reason.

3.4 In this Statement of Policy any reference made to the imposition of conditions refers to conditions imposed in accordance with the requirements of the Act outlined in paragraph 2.6 above.

4. STRATEGIC LINKS AND OTHER REGULATORY REGIMES

4.1 There is a range of strategic influences and statutory controls which affect the licensing system in terms of policy formulation, administration and enforcement activities. Examples of these strategies can be found in the Section 182 guidance produced by the Home Office.

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

The Authority will seek to have an active involvement in the development and review of these by ensuring an appropriate exchange of dialogue between the Licensing Authority and other relevant regimes. Such involvement may result

in the imposition of conditions and formulation of policies supporting the relevant strategies where appropriate.

- 4.2 The granting of a licence, certificate or provisional statement will not override any requirement of the planning system or vice-versa. The licensing system will provide for the detailed control of operational matters, which are unlikely to be addressed through planning processes. However, there will be overlapping issues of interest e.g. disturbance, which will remain material considerations for planning purposes as well as being relevant in terms of the licensing objectives. Applicants should also ensure that they have due regard to any planning restrictions on the use of premises when applying for licence/certification to avoid any possible enforcement action.

However, existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required by the local planning authority to provide suitable mitigation before the development has been completed.

- 4.3 The 4 statutory licensing objectives aim to reduce crime and disorder and increase public safety. Licensing policies are not currently required to address Public Health concerns however, there is strong evidence that alcohol outlet density is associated with increased alcohol-related hospital admissions and alcohol-related mortality. Alcohol contributes to more than 60 diseases and health conditions and represents 10% of the burden of disease and death in the UK, placing it in the top three lifestyle risk factors after smoking and obesity.
- 4.4 Whilst the exact relationship between alcohol and ill-health is often complex and affected by other factors such as the socioeconomic make-up of the neighbourhood, studies have found that local authorities' greater use of licensing powers leads to reductions in alcohol-related hospital admissions in England (Institute of Alcohol Studies, 2017).
In light of this, public health indicators both at District level from the Local Alcohol Profiles for England and at sub-district level have been reviewed.

- 4.5 Across Broxtowe, Public health analysts have mapped a number of alcohol-related measures that are considered to have a negative impact on health and wellbeing to show how the relative levels of these measures vary across Nottinghamshire County Districts and Boroughs.
- 4.6 Measures used were selected for their relevance to licensing and public health and their availability at sub-district level and include:
- alcohol-related hospital admissions
 - anti-social behaviour
 - crimes against the person including domestic violence
 - rate of persons in treatment for substance use
 - an estimate of the percentage of the population drinking at least once a day and
 - deprivation.
- 4.7 These measures have been used to create a matrix which ranks small areas within Broxtowe in relation to overall levels of harm associated with alcohol. The matrix can be used to support responsible Authorities to make representations where required based on the rank, and therefore the levels of overall harm, for the area in which a licensing application has been made.

This data analysis has identified some areas with relatively higher levels of harm and for Broxtowe these are:

- Parts of Stapleford North, South East
- Parts of Chilwell West
- Parts of Beeston North, West, Central, Rylands
- Eastwood St. Marys
- Kimberley
- Awsworth, Cossall and Trowell
 - South Part, not Awsworth
- Parts of Attenborough and Chilwell East
 - Attenborough part

Applications within these areas or surrounding areas should be aware of, and consider, their contribution to the burden of alcohol-related harms to the health and wellbeing within the community. All applicants are encouraged to provide details of any mitigating measures they plan to put in place to reduce alcohol-related harms within their application. Further information can be found at: www.nottinghamshireinsight.org.uk/d/205127

5. DELIVERING LICENSING SERVICES

- 5.1 The Authority will make available guidance and such resources as required by law to enable engagement with the licensing process. Such guidance and resources may be accessed through the **Broxtowe Borough Council** web site, Liquor Licensing Policy or by contacting the Authority direct.
- 5.2 The Licensing Authority will maintain an impartial role in service delivery and cannot act in favour of one party over another. The Licensing Authority may, in certain circumstances, act as a Responsible Authority. This will only be done in exceptional circumstances and the Licensing Authority will not normally take over the role of other Responsible Authorities or parties.
- 5.3 Responsible Authorities are public bodies which must be fully notified of licence application and are entitled to:
- Make relevant representations
 - Request reviews
 - Make representations with regard to cumulative impacts

Details of Responsible Authorities can be found on the Council's website following the link for licensing or by contacting the Councils Licensing Team directly.

6. APPLICATIONS, NOTIFICATIONS AND THEIR CONSIDERATION

- 6.1 The procedure and documentation required for the various applications and notices are prescribed by the Act and Regulations. Further advice on these processes is available on the Council's web site. This section of the policy gives basic guidance on how those applications and notifications will be considered. Failure to comply with the statutory requirements may result in the application or notice being invalid. To ensure the application is completed fully, applicants must consider the contents of this policy statement, the government guidance issued under section 182 Licensing Act 2003 and relevant guidance published by the licensing authority. Applicants are encouraged to seek advice from the licensing authority and responsible authorities before submitting an application. Failure to comply with the statutory requirements may result in an application or notice being invalid/rejected.

- 6.2 The process of applying for new premises licences and full variations of current premises licences are dealt with in same way and involve serving the application on all responsible authorities and advertising the application in the prescribed way. If objections are received the matter will be heard by the Licensing Committee of the Council. The fee for such applications depends on the size of the premises. Substantial changes to premises should be dealt with by way of a new application
- 6.3 The process of a minor variation to current premises licences are dealt with differently. Minor variations can be applied for to vary times of activities but not to increase the hours when alcohol can be sold. The process can also be used when making minor structural alterations to the premises and to add or remove conditions from the licence. These minor variations should not have a material effect on the way in which the premises are operated and there is one set fee. The granting of a minor variation is determined at officer level after consultation with those responsible authorities affected. If the application is refused the applicant can resort to the full variation process.
- 6.4 All applicants are encouraged to submit on-line applications using the gov.uk website or by following the links on the Council's website.

Representations

- 6.5 Where the licensing authority receives an application for a new licence or a variation to an existing licence, the responsible authorities and any other persons have 28 days to make representations about the application. Representations can be positive as well as negative.

Guidance on making a representation is available from the Home Office and a preferred form is available on the Council's Licensing Policy web page for individuals or groups to make their representations.

- 6.6 Submissions of representations made via e-mail will be accepted so long as there is a clear indication of who has submitted the representation, it is clear and legible and details of how that person or group can be contacted.
- 6.7 For a representation to be relevant it should be positively tied or linked by a causal connection to particular premises. Representations received outside

the statutory period for making such representations will be invalid and will not be taken into consideration when the application is determined. The Licensing Authority also has the power to reject a representation made by someone other than a Responsible Authority if it finds it to be vexatious or frivolous. An example could be where a representation was made solely on the basis that the application would provide competition to an existing trader or where no link was made to any of the licensing objectives.

- 6.8 Members of the public who wish to submit a representation need to be aware that their personal details will be made available to the applicant. If this is an issue, they may contact their ward Councillor or other locally recognised body such as a resident's association about submitting a representation on their behalf. The Council is not able to accept anonymous representations.
- 6.9 Where a representation proceeds to a hearing, the Hearings Regulations allow for further information to be put forward in support of that representation. However, that material must only relate to the initial representation and must not add new grounds of objection. It is therefore vitally important that as much detail and evidence as possible is included at the time the representation is made. Representations made without supporting detail and evidence may be viewed as frivolous or vexatious and disregarded.
- 6.10 It is for the Licensing Authority to determine whether any representation by an interested party is, on its own merits, vexatious or frivolous. The Authority will determine this and make the decision on the basis of what might ordinarily be considered to be vexatious or frivolous.
- 6.11 Where representations are received the characteristics of an area and the impact that the premises may have upon that area will be a fundamental consideration in determining whether a licence should be granted and if so what conditions should be attached to it. Conditions will be focused on matters that are within the control of individual licensees and others in possession of relevant authorisations. These matters will centre on the premises being used for licensable activities and the vicinity of those premises. What amounts to the vicinity will be a question of fact to be determined in the light of the individual circumstances of the case. Consideration will primarily be given to the direct impact of the licensed activity on those who live, work or are engaged in business or

other activities in the area concerned.

Responsible Authorities

- 6.12 Although the licensing authority is a responsible authority in its own right, it expects other parties such as local residents, Councillors or community groups should make representations in their own right when they are reasonably able to do so rather than rely on the licensing authority to make representations for them.
- 6.13 The Director of Public Health is responsible for making representations and observations on applications on behalf of health bodies. Public health is not a licensing objective, but Public Health is a responsible authority under the Licensing Act, and the licensing authority believes that Public Health has much to add to licensing in relation to the local populations' alcohol related health needs. Health bodies such as Public Health have unique access to data which has been used to create a matrix to highlight areas within districts and boroughs with relatively higher levels of alcohol-related harm. This matrix can be used by other responsible authorities to inform licensing decisions. Public Health is useful in providing evidence of alcohol related health harms particularly in relation to cumulative impact policies.

Panel/Committee Hearings

- 6.14 The Act creates a presumption that applications will be granted unless a valid representation is raised. An application will then be determined by the Licensing Committee/Panel unless the issue that led to the representation can be negotiated to an agreed conclusion between the parties.
- 6.15 The Authority considers the effective and responsible management of the premises, the instruction, training and supervision of staff and the adoption of best practice in the leisure industry (which may include participation in schemes such as Best Bar None, Purple Flag or Business Improvement Districts (BIDs) etc.), to be amongst the most important control measures for the achievement of all of the Licensing Objectives.

Entitlement to work in the UK

- 6.16 All individual applicants applying for a “Premises Licence”, or a “Personal Licence” with this Licensing Authority must submit further documentation to demonstrate their entitlement to live and work in the United Kingdom (UK)
- 6.17 A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:
- does not have the right to live and work in the UK
 - is subject to a condition preventing them from doing work relating to the carrying on of a licensable activity
- Any licence issued in respect of an application made on or after 6 April 2017, will become invalid if the holder ceases to be entitled to work in the UK.
- 6.18 Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways:
- a) by providing, with this application, copies or scanned copies of the documents* which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance; or
 - b) by providing their nine (9) digit 'share code' to enable the Licensing Authority to carry out a check using the Home Office online right to work checking service (see below)

*Applicants are required to submit one (1) of the documents listed at Annex A of the Home Office's Employer right to work checks supporting guidance published on: [Right to work checks: an employer's guide \(GOV.UK\)](#) to show they have permission to be in the UK and are permitted to undertake work in a licensable activity.

