



Licensing Sub-Committee

Date: Monday, 25 January 2021
Time: 10.00 am
Venue: A link to the meeting can be found on the front page of the agenda.

Membership: (Quorum 3)
Councillors Susan Cocking, Les Fry and Emma Parker

Chief Executive: Matt Prosser, South Walks House, South Walks Road, Dorchester, Dorset DT1 1UZ (Sat Nav DT1 1EE)

For more information about this agenda please telephone Democratic Services 01305 224202 elaine.tibble@dorsetcouncil.gov.uk



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Due to the current coronavirus pandemic and social distancing rules, the Council has reviewed its approach to holding committee meetings. Members of the public are welcome to watch and listen to the live meeting online by using the following link

<https://youtu.be/KddsKQ52O1Q>

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A G E N D A

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1 ELECTION OF CHAIRMAN AND STATEMENT FOR THE PROCEDURE OF THE MEETING

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To elect a Chairman for the meeting and the Chairman to present and explain the procedure for the meeting.

2 APOLOGIES

To receive any apologies for absence.

3 DECLARATIONS OF INTEREST

To receive any declarations of interest.

4 URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

5 VARIATION TO THE PREMISES LICENCE FOR WEYMOUTH KEBAB HOUSE

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An application has been made to add the sale of alcohol to the premises licence for the Weymouth Kebab House. The application has been out to public consultation and has attracted relevant representations. A Licensing Sub-Committee must consider the application and the representations at a public hearing.

6 EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph x of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the

item of business is considered.

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TEMPORARY LICENSING SUB-COMMITTEE HEARINGS PROCEDURE AND GUIDANCE

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 and The Licensing Act 2003 (Hearings) Regulations 2005

This Temporary Procedure and Guidance notes makes provision for the conduct of local authority Licensing Sub-Committee hearings, held between 4 April 2020 and 7th May 2021, and for public and press access to these meetings and are made in accordance with Coronavirus Act 2020 and The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

The following points of clarification apply throughout:

- A reference to a “meeting of the Licensing Sub-Committee” or reference to a “place” where a meeting is held, includes more than one place, electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.
- Any reference to being “attend” “attendance” “present” at a meeting includes through remote attendance.
“Remote access” means remote access of public and press to a Council meeting to enable them to attend or participate in that meeting by electronic means, including by telephone conference, video conference, live webcasts, and live interactive streaming.
- A Member of the Licensing Sub-Committee who is a “Member in remote attendance” attends the meeting at any time if all of the conditions in subsection section 5(3) of The Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 are satisfied, which means the Member in remote attendance is able at that time—
 - (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the Members in attendance,
 - (ii) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting, and

(iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

- Any reference to a member, or a member of the public, attending a meeting includes that person attending by remote access.

Rights of a Party

1. A party has the right to attend the hearing and may be represented by any person.
2. A party is entitled to give further information where the authority has asked for clarification.
3. A party can question another party, and/or address the authority, with consent of the authority.

Failure to Attend

4. If the authority is informed a party does not wish to attend, the hearing may proceed in their absence.
5. If a party has not indicated their attendance and fails to attend the hearing may be adjourned if considered in the public interest, or hold the hearing ensuring the party's representation is considered.
6. Where the authority adjourns the hearing it shall notify the parties of the date, time and place.

Procedural Information

7. At the start of the hearing, the authority shall explain the procedure which it proposes to follow and shall consider any request for permission for another person to appear at the hearing.
8. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that it is required.
9. The authority will allow the parties an equal maximum period of time in which to speak.
10. The authority may require any person behaving disruptively to be disconnected from the hearing, and may refuse that person to be reconnected, but such a person may, before the end of the hearing, submit in writing information they would have been entitled to give orally had they not been required to leave.

FOOTNOTE:

In relation to all other matters governed by the Licensing Act 2003 (Hearings) Regulations 2005 any party or their representative may contact the Licensing Department at Dorset Council and they will be provided with a full copy of the regulations on request.

