

APPENDIX 4

Statement of Licensing Policy 2024-2029

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>

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<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 	

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	<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>	

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<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>

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	<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>	

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	<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>	

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	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>

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	<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><u>Counter Terrorism</u></p> <p>7.26 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>

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	<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>	

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	<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>

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	<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>

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	apply for a 'summary', or 'expedited', review of the premises licence	
<p>Paragraph 7.54</p> <p>Additional paragraph</p>	<p>Alcohol Delivery Services</p> <p>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:</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>

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	<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>

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	<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>

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	<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>	

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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