Home Office online right to work checking service

- 6.19 To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in their application a nine (9) digit share code (provided to them upon accessing the service at [Prove your right to work to an employer: get a share code \(GOV.UK\)](#)) which, along with the applicant's date of birth, will allow the Licensing Authority to carry out

the check.

7. LICENSING POLICIES

POLICY 1

The Authority expects to see evidence of the effective and responsible management of the licensed premises, such as examples of instruction, training and supervision of staff and the adoption of best practice used in the leisure industry, being specifically addressed within the Operating Schedule.

REASON: To ensure the promotion of the licensing objectives.

- 7.1 Licensing law is not the primary mechanism for the general control of the anti-social behaviour of patrons once they have left the vicinity of the licensed premises rather it is part of a holistic approach to the management of the Borough.
- 7.2 Where appropriate the Authority will seek to identify mechanisms that are available for addressing the potential impact of anti-social behaviour arising both in respect of the management and operation of licensed premises themselves and that arising once patrons leave the licensed premises. Regard will be given to the Section 182 Guidance in this respect and the following may be employed: to address such behaviour and the potential for cumulative impact
- planning controls;
 - positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority;
 - Community Protection Warnings and Notices
 - the provision of CCTV surveillance in town centres, taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols;
 - powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
 - the confiscation of alcohol from adults and children in designated areas;
 - police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;

- prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale);
- police powers to close down instantly for up to 24 hours (extendable to 48 hours) any licensed premises in respect of which a TEN has effect on grounds of disorder, the likelihood of disorder, or noise emanating from the premises causing a nuisance;
- the power of the police, other responsible authorities or other persons to seek a review of a licence or certificate; and
- Early Morning Alcohol Restriction Orders (EMROs).
- Any other local initiatives that similarly address these problems.

POLICY 2

When preparing or considering applications, applicants, responsible authorities, other persons, businesses and the Licensing Authority shall, where appropriate, take into account the following matters in assessing both the potential for the Licensing Objectives to be undermined and the appropriateness of any conditions which may be offered or imposed on any resulting licence, certificate or permission:

- (i) **The nature of the area within which the premises are situated.**
- (ii) **The precise nature, type and frequency of the proposed activities.**
- (iii) **Any measures proposed by the applicant in the Operating Schedule.**
- (iv) **The nature (principally in terms of the age and orderliness) and number of any customers likely to attend the licensed premises.**
- (v) **Means of access to and exit from the premises.**
- (vi) **The provision and availability of adequate seating and the restriction of standing areas**
- vii **Noise from the premises or noise arising from persons visiting the premises**
- (viii) **The potential cumulative impact (see below).**
- (ix) **Other means and resources available to mitigate any impact.**
- (x) **Such other matters as may be relevant to the application.**

REASON: To ensure that all relevant matters are taken into consideration during the application process.

- 7.3 The authority wishes to encourage high quality, well managed premises. The operating schedule should describe how these high management standards will be achieved. In particular applicants will be expected to demonstrate:
- Knowledge of best practice
 - That they understand the legal requirements of operating a licensed business
 - Knowledge and understanding of the licensing objectives, relevant parts of the licensing policy, and their responsibilities under the Licensing Act 2003
- 7.4 The operating schedule must include all of the information necessary to enable the licensing, responsible authorities and members of the public to assess whether the steps outlined for the promotion of the licensing objectives are sufficient. This will mean that applicants will need to complete their own risk assessments on their businesses. Where the operating schedule does not provide enough detail, there is an increased likelihood that representations will be made.
- 7.5 The authority will expect that the completed operating schedule is specific to the premises subject to the application and the licensable activities to be carried out rather than containing general or standard terms
- 7.6 Levels of noise from licensed premises, which may be acceptable at certain times of day, may not be acceptable later in the evening or at night when ambient noise levels are much lower. The main impact of customers arriving, queuing and leaving should be confined to principal pedestrian routes as far as possible. The impact of noise arising from patrons that are temporarily outside the premises (e.g. smoking), must be recognised and mitigated against.
- 7.7 Applicants should carefully consider the hours that they will wish to operate for each licensable activity and when to close their premises for the entry of customers and to require them to leave. They should consider each licensable activity separately and carefully, and reflect this in their operating schedule. Shops, stores and supermarkets will normally be permitted to sell alcohol and or late night refreshment anytime when they are open for shopping unless there are good reasons related to the promotion of the licensing objectives for restricting these hours.

- 7.8 Applicants should consider the benefits of stopping serving alcohol before other licensable activities stop and a suitable time before the premises close and customers must leave. In noise sensitive areas operators should consider ceasing the playing of dance music and switching to quieter, slower tempo music with a less pronounced beat for a period prior to the closure of the premises.
- 7.9 Applicants should also consider making arrangements with local transport operators to provide information to customers to ensure they can access public transport and leave the vicinity of the premises quickly by the most appropriate route.
- 7.10 The Authority is mindful of the responsibilities that licence holders have for preventing anti-social behaviour on and within the vicinity of their premises. The Authority must, however, also bear in mind its statutory duty under the Crime and Disorder Act 1998 to do all it can to prevent crime and disorder in the District. Where appropriate conditions will be imposed which reflect local Crime Prevention strategies.
- 7.11 Applicants are expected to have carried out the relevant assessments under other legislation (e.g. fire precautions, health and safety at work, etc.) prior to submitting their applications. These assessments should be used to identify particular issues which may need to be addressed in the operating schedule in order to ensure that the objectives will not be undermined. Suggested methods of addressing Policy 2 may be outlined in more detail in any guidance issued by the Responsible Authorities but could include the matters listed below where appropriate.
- 7.12 The Council recognises that drug use by people in a 'club' or 'bar' environment is not something that applies to all licensed premises. The Council will expect licensees to take all reasonable steps to prevent the entry of drugs into premises under their control, to take appropriate steps to prevent drugs changing hands within the premises, to take practical measures to prevent tragedies as a result of drug misuse by way of management and design of the premises and work collaboratively with the Police to deal with any such issues.
- 7.13 Licensees should also consider what action will be taken to prevent the spiking of drinks at the premises, i.e. where drugs or alcohol are added to someone's

drink without them knowing. Alcohol is the common substance used to spike drinks. Safety measures could include encouraging customers to ensure their drinks are not left unattended, and the use of publicity material to ensure customers remain vigilant.

- The use of toilet attendants or regular documented toilet checks and searches of the premises
- Training of staff in drug awareness to identify and prevent the supply and use of illegal drugs and new psychoactive substances
- Physical measures to deter drug use on the premises.
- Make customers aware of the risk of drink-spiking
- Train staff in drug awareness issues and ensure sufficient staffing and managerial support to make identification and handling of incidents practicable.
- Ask for Angela' - this initiative advises customers through posters in venue toilets that, if they 'ask for Angela' at the bar, staff will be alerted to the fact that the person feels unsafe or threatened. Staff will know that the individual needs support to leave their situation, and can call them a taxi, escort them to their car or call the police, for example.

7.14 Examples of recommended management practice to minimise Crime and Disorder:

- Use of CCTV both within and outside the premises.
- Metal detection and search facilities.
- Procedures for risk assessing promotions and events such as "happy hours" and plans for minimising such risk.
- Measures to prevent the use or supply of illegal drugs.
- Employment of licensed door supervisors and other appropriately trained staff.
- Participation in an appropriate Pub Watch Scheme or other such scheme aimed at achieving a safe, secure and social drinking environment e.g. bar tariffs (for all bar price lists to carry a guide of how many units of alcohol each individual drink contains) and recommendations that all licensees, managers or supervisors attend regular Pub Watch meetings or send a representative if they cannot attend.
- The licensee providing a taxi call point, waiting and concierge service for taxi marshalling at the licensed premises.

- Use of measures aimed at ensuring patrons are more relaxed and quieter when leaving the licensed premises e.g. playing quieter music and promoting non-alcoholic drinks towards the end of the event, ensuring good lighting outside the premises, staggering the closing time with regard to nearby licensed premises, etc.

7.15 Examples of recommended management practice to ensure public safety:

- The preparation and application of appropriate risk assessments.
- The setting and monitoring of occupancy levels for the premises.
- Reasonable facilities, access and egress for people with disabilities.
- Having glassware policies.

7.16 Examples of recommended management practice for the protection of children and vulnerable adults:

- Exclusion from the premises in certain circumstances.
- Implementation of a robust proof of age scheme.
- Training staff in their responsibility not to serve a person who is drunk
- Encouraging staff to attend vulnerability training
- Providing facilities to support vulnerable adults when assistance is required. (Access to phone and/or charge, cold water, safe room away from others.)

7.17 Supply of Alcohol (Off Sales)

- The display of prominent warning notices about the supply of alcohol to minors
- Knowledge of the offences which adults can commit by buying alcohol for minors
- The requirement for the production of satisfactory proof of age
- A commitment to the promotion of age verification schemes (i.e. Challenge 21/Challenge 25)
- Whether any high strength beers, lagers, ciders, etc. will be made available for sale

7.18 Examples of recommended management practice for preventing nuisance:

- Keeping doors and windows of licensed premises closed to minimise noise break out.

- Sound limiting devices, or insulation to contain sound and vibration so as to address noise break out not only from music but also, for example, from air handling equipment, generators or patrons.
- With popular premises that attract queues ensuring that the direction of any queue is away from residential accommodation.
- Proper and adequate door supervision.
- Erecting prominent notices at the exits to premises asking customers to leave quietly and not to slam car doors and repeating such requests verbally.
- Reducing the volume of music towards the end of the evening and where appropriate playing quieter, more soothing music as the evening winds down.
- Arrangements with licensed taxis or private hire vehicles to take patrons from the premises.
- In appropriate cases door supervisors or a manager patrolling nearby streets to assess for themselves whether there is a problem and how best to deal with it.
- Banning people who regularly leave in a noisy fashion and liaising with other premises on such bans.
- Where the premises have a membership scheme, including provisions in the conditions of membership concerning conduct and noise when leaving the premises.
- Adequate provisions for dealing with litter/refuse arising from the operation of premises.
- Appropriate times for and methods of dealing with bottle delivery, disposal and collection.
- The licensee providing a help line or contact number for concerned residents.