LICENSING SUB-COMMITTEE PROCEDURE

1. At the start of the meeting the Chairman will introduce:
 - the members of the sub-committee in attendance
 - the council officers in attendance
 - the parties and their representatives in attendance
2. The Chairman will then deal with any appropriate agenda items.
3. The Licensing Officer will be asked to outline the details of the application, including details of any withdrawn representations.
4. The applicant or their representative is then invited to present their case.
5. Committee members will be invited to ask questions.
6. Where appropriate the Responsible Bodies e.g. representatives of Police, Fire Services, Environmental Services or Trading Standards will be invited to address the sub-committee on any relevant representations they may have.
7. The Chairman may then allow an opportunity for questions asking each person in turn if they wish to ask a question.
8. The Chairman will ask any person who has made representations, who has already expressed a wish to do so, to address the sub-committee. The sub-committee will have read all the papers before them, including any letters of representation. Members of the public are asked to keep their comments concise and to the point.
9. All parties will be given the opportunity to “sum up” their case.
10. The Chairman will ask the Legal Advisor if all relevant points have been addressed before advising all parties present that the public part of the meeting will conclude. The sub-committee will then consider its decision in private. The sub-committee will also have the Democratic Services Officer in remote attendance, and the Legal Advisor can be called upon to offer legal guidance.
11. The decision of the Licensing Sub-Committee shall be communicated to the parties and made available on the Council’s website as soon as practicable.

NOTE

The Chairman may vary this procedure, as circumstances require but will have regard to the rules of natural justice and the Licensing Act 2003 (Hearings) Regulations 2005, and the requirements of The Local Authorities and Police and

Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

The remote meeting will be available to via web-link details of which will be set out on the agenda. However, the public can be excluded from all or part of the meeting by removal of remote access where the sub-committee considers that the public interest in so doing outweighs the public interest in the meeting or that part of the meeting, taking place in public.

Under no circumstances must the parties or their witnesses offer the sub-committee information in the absence of the other parties.

The Chairman and the Sub-Committee have discretion whether to allow new information or documents to be submitted and read at the meeting.

Licensing Sub-Committee 25 January 2021 Variation to the Premises Licence for Weymouth Kebab House

For Decision

Portfolio Holder: Cllr J Haynes, Customer and Community Services

Local Councillor(s): Cllr J Orrell

Executive Director: J Sellgren, Executive Director of Place

Report Author: Aileen Powell
Title: Licensing Team Leader
Tel: 01258 484022
Email: aileen.powell@dorsetcouncil.gov.uk

Report Status: Public

Recommendation: The Sub-Committee determine the application in the light of written and oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of;

- a) The prevention of crime and disorder
- b) The prevention of public nuisance
- c) Public safety
- d) The protection of children from harm

Reason for Recommendation: The Sub-Committee must take into account the oral representations and information given at the hearing.

1. Executive Summary

An application has been made to add the sale of alcohol to the premises licence for the Weymouth Kebab House. The application has been out to public consultation and has attracted relevant representations. A Licensing Sub-Committee must consider the application and the representations at a public hearing.

2. Financial Implications

Any decision of the Sub-Committee could lead to an appeal by any of the parties involved that could incur costs.

3. Climate implications

None

4. Other Implications

Public Health and Community Safety

5. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

6. Equalities Impact Assessment

Not Applicable

7. Appendices

Appendix 1 - Current Licence

Appendix 2 - Application

Appendix 3 - Representations

Appendix 4 - Predecessor Council Policy

8. Background Papers

[Licensing Act](#)

[Section 182 Guidance](#)

[LGA Councillors Handbook](#)

[EHRC - Guide to the Human Rights Act for Public Authorities](#)

9. Details

- 9.1. Mr Emrah Tanyel has held the licence for late night refreshment at Weymouth Kebab House, a shop at 1 Westham Road, Weymouth since it was transferred to him in December 2012. On 9th December 2019 the licence was transferred again to include Mr Osman Tanyel on the licence.

9.2. The current licence allows for the sale of Late-Night Refreshment only: -

Sunday to Thursday	23:00 to 05:00
Friday to Saturday	23:00 to 06:00

9.3. The licence was granted subject to the conditions that there is an operational CCTV system and adequate waste disposal around the premises. The current licence is attached at appendix 1.

9.4. The application is to vary the premises licence to allow for the supply of alcohol by delivery;-

Every day	15:00 to 22:00
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The full application is attached at appendix 2.

9.5. The operating schedule at section M of the application form states that the sale of alcohol will be limited to accompany food deliveries only. No alcohol will be displayed or available for purchase in the shop, and that a challenge 25 policy will be applied.

9.6. Mr Emrah Tanyel holds a personal licence issued by The London Borough of Hackney, and he will be the designated premises supervisor.

9.7. The application has been advertised on the premises, in a newspaper and the Councils web site.

9.8. Two representations have been received, one from Weymouth Town Council who refer to the premises being in the Cumulative Impact Area, and one from a member of the public. The representations are attached at appendix 3.