7.19 In some cases it may be helpful for applicants and/or their advisors to discuss their draft Operating Schedule with representatives of Responsible Authorities, before it is formally submitted. This will help ensure it properly addresses all relevant issues that might give rise to concern.

7.20 In order to provide a consistent and clear approach, when considering the addition of conditions to a licence the Licensing Authority will where possible use a condition from a 'pool of potential conditions' that has been agreed by all the Licensing Authorities in Nottinghamshire. Other Responsible Authorities will

be encouraged to do likewise.

- 7.21 Any condition attached to a licence or certificate should be
- clear
 - enforceable
 - evidenced
 - proportionate
 - relevant
 - be expressed in plain language capable of being understood by those expected to comply with them.
- 7.22 As a general rule, the Licensing Authority will seek to avoid attaching conditions that duplicate existing legal requirements and obligations imposed by other regimes unless such obligations and requirements fail to adequately address the specific circumstances of the case.

Outside Areas

- 7.23 The prohibition on smoking in enclosed public spaces has increased the demand for outside areas. Applicants are reminded that whilst they can be a valuable addition to the business, they can cause increased nuisance and disorder for residents. Operating schedules should detail how noise nuisance and disorder will be dealt with
- 7.24 Although consumption of alcohol is not a licensable activity, if the plan does not show outside area such as beer gardens or similar, then any premises licence authorising the sale of alcohol on the premises only would not authorise the use of such areas.

Large Scale Events

- 7.25 Existing licensed premises which intend to run one-off large scale events (and particularly dance events) are encouraged to consult with the responsible authorities and the Safety Advisory Group well in advance of the event taking place, to ensure that the event does not undermine the licensing objectives.

Counter Terrorism

7.26 The licensing authority expects that:

- The venue has robust procedures and relevant training in place and staff are knowledgeable of those procedures to be taken and the necessity of following them in the event of a terrorist incident, such as firearms or weapons attack, including:
 - Evacuation/Invacuation/Lockdown
 - RUN/HIDE/TELL principles
 - How customers will be safeguarded.
- Steps are taken to ensure all people employed at the premises whose job includes being alert to the terrorist threat are aware of:
 - the current terrorist threat level
 - what that level means in relation to the possibility of an attack.
 - Have undertaken the Action Counters Terrorism (ACT) e.learning course within the last 12 months. See note below.
- Risk assessments for public entertainment venues include consideration of the risk of a terrorist attack and the different types of attack. .
- Staff must be clear about what to do if the public report suspicious activity or unusual behaviour to them.
- All suspicious behaviour by customers or members of the public close to the venue must be noted and be reported promptly to the police so that investigations can be made, and action taken, if appropriate.
- Measures to alert staff and visitors of any immediate threat or incident.

Action Counters Terrorism (ACT) training

Further details, updates and to register for the ACT e-learning training course please visit: <https://www.protectuk.police.uk/>

Cumulative Impact

7.27 This potential impact on the promotion of the Licensing Objectives by a significant number of licensed premises concentrated in one area is called “cumulative impact”. This should not be confused with the issue of “need” which relates to the commercial demand for licensed premises and cannot be taken into account when determining licensing applications.

- 7.28 Cumulative Impact Assessments (CIA's) were introduced in the Licensing Act 2003 by the Policing and Crime Act 2017.
- 7.29 A cumulative impact assessment (CIA) may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area.
- 7.30 The CIA must include a statement saying that the licensing authority considers that the number of premises licences and/or club premises certificates in one or more parts of the area described is such that it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. As part of the publication a licensing authority must set out the evidential basis for its opinion.

Any CIA published by the Council must be summarised in the statement of licensing Policy.

- 7.31 The absence of a CIA does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives, However, in each case it would be incumbent on the person making the representation to provide relevant evidence of cumulative impact.
- 7.32 Having taken into account the evidence presented, the Council is satisfied that there are no areas within the Borough presently suffering from cumulative impact. Should this situation change, the Council will consider the available evidence and consult with those bodies and individuals listed in the Licensing Act 2003. If the Council is satisfied that it would be appropriate to publish a CIA, it will be published on the Council's website and a summary will be included in this statement of licensing policy.

Public Space Protection Orders

- 7.33 The authority supports the use of public space protection orders as a tool to prevent alcohol related crime and disorder in the streets. The authority expects premises that operate in areas where DPPOs have been implemented to have measures in place to ensure that their customers do not contribute to drink related anti-social behaviour

Closure Notices

- 7.34 Section 19 of the Criminal Justice and Police Act 2001 (the Act) gives licensing authorities, police and local authorities the power to serve a closure notice where any premises are being used (or have been used within the last 24 hours), for the sale of alcohol for consumption on or in the vicinity of the premises; and the activity was not authorised (premises licence, club premises certificate or temporary event notice) or not in accordance with the conditions of authorisation.
- 7.35 The notice informs the person with control of, or responsibility for, the activities carried on at the premises (normally the licence holder or the designated premises supervisor) that if un-authorised alcohol sales continue, an application may be made to a court under section 20 for an order to close the premises under section 21 of the Act. Such an application cannot be made less than seven days or more than six months after the service of the closure notice under section 19.
- 7.36 Further power to close premises are contained in Anti-Social Behaviour Crime and Policing Act 2014. Closure Notices can be issued if the use of the premises has, or is likely to result in, nuisance and disorder. Under a Closure Notice a premises can be closed for up to 48 hours. A subsequent application can then be made to Magistrates Court for a Closure Order if there is evidence that there is serious nuisance to members of the public or there is disorderly, offensive or criminal behavior on, or likely to be on, the premises. A Closure Order can be made for up to 3 months and a subsequent application can extend for up to a further 3 months.

Encouraging diversity

- 7.37 The Licensing Authority recognises that creating a vibrant night time economy is important. Key to this is ensuring that the area appeals to a wide group of people including families and older adults who may not wish to frequent premises where the main, if not only attraction is the consumption of alcohol.

Applications for premises whose predominant offer is vertical drinking are not encouraged, but if applications are made for such premises, it is expected that the operating schedule will demonstrate robust arrangements for promoting the licensing objectives.

Provisional Statements

- 7.38 Where it is proposed to build or alter premises which may require a premises licence then the Licensing Act permits an application for a Provisional Statement. This application is dealt with in the same way as an ordinary application but does not result in the issue of a premises licence. That is applied for when the premises are complete.
- 7.39 Where a provisional statement has been issued by the Authority and the relevant works are completed satisfactorily then any subsequent application for a premises licence must be granted and any objection which could have been raised at the Provisional Statement stage must be disregarded

Adult Entertainment

- 7.40 The potential for the provision of adult entertainment to impact on the licensing objectives is recognised in the prescribed application form and all applicants are required by the prescribed application form to indicate in their operating schedules whether they intend to provide any such entertainment which may give rise to concerns in respect of children.
- 7.41 The Policing and Crime Act 2009 potentially provides an additional licensing requirement for operators who provide “sexual entertainment venues” to licence them as sex establishments under the Local Government (Miscellaneous Provisions) Act 1982. These are essentially premises which provide live entertainment or performances to a live audience which either

involve nudity (such as lap or pole dancing establishments) or which are for the purpose of sexually stimulating a member of the audience. The licensing provisions are adoptive and do not necessarily apply in every Licensing Authority's district. Broxtowe Borough Council has however adopted those provisions.

- 7.42 Where a business wishes to operate as a sexual entertainment venue it may still need to be licensed under the Licensing Act for the sale of alcohol and the provision of regulated entertainment. The provision of sexual entertainment will however be regulated solely under the terms of any sex establishment licence which may be granted under the 1982 Act. The Licensing Act licence will then continue to regulate the other licensable activities.
- 7.43 Certain forms of adult entertainment are excluded from requiring sex establishment licences under the Local Government (Miscellaneous Provisions) Act 1982, and these will still be regulated under the terms of the Licensing Act 2003.
- 7.44 The provision of adult entertainment on premises may mean that access by children will not be permitted during periods when such entertainment is taking place. Where such entertainment is to be provided under the terms of the premises licence or club premises certificate the Authority expects applicants to include arrangements for restricting children from viewing any adult entertainment in their Operating Schedule. The Authority expects licensees to ensure that any age restrictions for shows or entertainment of an adult or sexual nature are properly complied with. In addition, it may be appropriate to impose age restrictions for persons working in the premises, and applicants are advised to also consider the wider crime and disorder issues which can be associated with such forms of entertainment such as issues relating to drugs and prostitution.
- 7.45 Responsible authorities are likely to continue to consider all applications involving adult entertainment very carefully with regard to the promotion of the licensing objectives within the vicinity in which the premises are located.

Licence Suspensions

- 7.46 The Licensing Act 2003 requires Licensing Authorities to suspend a premises licence or club premises certificate if the annual fee is not paid when it is due unless an administrative error or dispute has been notified to the Licensing Authority. In such cases there will be a grace period of 21 days to allow the matter to be resolved. If the matter is not resolved within the grace period, the licence must be suspended.
- 7.47 Where such a suspension takes place the Licensing Authority must give a minimum of two days notice and may inform the police and other responsible authorities of the suspension. All licensable activities must cease when the suspension takes effect. The suspension will only cease on payment of the outstanding fee irrespective of any transfer or hearing which may take place.

Reviews and Expedited Reviews

- 7.48 At any stage following the grant of a premises licence or club premises certificate a Responsible Authority or any person may ask for a review. Evidence will however be required to show that a specific concern exists relating to one or more of the licensing objectives.
- 7.49 Where a review Hearing is held the Licensing Authority has a variety of options that it may take ranging from taking no action at all, to varying conditions or suspending or revoking the licence. The Guidance reminds the Authority that the powers of review are to be used in the interests of the wider community and not that of the individual licence/certificate holder. Whilst the financial circumstances of the licence/certificate holder will be a consideration for the Licensing Authority, the promotion of the licensing objectives will be the Authority's primary concern. In some circumstances e.g. the use of premises for the purchase and consumption of alcohol by minors, revocation may be considered an appropriate course of action even in the first instance.
- 7.50 Where a licensed premises appears to be associated with serious crime, serious disorder or both, the Police can apply for a 'summary', or 'expedited', review of the premises licence

Early Morning Restriction Orders (EMROs)

- 7.51 The legislation gives licensing authorities discretion to restrict sales of alcohol by introducing an EMRO to restrict the sale or supply of alcohol to tackle high levels of alcohol related crime and disorder, nuisance and anti-social behaviour. The order may be applied to the whole or part of the licensing authority area and if relevant on specific days and at specific times. The licensing authority must be satisfied that such an order would be appropriate to promote the licensing objectives.
- 7.52 The only exemptions relating to EMROs are New Year's Eve and the provision of alcohol to residents in premises with overnight accommodation by means of mini bars and room service.
- 7.53 The decision to implement an EMRO should be evidence based and may include consideration of the potential burden imposed as well as the potential benefits.

Alcohol Delivery Services

- 7.54 An applicant seeking a licence that will enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures that they intend to operate to ensure that:
- That the person they are selling alcohol to is over the age of 18
 - That alcohol is only delivered to a person over the age of 18
 - There is a clear document trail of the order process from order, despatch from the licensed premises and delivery to the customer is maintained (with times and signatures) and available for inspection by an authorised officer.
 - A refusals log will be maintained for deliveries and available for inspection on request
 - The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol
 - Alcohol shall only be delivered to a residential or business address and may not be delivered to a public place
 - Any delivery driver or third party courier will be required to have appropriate age verification training, and in particular they will be required to have

undergone training in refusal of supply where age verification is not provided, or the recipient is clearly intoxicated

- Operators to have systems in place to ensure alcohol is not delivered to problematic house parties or to people who appear drunk and, in such instances, alcohol should be refused and that refusal recorded.

Pavement Licences

7.55 A pavement licence is a licence granted by the local authority which allows the licence-holder to place removable furniture over certain highways adjacent to the premises in relation to which the application was made, for certain purposes. It is important to note the grant of a pavement licence only permits the placing of furniture on the highway.

7.56 A pavement licence does not negate the need to obtain approvals under other regulatory frameworks, such as the need for a licence to sell alcohol, and the need to comply with registration requirements for food businesses. It is important that any pavement licence granted promotes the four licensing objectives.

7.57 For further information on pavement licences please use the link below:
<https://www.broxtowe.gov.uk/for-business/licences-permits/business-licences/pavement-licences/>

Personal Licences

7.58 In most cases the Authority is under a duty to grant a Personal Licence so long as the applicant meets the criteria prescribed in section 120 of the Act. Where an applicant for a Personal Licence has certain types of conviction (for relevant or foreign offences as defined by the act) or, has been required to pay an immigration penalty the Authority is required to notify the police, and, in the case of immigration offences and penalties, the Secretary of State. In these cases a licence will still be granted unless an objection is received within the prescribed period.

POLICY 3

When considering an objection notice or immigration objection notice the authority will take the following matters into consideration

- (i) The circumstances in which the offences were committed or the penalty imposed;
- (ii) The period that has elapsed since the offence(s) were committed or the penalty imposed;
- (iii) Whether the offences/penalty reveal a pattern of offending or were a one-off occurrence; and
- (iv) Any mitigating circumstances.

In consideration of an objection notice the Authority will reject the application/revoke the licence if it considers it appropriate to do so in order to promotion of the crime prevention objective.

In consideration of an immigration objection notice the Authority will reject the application/revoke the licence if it considers it appropriate to do so for the prevention of illegal working in licensed premises.

REASON: Prevention of crime is both an objective of the Licensing Act 2003 and an important responsibility of the Authority under the Crime and Disorder Act 1998. Granting a licence to a person with relevant convictions will in many cases undermine rather than promote the crime prevention objective. Similarly granting licence to a person convicted of an immigration offence or who has paid an immigration penalty will in many cases undermine the prevention of illegal working in licensed premises which itself is a crime.

7.59 Where a Personal Licence holder is convicted of a relevant offence the Court may order that the licence be forfeit. If an applicant is convicted of a relevant offence during the application period and this only comes to light after the licence has been granted or renewed, then the Authority must notify the Chief Officer of Police and if an objection notice is lodged within the relevant period a Hearing will be held to determine whether the licence should be revoked.

7.60 Where the authority is aware that a Personal Licence holder has been convicted of a relevant offence, foreign offence or required to pay an immigration penalty it may suspend the licence for a period not exceeding six months or revoke the licence. Before doing so the Authority will serve a notice on the personal licence holder inviting them to make representations within 28 days regarding:

- The offence /penalty
- Any decision a court made regarding the licence at the time of the conviction
- Any other relevant information (including the holder's personal circumstances)

7.61 After the 28 day period has elapsed the authority will make a decision as to what action it will take based on the information provided to it. In circumstances where the Authority does not propose to revoke the licence, notice must be given to the Chief Officer of Police inviting representations as to whether the licence should be suspended or revoked. **The Act does not require a hearing to be held at any stage during the process**, although the Authority may invite the licence holder to make a personal representation. Licence holders (and the police) will be notified of the Authority's decision in writing along with their right of appeal

Temporary Event Notices

7.62 There are two types of types of Temporary Event Notice,

- A Standard TEN, and
- A Late TEN

A standard TEN must be served no later than ten working days before the event to which it relates and this does not include the day it is given or the day of the event, and a late TEN is served not before nine and not less than five working days before the event to which it relates.

7.63 Whilst the Council recognises that a Temporary Event Notice may be served at least ten clear working days prior to the commencement of a Permitted Temporary Activity (the event), the current Guidance issued under the Act encourages a locally established preferred period of notice. There is a case for not serving such Notices too early as this could make it difficult for a sensible assessment to be made of the implications of such an event on the Crime and Disorder and Prevention of Public Nuisance objective's. The Council considers that a reasonable period of notice for the service of a Temporary Event Notice is 28 days.

7.64 Persons serving Temporary Event Notices must also serve a copy notice on the police and the responsible authority for Environmental Health functions i.e.

the Councils Environmental Health section except when the TEN is served electronically/digitally.

7.65 Further information regarding Temporary Event Notice's is contained on the Councils web pages.

8. Safeguarding and Children

8.1 Broxtowe Borough Council is committed to the Safeguarding of children and vulnerable adults. The Licensing Act places legal responsibilities on holders of Premises licences and Club Premises Certificates and those who work in licensed premises to ensure that children are protected from harm at all times when on licensed premises.

8.2 The Authority in partnership with the police, the Nottinghamshire Safeguarding Board and the Community Safety Partnership works closely with licensed premises in order to build awareness across the industry as to how those that work in such establishments may better recognise the indicators of children and vulnerable adults who may be subject to, or at risk of abuse, exploitation and trafficking and the reporting mechanisms for these concerns.

8.3 When considering applications for new or variations to existing premises the Authority will seek to be assured that applicants have considered the safeguarding of children and vulnerable adults within the operating schedule of the application

8.4 Employers have a duty of care for employees and should adopt a risk based assessment approach to ensuring the safety of all staff working late or unsocial hours to facilitate a safe and affordable journey home
Public Safety is of paramount importance for the licensing authority and a safe night is a priority. The authority supports a number of initiatives in the to improve safety in the night time economy.

- Vulnerability training for staff working in the night time economy
- Ask for Angela <https://askforangela.co.uk/>
- Street Pastors <https://www.streetpastors.org/>
- Best Bar None <https://bestbarnone.com/>
- Pubwatch <https://www.nationalpubwatch.org.uk/>

- Nights of action

8.5 Violence against women and girls' covers a range of unacceptable and deeply distressing crimes, including rape and other sexual offences, stalking, domestic abuse, 'honour'-based abuse (including female genital mutilation, forced marriage and 'honour' killings), 'revenge porn' and 'upskirting', as well as many others. These crimes disproportionately affect women and girls.

The licensing authority supports the Nottinghamshire Police and Crime Commissioners Violence Against Women and Girls Strategy <https://www.nottinghamshire.pcc.police.uk/Public-Information/Publications-and-Leaflets.aspx> and positively promotes and supports initiatives driven by this agenda.

8.6 Where there are concerns over the potential for harm to children from licensable activities the Authority recognises the following body as competent to advise on matters relating to the protection of children from harm:

- **The Nottinghamshire Safeguarding Children Board.**

Applications should therefore be copied to this body in its capacity as a responsible authority

8.7 Examples which may give rise to concerns in respect of children include those:

- Where there have been convictions for serving alcohol to minors
- Where there is a reputation for underage drinking
- Where there is a known association for drug taking or dealing
- Where there is a strong element of gambling on the premises
- Where entertainment of an adult or sexual nature is provided

8.8 Where premises are used for film exhibitions, the Authority will impose the mandatory condition restricting access only to persons who meet the required age limit in line with any certificate granted by the British Board of Film Classification or the Authority itself.

- 8.9 The Authority expects applicants to include any arrangements for restricting under-age children from viewing age-restricted films in their Operating Schedule. The Authority expects that licensees will ensure that any age restrictions for cinema exhibitions are properly complied with.
- 8.10 It is recommended that all alcohol licensed premises follow the Portman Group Code of Practice, in particular that relating to particular appeal to under-18s. More information can be found at www.portmangroup.org.uk

POLICY 4

Where representations have raised concerns in respect of individual premises and it is felt that access of children should be restricted, the Authority will consider imposing conditions which may include the following:

- (i) Limitations on the hours when children may be present.**
- (ii) Age limitations for persons under 18.**
- (iii) Limitations or exclusion when certain activities are taking place.**
- (iv) Full exclusion of persons under 18 when certain licensable activities are taking place.**
- (v) Limitations of access to certain parts of the premises for persons under 18.**
- (vi) A requirement for adults to be present.**

REASON: To protect children from harm.