9.9. For a representation to be relevant it must relate to one of the four licensing objectives of:-

- a) the prevention of crime and disorder
- b) the prevention of public nuisance
- c) public safety
- d) the protection of children from harm

10. Cumulative Impact Policy

10.1 The current policy from the predecessor Council is attached in full at appendix 4. Paragraphs 6.6.1 to 6.6.10 set out the principles of a Cumulative Impact Policy.

10.2 Paragraphs 6.12.1 – 6.12.7 set out this special licensing policy which is:

“The Licensing Authority has adopted a special policy relating to cumulative Impact in relation to:

- *Melcombe Regis (Weymouth)*

This special policy will create a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

The effect of adopting a special policy of this kind is to create a rebuttable presumption that where representations are received applications will normally be refused unless the applicant can demonstrate, in their operating schedule, that there will be no adverse cumulative impact on the licensing objectives.

It must be stressed that the presumption created by this special policy does not relieve responsible authorities or other persons of the need to make a representation. If there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted.

This special policy is not absolute. The circumstances of each application will be considered on its merits and the Licensing Authority shall permit licences and certificates that are unlikely to add to the cumulative impact on the licensing objectives to be granted.

After receiving representations in relation to a new or variation application the Licensing Authority will consider whether it would be justified in departing from this special policy in the light of the individual circumstances of the case. The impact of an application can be expected to be different for premises with different styles and characteristics. If the Licensing Authority decides that an application should be refused, it will still need to show that the grant of the application would undermine one or more of the licensing objectives and that conditions or restrictions would be an ineffective solution.

Examples of applications that the Licensing Authority may consider as exceptional may include, though are not limited to:

- *Small premises with a capacity of 50 persons or less who only intend to operate during the hours 10:00 and 23:00*
- *Premises which are not alcohol-led and operate only within the hours 08:00 and 22:00*

Examples of factors the Licensing Authority will not consider as exceptional include that the: -

- Premises will be well managed and run*
- Premises will be constructed to a high standard*
- Applicant operates similar premises elsewhere without complaint*
- Similar premises operate in the area.”*

10.3 The supporting evidence for the policy can be found at paragraphs 6.13.1 – 6.14 in the policy attached at appendix 5.

11. Considerations

11.1. Representations relating to matters of public health of people outside of the premises do not relate to one of the licensing objectives as public safety, according to the section 2.7 of the 182 Guidance relates to the following -

“Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person’s health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority’s powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.”

11.2. Representations relating to the “need” for such premises do not relate to one of the licensing objectives, this is a matter that is addressed by the planning permission and are therefore to be considered as irrelevant when considering the application.

11.3. Paragraphs 9.42 to 9.44 of the Section 182 Guidance sets how the Authority should decide what actions are appropriate.

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons,

and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

12. Recommendation

12.1. The Sub-Committee determines the application in the light of written and oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of; -

- a) the prevention of crime and disorder
- b) the prevention of public nuisance
- c) public safety
- d) the protection of children from harm.

12.2. The steps that the Sub-Committee may take are: -

- a) To modify the times and/or the conditions of the licence, or
- b) To reject the whole or part of the variation.

11.3. If the Sub-Committee decide to modify the licence they may consider the following conditions as being consistent with the operating schedule.

- a) Alcohol may only be supplied to customers who have ordered a meal for delivery.
- b) All deliveries will be to a bona fide residential or business address.
- c) If the recipient of a delivery containing alcohol appears to be under 25 years of age, recognised photographic identification will be requested before any intoxicating liquor is handed over. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.
- d) All drivers will be trained in the challenge 25 policy and a written record of such training will be retained and be available for inspection at the request of an authorised officer.
- e) No alcohol will be displayed or available for purchase within the shop,

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

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Licensing Act 2003
Premises Licence

WPPLS0046

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

WEYMOUTH KEBAB HOUSE

1 WESTHAM ROAD, WEYMOUTH, DORSET, DT4 8NP.

Telephone 07960 870196

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- provision of late night refreshment

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
I. Late night refreshment (Indoors)	Monday to Sunday	11:00pm	5:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Sunday to Thursday	11:00am	5:00am
Friday & Saturday	11:00am	6:00am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Emrah Tanyel

Osman Tanyel

Telephone [REDACTED]

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

None

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

Prevention of Crime and Disorder

- (1) The holder of the premises licence will ensure that:
- (a) the CCTV system and cameras are maintained in working order at all times, in accordance with guidance issued by the Dorset Police crime prevention officer.
 - (b) all recordings are kept for 30 days.