- 8.11 Applicants seeking a licence that would enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures they intend to operate to ensure that:
- The person they are selling alcohol to is over 18
 - That alcohol is only delivered to a person over 18
 - That a clear document trail of the order process from order to delivery is maintained (with times and signatures) and available for inspection by an authorised officer
 - The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol.

Age verification policies

- 8.12 It is mandatory for premises which sell or supply alcohol to have an age verification policy in place. The Council favours the Challenge 25 scheme and such a scheme volunteered as part of an operating schedule will be given the appropriate weight when the Council determines the licence application.

9. EQUALITY AND DIVERSITY

- 9.1 Broxtowe Borough Council is committed to promoting equal opportunities, valuing diversity and tackling social exclusion. The Council will aim to provide opportunities that meet the diverse needs of different people and groups of people by ensuring that services and employment opportunities are accessible to all. Everyone will be treated fairly and with respect. Diverse needs will be understood and valued. The Council will aim to eradicate all forms of discrimination

Further information on the Council's policy can be viewed on the website at [Broxtowe Borough Council Website](#)

- 9.2 Advice and guidance will be made available in English which is the most common language of customers and stakeholders. On request the Council will signpost customers to providers of guidance and information relating to translation services.

10 GENERAL ENFORCEMENT STATEMENT

- 10.1 All decisions, determinations, inspections and enforcement action taken by the Authority will have regard to the relevant provisions of the Licensing Act 2003, national guidance, relevant codes of practice and the enforcement policy of the Council
- 10.2 The Authority has established and maintains enforcement protocols with the local police and other relevant enforcement agencies.

11. MONITORING AND REVIEW OF THIS STATEMENT OF POLICY

- 11.1 This Statement of Policy will be reviewed within legislative timescales and as and when appropriate. In preparing the succeeding Statement of Policy regard will be had to data and information collated over the operating period of the current policy together with trends and the outcome of related initiatives from both local sources and nationally issued data and guidance.

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APPENDIX 2

EQUALITY IMPACT ASSESSMENT (EIA)

Directorate:
Chief Executive's
Lead Officer Responsible for EIA:
Name of the policy or function to be assessed:
Statement of Licensing Policy 2024-2029
Names of the officer undertaking the assessment:
Is this a new or an existing policy or function?
Existing
<p>1. What are the aims and objectives of the policy or function?</p> <p>This Policy Statement aims to establish sensible controls and appropriate guidance to encourage and further the efforts that are being made by the Council and its partners together with the licensed trade to help the Authority deal with issues that may arise from licensable activities.</p> <ol style="list-style-type: none"> 1. The sale by retail of alcohol 2. The supply of alcohol by or on behalf of a club to a member 3. The provision of regulated entertainment 4. The provision of late night refreshment <p>This will be achieved by:</p> <ul style="list-style-type: none"> • Establishing and building upon best practice within the industry; • Recognising and facilitating the role of partners and stakeholders; • Encouraging self-regulation by licensees and managers; • Providing a clear basis for the determination of licence applications; and • Supporting related policies and strategies of the Borough Council. • An inspection and enforcement regime targeted at premises that present a high risk. <p>The Licensing Authority must carry out its functions under the Licensing Act 2003 with a view to supporting the four Licensing Objectives:</p> <ul style="list-style-type: none"> • The prevention of crime and disorder; • Public safety; • The prevention of public nuisance; and • The protection of children from harm.

2. What outcomes do you want to achieve from the policy or function?

The policy is intended to define how applications are made and dealt with under the relevant legislation. It also sets out matters that applicants must consider when making such applications and gives clear guidance on matters to be considered by the licensing authority when determining the applications. It will also assist in supporting the Council's objectives as set out in the Equality and Diversity Policy

The policy will integrate with other initiatives that will:

- Reduce crime and disorder
- Encourage tourism, creating a vibrant licensed economy
- Reduce alcohol misuse
- Ensure the safety of children and vulnerable adults in the licensed economy
- Ensure a fair and consistent approach to the consideration of applications and management of those premises granted a licence.

3. Who is intended to benefit from the policy or function?

Applicants, Responsible Authorities, other stakeholders, the public and the licensing authority will benefit from the policy. In particular, Councillors, ensuring that as decision makers and representatives of their residents, they understand the considerations required.

Responsible Authorities are:

- the relevant licensing authority and any other licensing authority in whose area part of the premises is situated;
- the chief officer of police;
- the local fire and rescue authority;
- the relevant enforcing authority under the Health and Safety at Work etc Act 1974;
- the local authority with responsibility for environmental health;
- the local planning authority;
- a body that represents those who are responsible for, or interested in, matters relating to the protection of children from harm;
- each local authority's Director of Public Health (DPH) in England
- the local weights and measures authority (trading standards); and
- Home Office Immigration Enforcement (on behalf of the Secretary of State).

4. Who are the main stakeholders in relation to the policy or

function?

Operators of licensed premises, Responsible Authorities, the public and the licensing authority are all stakeholders in the policy. The Policy is statutorily reviewed every 5 years. The policy review is widely consulted upon with all stakeholders.

5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?

According to research undertaken by the Joseph Rowntree Foundation, (Ethnicity and alcohol; – A review of the literature Hurcombe, Bailey & Goodman. Joseph Rowntree Foundation 2010) overall, most minority ethnic groups have higher rates of abstinence, and lower levels of frequent drinking and heavy drinking compared with the British population as a whole and to people from white backgrounds. However, there is considerable variation between and within different minority ethnic group populations in their drinking behaviours and frequent and heavy drinking can occur in some communities. The controls provided by the reviewed policy will affect all equality strands equally

There are 389 premises licensed by the authority.

- 196 on/off/both Licensed premises
- 109 are licensed for off sales only.
- 16 premises hold Club premises certificates.
- 26 premises are licensed for Late Night Refreshment only
- 58 community premises which are licensed for entertainment only (no sale of alcohol).

6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?

The Licensing policy references equality issues in paragraph 9.1:

Broxtowe Borough Council is committed to promoting equal opportunities, valuing diversity and tackling social exclusion. The Council will aim to provide opportunities that meet the diverse needs of different people and groups of people by ensuring that services and employment opportunities are accessible to all. Everyone will be treated fairly and with respect. Diverse needs will be understood and valued. The Council will aim to eradicate all forms of discrimination

The Licensing Authority working in partnership in particular with Nottinghamshire Police and their Licensing team follow a policy of early intervention when any issues arise.

Test purchasing for under age sales by Police and Trading Standards Officers has resulted in a limited number of fixed penalties being issued but no premises prosecuted for offences. Anecdotally there are few reports of under-age sales.

There are three Pubwatch schemes operating in the Borough supporting the aims and objectives of the policy.

There have been no reported issues relating to any of the equality strands.

The House of Lords Select Committee on the Licensing Act 2003 in 2017 concluded that:

“We do not recommend adding as a licensing objective “compliance with the Equality Act 2010” or “securing accessibility for disabled persons”.

7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?

The Statement of Licensing Policy is reviewed and widely consulted upon every 5 years. This is a statutory function of the Licensing Authority. Consultees are identified in the Licensing Act 2003 and the consultation process includes a number of other interest parties:

- All Broxtowe Borough Councillors
- All Parish/Town Councils within the borough
- All Broxtowe Borough Council Heads of Service
- CAMRA
- Association of Convenience Stores
- Local MPs
- East Midland Ambulance Service
- Children and Adult Safeguarding Boards
- Licensing Solicitors
- Licensed Premises Operators
- Club Operators
- Nottinghamshire Police

Association of Licensed Multiple Retailers
Health & Safety Executive
Nottinghamshire Police
Principal Community Safety Officer
Nottinghamshire Fire & Rescue Service
Association of Town Centre Managers
Trading Standards Service
British Beer & Pub Association
British Institute of Innkeeping
NHS – Nottinghamshire County
All Pubwatches
Local Taxi Operators

There were five responses to the previous consultation in 2018, none of which related to any equality strands.

There will be a consultation on the 2019-24 policy review and full use will be made of the Council's website consultation process as well. Should any response from the current consultation indicate concerns, the matter will be reported to the Licensing and Appeals Committee for consideration and resolution.

The policy will remain under review throughout its lifetime and may be subject to early review if required.

8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways?

In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:

- Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified?**

The Council aims to ensure that services provided are relevant to the needs of all sections of the communities. The stated policies are not expected to adversely affect any of the protected equalities groups highlighted in this assessment. The Council is aware of the negative impact of alcohol on some specific groups

(children, those with mental health issues, particular ethnic groups), therefore in some cases the reviewed policy may have a positive effect.

The policy does not target or exclude any particular body. However, a number of issues of vulnerability and safeguarding are addressed in the statement.

Paragraph 7.14 and Section 8 identify matters in relation to safeguarding of children and other vulnerable persons.

Whilst licensees are able to ban persons from their premises. They are under a duty not to discriminate on grounds of equality.

The policy at 7.37 actively encourages diversity in the licensed economy.

The policy also outlines measures and limitations in respect of “adult entertainment”

- **Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified?**

The revised policy will apply equally across all groups and communities in the borough.

- **Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function?**

There are no barriers in respect of the policy being accessed and utilised by any equality group or community. The policy is available for all to use.

- **Could the policy or function promote or contribute to equality and good relations between different groups? If so, how?**

The implementation of the Licensing Act and the Statement of Licensing Policy engendered a close working relationship with all stakeholders across the County. Safeguarding and vulnerability issues have been and continue to be dealt with by the Nottinghamshire Authorities Licensing Group (NALG). Work is ongoing in respect of CSE and vulnerability issues at licensed premises.

- **What further evidence is needed to understand the impact on**

equality?

Should any evidence arise as a result of the comprehensive consultation process or indeed become apparent during the life of the statement, it will be considered and if necessary acted upon. There are no barriers to revisiting the statement and revising if necessary throughout the five year period.

9. On the basis of the analysis above what actions, if any, will you need to take in respect of each of the equality strands?**Age:**

One of the licensing objectives is protection of children from harm. NALG will continue to work in partnership with Nottinghamshire Police and the County Safeguarding Boards to address the issues of CSE and vulnerability on Licensed premises.

The statement of policy supports these initiatives.

Disability:

No adverse impact has been identified. However, businesses have a duty under national legislation to make reasonable adjustments for people with disabilities. Should there be any reported incidents or issues, the licensing team will liaise with planning to assist in resolving matters.

Gender Reassignment:

No adverse impact has been identified through previous consultations, premises visits and on-going monitoring. Should any matters arise, the licensing team will liaise with the appropriate partners to resolve matters.

Marriage and Civil Partnership:

No adverse impact has been identified through previous consultations, premises visits and on-going monitoring. Should any matters arise, the licensing team will liaise with the appropriate partners to resolve matters.

Pregnancy and Maternity:

No adverse impact has been identified through previous consultations, premises visits and on-going monitoring. Should any matters arise, the licensing team will liaise with the appropriate partners to resolve matters.

Race:

No adverse impact has been identified through previous consultations, premises visits and on-going monitoring. Should any matters arise, the licensing team will liaise with the appropriate partners to resolve matters.

Religion and Belief:

No adverse impact has been identified through previous consultations, premises visits and on-going monitoring. Should any matters arise, the licensing team will liaise with the appropriate partners to resolve matters.

Sex:

No adverse impact has been identified through previous consultations, premises visits and on-going monitoring. The issue of adult entertainment is addressed in the statement. Should any matters arise, the licensing team will liaise with the appropriate partners to resolve matters.

Sexual Orientation:

No adverse impact has been identified through previous consultations, premises visits and on-going monitoring. Should any matters arise, the licensing team will liaise with the appropriate partners to resolve matters.

Head of Service:

I am satisfied with the results of this EIA. I undertake to review and monitor progress against the actions proposed in response to this impact assessment.

Signature of Head of Service:



APPENDIX 3

TIMESCALE FOR ADOPTION OF REVISED STATEMENT OF LICENSING POLICY

- 12.09.2023 Draft SOLP presented to the Licensing and Appeals Committee for approval for consultation
- 13.09.2023 SOLP Consultation commences.
- 25.10.2023 SOLP Consultation closes
- 25.10.2023 Consideration of consultation responses and amendment of SOLP as necessary
- 14.11.2023 SOLP presented to Licensing and Appeals Committee for approval to be adopted by Council
- 13.12.2023 SOLP presented to Council for adoption and publication.
- 07.01.2024 Publication of revised SOLP

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APPENDIX 4

Statement of Licensing Policy 2024-2029

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Policy Section	Suggested Change	Reason for Change
<p>Paragraph 4.2 Additional wording</p>	<p>However, existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required by the local planning authority to provide suitable mitigation before the development has been completed.</p>	<p>Addition to paragraph to reflect updated S182 Statutory Guidance in respect of “Agent of Change”</p>
<p>Paragraph 4.4 In light of this, this authority has reviewed Public Health indicators both at District level from the Local Alcohol Profiles for England and at sub-district level.</p>	<p>In light of this, public health indicators both at District level from the Local Alcohol Profiles for England and at sub-district level have been reviewed.</p>	<p>Wording amended by Nottinghamshire Public Health Team</p>
<p>Paragraphs 4.6 – 4.7 4.6 Measures used were selected for their relevance to licensing and public</p>	<p>4.6 Measures used were selected for their relevance to licensing and public</p>	<p>Wording updated and amended by Nottinghamshire Public Health Team</p>

Policy Section	Suggested Change	Reason for Change
<p>health and their availability at sub-district level and include alcohol-related hospital admissions, anti-social behaviour, crimes against the person including domestic violence, rate of persons in treatment for substance misuse, an estimate of the percentage of the population drinking at least once a day and deprivation.</p> <p>4.7 This has identified some areas with relatively higher levels of harm and for Broxtowe this includes parts of: Eastwood, Kimberley, Awsworth, Stapleford, Chilwell, Beeston and Attenborough. Applications within these areas or surroundings should be aware of, and give consideration to, their contribution to the burden of alcohol-related harms to the health and wellbeing within the community</p>	<p>health and their availability at sub-district level and include:</p> <ul style="list-style-type: none"> • alcohol-related hospital admissions • anti-social behaviour • crimes against the person including domestic violence • rate of persons in treatment for substance use • an estimate of the percentage of the population drinking at least once a day and • deprivation. <p>4.7 These measures have been used to create a matrix which ranks small area within Broxtowe in relation to overall levels of harm associated with alcohol. The matrix can be used to support responsible Authorities to make representations where required based on the rank, and therefore the levels of overall harm, for the area in which a licensing application has been made. This data analysis has identified some areas with relatively higher levels of harm and for Broxtowe these are:</p> <ul style="list-style-type: none"> • Parts of Stapleford North, South East • Parts of Chilwell West • Parts of Beeston North, West, Central, Rylands 	

Policy Section	Suggested Change	Reason for Change
	<ul style="list-style-type: none"> • Eastwood St. Marys • Kimberley • Awsworth, Cossall and Trowell <ul style="list-style-type: none"> ○ South Part, not Awsworth • Parts of Attenborough and Chilwell East <ul style="list-style-type: none"> ○ Attenborough part <p>Applications within these areas or surrounding areas should be aware of, and consider, their contribution to the burden of alcohol-related harms to the health and wellbeing within the community. All applicants are encouraged to provide details of any mitigating measures they plan to put in place to reduce alcohol-related harms within their application. Further information</p>	
<p>Paragraph 6.2</p> <p>Additional wording</p>	<p>Substantial changes to premises should be dealt with by way of a new application</p>	<p>To reflect changes in S182 Statutory guidance</p>
<p>Paragraph 6.13</p> <p>6.13 The Director of Public Health is responsible for making representations and observations on applications on behalf of health bodies. Public health is not yet a licensing objective but Public Health is a responsible authority under the Licensing Act, and the licensing</p>	<p>6.13 The Director of Public Health is responsible for making representations and observations on applications on behalf of health bodies. Public health is not a licensing objective, but Public Health is a responsible authority under the Licensing Act, and the licensing</p>	

Policy Section	Suggested Change	Reason for Change
<p>authority believes that public health has much to add to licensing in relation to the local populations' alcohol related health needs. Health bodies such as Public Health have unique access to data not available to other responsible authorities which may inform licensing decisions. Public Health is useful in providing evidence of alcohol related health harms particularly in relation to cumulative impact policies.</p>	<p>authority believes that Public Health has much to add to licensing in relation to the local populations' alcohol related health needs. Health bodies such as Public Health have unique access to data which has been used to create a matrix to highlight areas within districts and boroughs with relatively higher levels of alcohol-related harm. This matrix can be used by other responsible authorities to inform licensing decisions. Public Health is useful in providing evidence of alcohol related health harms particularly in relation to cumulative impact policies.</p>	
<p>Paragraph 6.16 – 6.19</p> <p>Additional Wording</p>	<p>6.16 All individual applicants applying for a “Premises Licence”, or a “Personal Licence” with this Licensing Authority must submit further documentation to demonstrate their entitlement to live and work in the United Kingdom (UK)</p> <p>6.17 A licence may not be issued to an individual or an individual in a partnership which is not a limited</p>	<p>Added “Entitlement to work in the UK” to reflect updated content of S182 Statutory Guidance.</p>

Policy Section	Suggested Change	Reason for Change
	<p>liability partnership who is resident in the UK who:</p> <ul style="list-style-type: none"> • does not have the right to live and work in the UK • is subject to a condition preventing them from doing work relating to the carrying on of a licensable activity <p>Any licence issued in respect of an application made on or after 6 April 2017, will become invalid if the holder ceases to be entitled to work in the UK.</p> <p>6.18 Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways:</p> <p>a) by providing, with this application, copies or scanned copies of the documents* which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance; or</p>	

Policy Section	Suggested Change	Reason for Change
	<p>b) by providing their nine (9) digit 'share code' to enable the Licensing Authority to carry out a check using the Home Office online right to work checking service (see below)</p> <p>*Applicants are required to submit one (1) of the documents listed at Annex A of the Home Office's Employer right to work checks supporting guidance published on: <u>Right to work checks: an employer's guide (GOV.UK)</u> to show they have permission to be in the UK and are permitted to undertake work in a licensable activity.</p> <p>Home Office online right to work checking service</p> <p>6.19 To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in their application a nine (9) digit share code (provided to them upon accessing the service at <u>Prove your right to work to an employer: get a share code (GOV.UK)</u>) which, along with the applicant's date of birth, will</p>	

Policy Section	Suggested Change	Reason for Change
	allow the Licensing Authority to carry out the check.	
<p>Paragraph 7.13</p> <p>Additional wording</p>	<p>7.13 Licensees should also consider what action will be taken to prevent the spiking of drinks at the premises, i.e. where drugs or alcohol are added to someone’s drink without them knowing. Alcohol is the common substance used to spike drinks. Safety measures could include encouraging customers to ensure their drinks are not left unattended, and the use of publicity material to ensure customers remain vigilant.</p> <ul style="list-style-type: none"> • The use of toilet attendants or regular documented toilet checks and Searches of the premises • Training of staff in drug awareness to identify and prevent the supply and use of illegal drugs and new psychoactive substances • Physical measures to deter drug use on the premises. • Make customers aware of the risk of drink-spiking • Train staff in drug awareness issues and ensure sufficient staffing and managerial support to 	<p>Additional information giving advice on spiking issues.</p>

Policy Section	Suggested Change	Reason for Change
	<p>make identification and handling of incidents practicable.</p> <ul style="list-style-type: none"> • Ask for Angela' - this initiative advises customers through posters in venue toilets that, if they 'ask for Angela' at the bar, staff will be alerted to the fact that the person feels unsafe or threatened. Staff will know that the individual needs support to leave their situation, and can call them a taxi, escort them to their car or call the police, for example. 	
<p>Paragraph 7.26</p> <p>Additional paragraph</p>	<p>7.26 <u>Counter Terrorism</u></p> <p>The licensing authority expects that:</p> <ul style="list-style-type: none"> • The venue has robust procedures and relevant training in place and staff are knowledgeable of those procedures to be taken and the necessity of following them in the event of a terrorist incident, such as firearms or weapons attack, including: <ul style="list-style-type: none"> ○ Evacuation/Invacuation/Lockdown ○ RUN/HIDE/TELL principles ○ How customers will be safeguarded. 	<p>Advice added on counter terrorism matters following the introduction of Martyn's Law.</p> <p>Information provided by Nottinghamshire Police Counter Terrorism Security Advisor</p>