Licensing Act 2003
Premises Licence

WPPLS0046

ANNEXES continued ...

Prevention of Public Nuisance

- (2) The holder of the premises licence will ensure that:
- (a) an adequate number of waste containers are provided for use by customers, in positions agreed with the Environmental Health Department.
 - (b) all waste containers are emptied in accordance with guidance from the Environmental Health Department.

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

Not applicable - no hearing held.

ANNEX 4 - PLANS

Refer to plan dated August 2005 (Drawing numbered MB/WKH/001) prepared/drawn by Simply Surveys for Mr M Baysan (submitted as part of an application to convert an existing licence to a premises licence under Schedule 8 to the Licensing Act 2003 dated 2nd September 2005) which forms part of this licence and should be read in conjunction with it.



Business Licensing



22 October 2020

Licensing Office - North Dorset,
West Dorset, Weymouth and Portland
South Walks House
South Walks Road
Dorchester
Dorset DT1 1UZ

Dear Sirs,

VARIATION TO PREMISES LICENCE APPLICATION
WEYMOUTH KEBAB HOUSE, 1 WESTHAM ROAD, WEYMOUTH DT4 8NP

Owing to the on-going Coronavirus Pandemic, my client has reduced his trading hours significantly whilst diversifying his business to provide a delivery service in partnership with Uber Eats® and Just Eat®. He is now seeking to vary his existing Premises Licence to allow for sales of alcoholic beverages for delivery alongside food orders for consumption strictly off the premises.

Such sales will be advertised strictly online for delivery alongside food orders undertaken prior to 22.00 hours only, with no off-sales of alcohol being permitted from the premises at any time.

In order to facilitate this, I enclose an application in favour of Messrs. Emrah and Osman Tanyel, the Proprietors of Weymouth Kebab House, to vary their existing Premises licence accordingly. This includes:-

1. A completed application form to vary the Licence;
2. A plan of the premises prepared by MJS Design Solutions Ltd;
3. A consent form signed by Mr Emrah Tanyel, whom benefits from a Personal Licence, confirming his consent to be specified as the premises' supervisor; and
4. Proof of Mr Emrah Tanyel's identity.

Although the existing Premises Licence allows for the premises to be open to the general public from 11.00 hours until 05.00 hours daily, and until 06.00 hours on Saturday and Sunday mornings, the business is currently operating from 15.00 hours until midnight daily and until 01.00 hours on Saturday and Sundays, with the delivery service operating until 22.00 hours 7 days per week. It is only until 22.00 hours that the applicant wishes to be able to deliver alcohol alongside food.

The fee for the application has been calculated as being £100.00 based on the rateable value of the premises. This has been paid directly into the former WPBC area bank account ending 007, as per the attached payment acknowledgement. My firm, meanwhile, is acting in a formal capacity as the applicants' agent in respect of this application to vary the existing Premises Licence, to whom all communications should be directed in this matter.

I trust that all is in order. However, should you have any queries, please do not hesitate to contact me.

Yours faithfully,

**Philip Watts BSc(Hons) DipTP MRTPI
Planning & Development Consultant**

Encs.

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/we EMRAN TANMEL TIA WEYMOUTH KEBAB HOUSE
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	WPLS0046
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
1 WESTHAM ROAD WEY			
Post town	WEYMOUTH	Postcode	DT4 8NF

Telephone number at premises (if any)	—
Non-domestic rateable value of premises	< £ 4,300 - 00

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)			
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

FULL VARIATION TO ALLOW SALE & SUPPLY
OF ALCOHOL AS A NEW LICENSABLE ACTIVITY
ALONGSIDE DELIVERIES OF TAKE-AWAY
FOOD BETWEEN THE HOURS OF 15.00 & 22.00
DAILY.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- Provision of regulated entertainment (Please see guidance note 3)** **Please tick all that apply**
- a) plays (if ticking yes, fill in box A)
 - b) films (if ticking yes, fill in box B)
 - c) indoor sporting events (if ticking yes, fill in box C)
 - d) boxing or wrestling entertainment (if ticking yes, fill in box D)
 - e) live music (if ticking yes, fill in box E)
 - f) recorded music (if ticking yes, fill in box F)
 - g) performances of dance (if ticking yes, fill in box G)
 - h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J) - FOR DELIVERY ONLY
ALONGSIDE FOOD.