Policy Section	Suggested Change	Reason for Change
	<ul style="list-style-type: none"> • Steps are taken to ensure all people employed at the premises whose job includes being alert to the terrorist threat are aware of: <ul style="list-style-type: none"> ○ the current terrorist threat level ○ what that level means in relation to the possibility of an attack. ○ Have undertaken the Action Counters Terrorism (ACT) e.learning course within the last 12 months. See note below. • Risk assessments for public entertainment venues include consideration of the risk of a terrorist attack and the different types of attack. . • Staff must be clear about what to do if the public report suspicious activity or unusual behaviour to them. • All suspicious behaviour by customers or members of the public close to the venue must be noted and be reported promptly to the police so that investigations can be made, and action taken, if appropriate. • Measures to alert staff and visitors of any immediate threat or incident. <p>Action Counters Terrorism (ACT)</p>	

Policy Section	Suggested Change	Reason for Change
	<p>training Further details, updates and to register for the ACT e-learning training course please visit: https://www.protectuk.police.uk/</p>	
<p>Paragraphs 7.34 - 7.36</p> <p>Additional information</p>	<p>Closure Notices</p> <p>7.34 Section 19 of the Criminal Justice and Police Act 2001 (the Act) gives licensing authorities, police and local authorities the power to serve a closure notice where any premises are being used (or have been used within the last 24 hours), for the sale of alcohol for consumption on or in the vicinity of the premises; and the activity was not authorised (premises licence, club premises certificate or temporary event notice) or not in accordance with the conditions of authorisation.</p> <p>7.35 The notice informs the person with control of, or responsibility for, the activities carried on at the premises (normally the licence holder or the designated premises supervisor) that if un-authorized alcohol sales continue, an application may be made to a court under section 20 for an order to close</p>	<p>Information provided on closure notices.</p>

Policy Section	Suggested Change	Reason for Change
	<p>the premises under section 21 of the Act. Such an application cannot be made less than seven days or more than six months after the service of the closure notice under section 19.</p> <p>7.36 Further power to close premises are contained in Anti-Social Behaviour Crime and Policing Act 2014. Closure Notices can be issued if the use of the premises has, or is likely to result in, nuisance and disorder. Under a Closure Notice a premises can be closed for up to 48 hours. A subsequent application can then be made to Magistrates Court for a Closure Order if there is evidence that there is serious nuisance to members of the public or there is disorderly, offensive or criminal behavior on, or likely to be on, the premises. A Closure Order can be made for up to 3 months and a subsequent application can extend for up to a further 3 months.</p>	
<p>Paragraph 7.50</p> <p>Additional paragraph</p>	<p>7.50 Where a licensed premises appears to be associated with serious crime, serious disorder or both, the Police can</p>	<p>Reference to expedited reviews added for clarity</p>

Policy Section	Suggested Change	Reason for Change
	<p>apply for a 'summary', or 'expedited', review of the premises licence</p>	
<p>Paragraph 7.54</p> <p>Additional paragraph</p>	<p>7.54 Alcohol Delivery Services</p> <p>An applicant seeking a licence that will enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures that they intend to operate to ensure that:</p> <ul style="list-style-type: none"> • That the person they are selling alcohol to is over the age of 18 • That alcohol is only delivered to a person over the age of 18 • There is a clear document trail of the order process from order, despatch from the licensed premises and delivery to the customer is maintained (with times and signatures) and available for inspection by an authorised officer. • A refusals log will be maintained for deliveries and available for inspection on request • The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol 	<p>Additional guidance added in respect of alcohol delivery services as such applications are becoming more common.</p>

Policy Section	Suggested Change	Reason for Change
	<ul style="list-style-type: none"> • Alcohol shall only be delivered to a residential or business address and may not be delivered to a public place • Any delivery driver or third party courier will be required to have appropriate age verification training, and in particular they will be required to have undergone training in refusal of supply where age verification is not provided, or the recipient is clearly intoxicated • Operators to have systems in place to ensure alcohol is not delivered to problematic house parties or to people who appear drunk and, in such instances, alcohol should be refused and that refusal recorded. 	
<p>Paragraphs 7.55 – 7.57</p> <p>Additional paragraph</p>	<p>7.55 Pavement Licences A pavement licence is a licence granted by the local authority which allows the licence-holder to place removable furniture over certain highways adjacent to the premises in relation to which the application was made, for certain purposes. It is important to note the grant of a pavement licence only permits the placing of furniture on the highway.</p>	<p>Additional guidance on pavement licensing added for clarity.</p>

Policy Section	Suggested Change	Reason for Change
	<p>7.56 A pavement licence does not negate the need to obtain approvals under other regulatory frameworks, such as the need for a licence to sell alcohol, and the need to comply with registration requirements for food businesses. It is important that any pavement licence granted promotes the four licensing objectives.</p> <p>7.57 For further information on pavement licences please use the link below: https://www.broxtowe.gov.uk/for-business/licences-permits/business-licences/pavement-licences/</p>	
<p>Paragraphs 8.4 -8.5</p> <p>Additional Paragraphs</p>	<p>8.4 Employers have a duty of care for employees and should adopt a risk based assessment approach to ensuring the safety of all staff working late or unsocial hours to facilitate a safe and affordable journey home Public Safety is of paramount importance for the licensing authority and a safe night is a priority. The authority supports a number of initiatives in the to improve safety in the night time economy.</p> <ul style="list-style-type: none"> • Vulnerability training for staff working in the night time economy 	<p>Advice giver with reference to customer and staff safety following concerns expressed. References to best practice schemes included.</p>

Policy Section	Suggested Change	Reason for Change
	<ul style="list-style-type: none"> • Ask for Angela https://askforangela.co.uk/ • Street Pastors https://www.streetpastors.org/ • Best Bar None https://bestbarnone.com/ • Pubwatch https://www.nationalpubwatch.org.uk/ • Nights of action <p>8.5 Violence against women and girls’ covers a range of unacceptable and deeply distressing crimes, including rape and other sexual offences, stalking, domestic abuse, ‘honour’-based abuse (including female genital mutilation, forced marriage and ‘honour’ killings), ‘revenge porn’ and ‘upskirting’, as well as many others. These crimes disproportionately affect women and girls. The licensing authority supports the Nottinghamshire Police and Crime Commissioners Violence Against Women and Girls Strategy https://www.nottinghamshire.pcc.police.uk/Public-Information/Publications-and-Leaflets.aspx and positively promotes and supports initiatives driven by this agenda.</p>	

Policy Section	Suggested Change	Reason for Change
Paragraph 8.10 Paragraph added	8.10 It is recommended that all alcohol licensed premises follow the Portman Group Code of Practice, in particular that relating to particular appeal to under-18s. More information can be found at www.portmangroup.org.uk	Added to reflect advice given in S182 Guidance

Report of the Chief Executive

HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE SPECIFICATION – ENGINE SIZE
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1. Purpose of Report

To consider a request from the taxi trade to amend the current specification of hackney carriage and private hire vehicle engine capacity as outlined in the Council's Hackney Carriage and Private Hire Vehicle Policy (the Policy).

2. Recommendation

The Committee is asked to CONSIDER and RESOLVE the request accordingly.

3. Detail

The current specification for all vehicles as set out in the Policy in terms of cubic capacity (cc) is a minimum of 1400cc. This has been the case since 3 December 2019 when the minimum capacity was reduced from 1500cc to 1400cc.

It has been requested from members of the taxi trade that the Committee considers reducing the minimum capacity further.

A number of advances in engine technology have been made since the specification was approved in 2019. BHP (Brake Horse Power) produced by engines as a ratio to the capacity is now more efficient and allows for smaller engines (less than 1400cc) with turbos which are more fuel efficient rather than some of the larger cubic capacity engines.

Vehicles less than 1400cc could be accepted providing they are not less than 90 BHP or 67.1KW (this can be found on the vehicle log book V5 under reference P2).

All vehicles must comply with all other specifications listed as customer safety and comfort is the Council's primary concern.

Such a move would assist the Council in continuing to seek ways to reduce carbon emissions and improve the environment as smaller, more fuel-efficient cars will have a much smaller carbon footprint.

If the committee is minded to approve such vehicles the policy would be amended as set out in appendix 1. An Equality Impact Assessment is attached as appendix 2.

The following sentence would also be deleted from paragraph 6 as Nottingham does not have a Clean Air Zone.

“These levels are in line with Nottingham City Council’s Clean Air Zone proposals due to take effect in 2019”.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

There are no direct financial implications arising from this report, although the change in parameters could generate a nominal increase in vehicle applications and income.

5. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

The legal and policy considerations are contained within the report, therefore there are no direct legal implications arising from the report.

6. Human Resources Implications

The comments from the Human Resources Manager were as follows:

No comments

7. Union Comments

The Union comments were as follows:

No comments

8. Climate Change Implications

Reducing engine sizes is an effective way to reduce carbon emissions. Smaller engines use less fuel, produce fewer carbon emissions and help to improve overall fuel efficiency.

9. Data Protection Compliance Implications

This report does not contain any [OFFICIAL (SENSITIVE)] information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

N/A

11. Background Papers

Nil

APPENDIX 1

Paragraph 6.3

From 13 June 2018 all petrol vehicles licensed for the first time by Broxtowe Borough Council will be required to meet the following Euro Emission Standard

- Petrol vehicles Euro 5

From 13 June 2018 all diesel vehicles licensed for the first time by Broxtowe Borough Council will be required to meet the following Euro Emission Standard

- Diesel vehicles Euro 6

From 26 September 2017 all electric vehicles will be required to meet the following Euro Emission Standard

- Zero emission vehicles Minimum 67.1kW

Note: Hybrid vehicles will be required to have a minimum of 90 Brake Horse Power

Policy Appendix I

A VEHICLE MUST HAVE: -

1. A minimum of 95 Brake Horse Power and:

- Diesel vehicles Euro 6 Compliant
- Petrol vehicles Euro 5 Compliant
- Zero emission vehicles Minimum 63.1 KW

Note: Hybrid vehicles will be required to have a minimum of 90 Brake Horse Power

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EQUALITY IMPACT ASSESSMENT (EIA)

Directorate: **Chief Executive**

Lead officer responsible for EIA:

Name of the policy or function to be assessed:

Hackney Carriage and Private Hire Licensing Policy – Engine size

Names of the officers undertaking the assessment:

Is this a new or an existing policy or function?

Existing

1. What are the aims and objectives of the policy or function?

This policy and related procedures will advise applicants of the standards and requirements that must be met and guide the Council in the way it carries out its licensing functions.

It is important that hackney carriage and private hire vehicles meet regulatory standards and are able to convey passengers safely and comfortably, ensuring that the customer experience is a positive one.

The overall aim of hackney carriage and private hire licensing is to protect the public and promote public safety.

2. What outcomes do you want to achieve from the policy or function?

To enable the Council to carry out its hackney carriage and private hire licensing functions with a view to promoting the following objectives:

The protection of the public, safeguarding children and the vulnerable, and the prevention of crime and disorder.

The safety and health of the public and drivers.

Vehicle safety, comfort and access.

Encouraging environmental sustainability.

3. Who is intended to benefit from the policy or function?

Drivers, vehicle owners/proprietors, Operators, Passengers, vulnerable adults and children.

4. Who are the main stakeholders in relation to the policy or function?

Drivers, vehicle owners/proprietors, Operators, Passengers, vulnerable adults and children.

5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?

Currently all vehicles are 1400cc or greater.

There are currently 5 Electric vehicles on the fleet

There are 38 hybrid vehicles

6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?**7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?**

None carried out

8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways?

In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:

Does the policy or function target or exclude a specific equality group or community?

NO. The proposed amendment does not target or exclude any specific equality groups or community

Does it affect some equality groups or communities differently? If yes, can this be justified?

NO

Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified?

YES. The proposed amendment does not change this element of the policy.

Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function?

NO. This is not impacted by the proposed amendment to the policy.

Could the policy or function promote or contribute to equality and good relations between different groups? If so, how?

This is not impacted by the proposed amendment to the policy.

What further evidence is needed to understand the impact on equality?

NONE

9. On the basis of the analysis above, what actions, if any, will you need to take in respect of each of the equality strands?

Age:

Disability:

Gender:

Gender Reassignment:

Marriage and Civil Partnership:

Pregnancy and Maternity:

Race:

Religion and Belief:

Sexual Orientation:

There are no actions necessary in respect of any equality strand. The proposed amendment will have no impact on equality matters.

10. Head of Service:

I am satisfied with the results of this EIA. I undertake to review and monitor progress against the actions proposed in response to this impact assessment:

Signature of Head of Service:

A solid black rectangular box redacting the signature of the Head of Service.

Report of the Chief Executive

AMENDMENT TO THE HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE POLICY AGE OF VEHICLE

1. Purpose of Report

To consider a request from the taxi trade to amend the current age policy for hackney carriage and private hire vehicles as outlined in the Council's Hackney Carriage and Private Hire Vehicle Policy.

2. Recommendation

The Committee is asked to CONSIDER and RESOLVE the request accordingly.

3. Detail

Since 2004, no hackney carriage (HC) or private hire vehicles (PHV) over 5 years old at date of first registration have been granted a new licence.

The current policy states that licence plates for HC and PHVs under 5 years old are issued annually, following a successful examination of the vehicle. When a vehicle has reached the age of 5 years it will, on the next renewal, be licensed on a six monthly basis. Subject to the vehicle successfully passing the examination, the vehicle will continue to be renewed up to the age of 8 years. Vehicles over the age of 8 years will not normally be licensed by the Council unless they are wheelchair accessible. Wheelchair accessible vehicles will normally be renewed up to the age of 10 years.

Where vehicles do not comply with the current vehicle age conditions and have reached 8 years old, application may be made for an exceptional conditions test and the vehicle subjected to a stringent examination process. If the examination is successful, the vehicle is licensed for a further 6 months and subject to further successful examinations may continue to be licensed until such time as it fails to pass.

Representations have been received from the taxi trade expressing concern over the current age limitations of the policy. Since the Covid pandemic public demand for taxis has been impacted and trade has decreased.

The cost of second hand vehicles has risen dramatically over the last three years. One driver has advised that the cost of a three-year-old Astra estate is now £5000 greater than three years ago.

There has also been a general improvement in vehicle quality.

The request is to allow vehicles of up to 8 years old at date of first registration to be granted a new licence.

However, all current testing requirements should remain in place to ensure that vehicle standards and customer comfort and safety remains unaffected.

Should the Committee consider such a proposal it may be appropriate to amend the policy as set out in appendix 1. Attached as appendix 2 is an Equality Impact Assessment.

The proposed amendment would support the taxi trade whilst retaining current vehicle, comfort and safety standards.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

There are no direct financial implications arising from this report, although the change in parameters could generate a nominal increase in vehicle applications and income.

5. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

The legal and policy considerations are contained within the report, therefore there are no direct legal implications arising from the report.

6. Human Resources Implications

The comments from the Human Resources Manager were as follows:

No comments

7. Union Comments

The Union comments were as follows:

No comments

8. Climate Change Implications

In general, older vehicles have a tendency to emit more carbon emissions than newer ones. Taxi drivers, where possible, should be encouraged to switch to newer more fuel-efficient vehicles including those that are electric.

9. Data Protection Compliance Implications

This report does not contain any [OFFICIAL (SENSITIVE)] information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

As this is a change to policy / a new policy an equality impact assessment is included in the appendix to this report.

11. Background Papers

Nil

APPENDIX 1

Current Policy**6.3 Vehicle age and emissions**Age

Licence plates for hackney carriage and private hire vehicles under 5 years old are issued annually and following a successful examination of the vehicle, plates will be issued. The old plates must be surrendered before new plates will be released. When a vehicle has reached the age of 5 years it will, on the next renewal, be licensed on a six monthly basis. Subject to the vehicle successfully passing the examination, the vehicle will continue to be renewed up to the age of 8 years. Vehicles over the age of 8 years will not normally be licensed by the Council unless they are wheelchair accessible. Wheelchair accessible vehicles will normally be renewed up to the age of 10 years.

Where vehicles do not comply with the current vehicle age conditions, application may be made for an exceptional conditions test. This will normally take place at least two months before the expiry of the current licence so that should the vehicle fail the test, the applicant will have sufficient time to source a new vehicle. Further details of the exceptional condition process can be found in appendix H.

Proposed amendment**6.3 Vehicle age and emissions**Age

Licence plates for hackney carriage and private hire vehicles under 5 years old are issued annually and following a successful examination of the vehicle, plates will be issued. The old plates must be surrendered before new plates will be released. When a vehicle has reached the age of 5 years it will, on the next renewal, be licensed on a six monthly basis. Subject to the vehicle successfully passing the examination, the vehicle will continue to be renewed.

When a vehicle reaches the age of 8 years it will become subject to an exceptional conditions test. This will normally take place at least two months before the expiry of the current licence so that should the vehicle fail the test, the applicant will have sufficient time to source a new vehicle.

The supplementary test will apply to all HC, PHV and wheelchair accessible vehicles.

Further details of the exceptional condition process can be found in appendix H.

Vehicles over 8 years at date of first registration will not be licensed as a new vehicle.

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EQUALITY IMPACT ASSESSMENT (EIA)

Directorate: **Chief Executive**

Lead officer responsible for EIA:

Name of the policy or function to be assessed:

Hackney Carriage and Private Hire Licensing Policy

Names of the officers undertaking the assessment:

Is this a new or an existing policy or function?

Existing

1. What are the aims and objectives of the policy or function?

This policy and related procedures will advise applicants of the standards and requirements that must be met and guide the Council in the way it carries out its licensing functions.

It is important that hackney carriage and private hire vehicles meet regulatory standards and are able to convey passengers safely and comfortably, ensuring that the customer experience is a positive one.

The overall aim of hackney carriage and private hire licensing is to protect the public and promote public safety.

2. What outcomes do you want to achieve from the policy or function?

To enable the Council to carry out its hackney carriage and private hire licensing functions with a view to promoting the following objectives:

The protection of the public, safeguarding children and the vulnerable, and the prevention of crime and disorder.

The safety and health of the public and drivers.

Vehicle safety, comfort and access.

Encouraging environmental sustainability.

3. Who is intended to benefit from the policy or function?

Drivers, vehicle owners/proprietors, Operators, Passengers, vulnerable adults and children.

4. Who are the main stakeholders in relation to the policy or function?

Drivers, vehicle owners/proprietors, Operators, Passengers, vulnerable adults and children.

5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?

There are currently 72 vehicles on the fleet under 5 years old

There are currently 57 vehicles on the fleet over 5 years old aged as follows:

1 x 13 years old

2 x 11 years old

1 x 10 years old

5 x 9 years old

9 x 8 years old

19 x 7 years old

20 x 6 years old

6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?**7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?**

None carried out

8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways?

In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:

Does the policy or function target or exclude a specific equality group or community?

NO. The proposed amendment does not target or exclude any specific equality groups or community

Does it affect some equality groups or communities differently? If yes, can this be justified?

NO

Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified?

YES. The proposed amendment does not change this element of the policy.

Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function?

NO. This is not impacted by the proposed amendment to the policy.

Could the policy or function promote or contribute to equality and good relations between different groups? If so, how?

This is not impacted by the proposed amendment to the policy.

What further evidence is needed to understand the impact on equality?

NONE

9. On the basis of the analysis above, what actions, if any, will you need to take in respect of each of the equality strands?

Age:

Disability:

Gender:

Gender Reassignment:

Marriage and Civil Partnership:

Pregnancy and Maternity:

Race:

Religion and Belief:

Sexual Orientation:

There are no actions necessary in respect of any equality strand. The proposed amendment will have no impact on equality matters.

10. Head of Service:

I am satisfied with the results of this EIA. I undertake to review and monitor progress against the actions proposed in response to this impact assessment:

Signature of Head of Service:

A solid black rectangular box used to redact the signature of the Head of Service.