In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9) DELIVERY ALONGSIDE FOOD ONLY (ORDERED ONLINE)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon	15.00	22.00			
Tue	15.00	22.00			
Wed	15.00	22.00			
Thur	15.00	22.00			
Fri	15.00	22.00			
Sat	15.00	22.00			
Sun	15.00	22.00			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).



L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	<p>DUE TO CURRENT CORONAVIRUS RESTRICTIONS & THE SUSPENSION OF THE NIGHT-TIME ECONOMY, TRADING HOURS ARE CURRENTLY REDUCED. THE PREMISES ARE ONLY OPEN DAILY FROM 15.00 HOURS UNTIL MIDNIGHT SUNDAY TO THURSDAY, AND UNTIL 01.00 HOURS FOLLOWING TRADING ON FRIDAY & SATURDAY NIGHTS.</p> <p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7)</p>
Mon	11.00	05.00	
Tue			
Tue	11.00	05.00	
Wed			
Wed	11.00	05.00	
Thurs			
Thur	11.00	05.00	
Fri			
Fri	11.00	06.00	
Sat			
Sat	11.00	06.00	
Sun			
Sun	11.00	05.00	
Mon			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

SALES OF ALCOHOLIC BEVERAGES WILL BE LIMITED TO DELIVERIES ALONGSIDE PRE-ORDERED FOOD PURCHASES ONLY. IT WILL NOT BE AVAILABLE TO TAKE-AWAY CUSTOMERS OR DISPLAYED ON THE PREMISES. ALL FOOD AND ALCOHOL DELIVERIES TO BE BOOKED ONLINE VIA UBER EATS OR JUST EATS.

b) The prevention of crime and disorder

THE APPLICANTS WILL STRICTLY COMPLY WITH THE 'CHALLENGE 25 POLICY, PROVIDING SUITABLE TRAINING & GUIDANCE TO DELIVERY DRIVERS. PHOTOGRAPH IDENTIFICATION WILL BE A PREREQUISITE WITH DELIVERIES OF ALCOHOL. THE WEBSITE WILL BE UPDATED TO MAKE IT CLEAR THAT ID IS REQUIRED

c) Public safety

AS B, ALCOHOL WILL NOT BE DELIVERED TO PREMISES WHERE A RESPONSIBLE ADULT IS NOT PRESENT.

d) The prevention of public nuisance

AS C.

e) The protection of children from harm

AS C.

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	[REDACTED]
Date	24-11-2020
Capacity	PREMISES SUPERVISOR LICENCEE

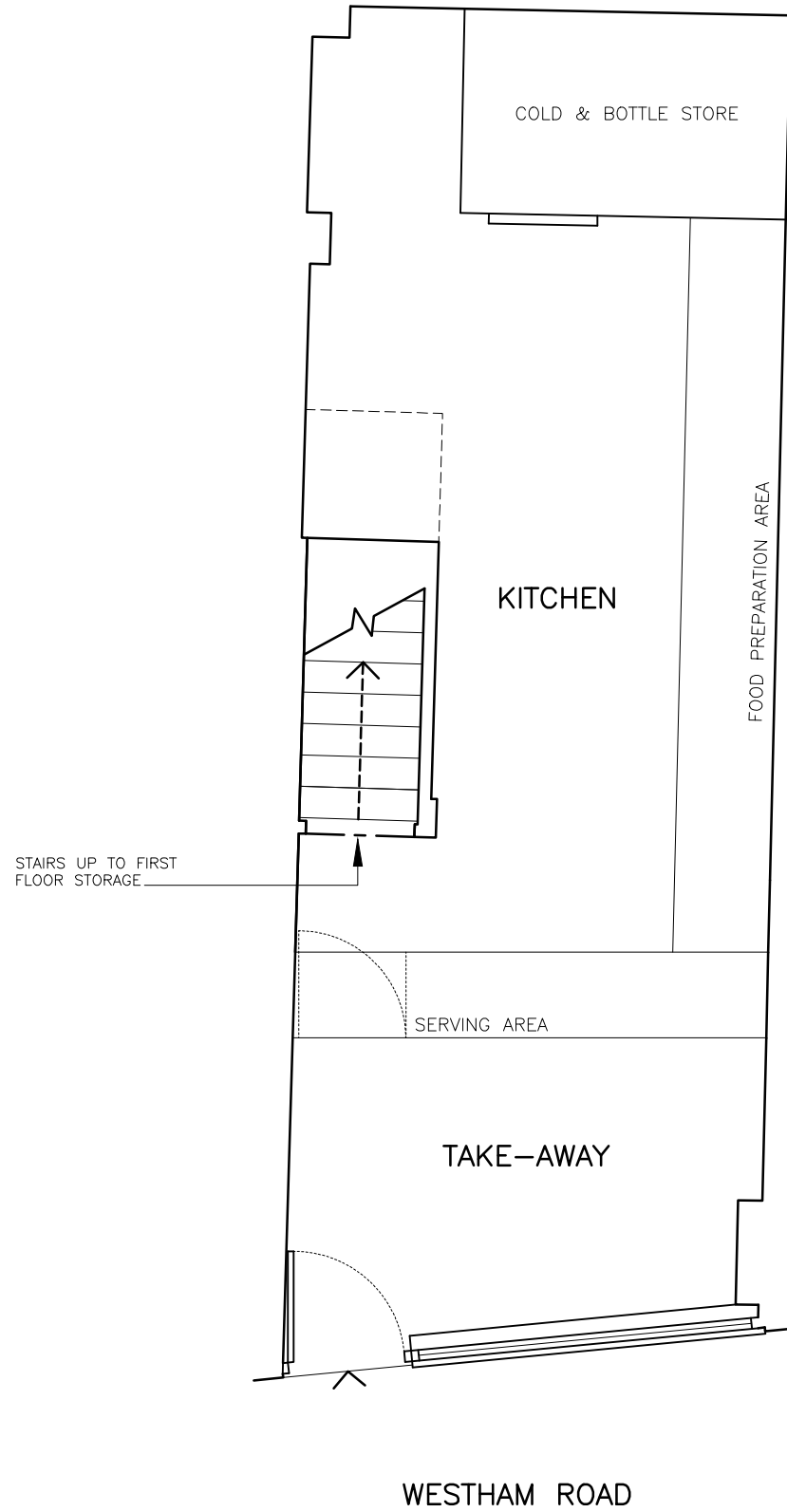
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	[REDACTED]
Date	24-11-2020
Capacity	JOINT LICENCEE

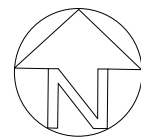
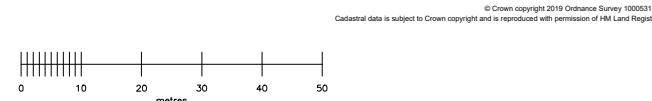
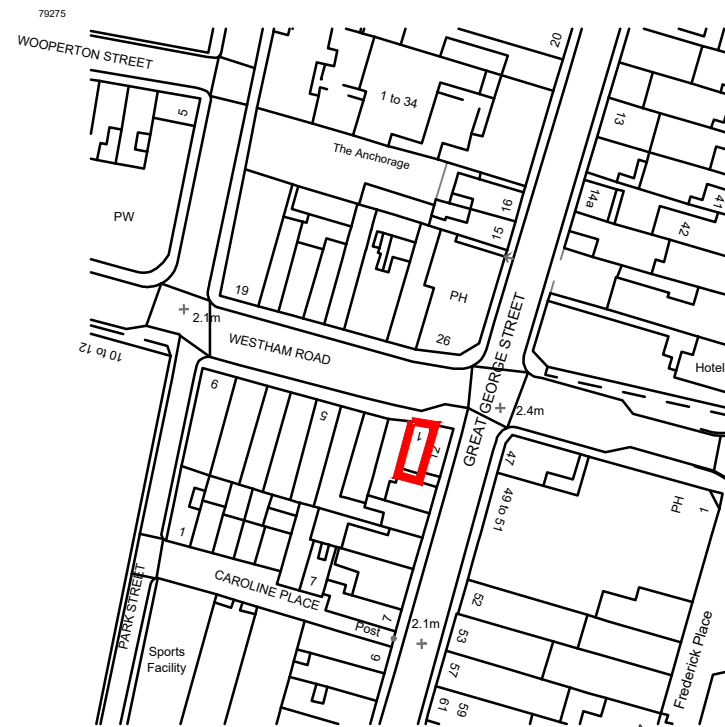
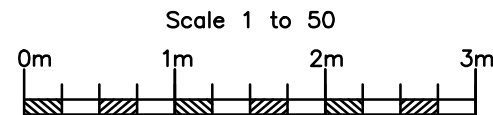
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
C/O AGENT			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:



GROUND FLOOR PLAN
1:50



LOCATION PLAN
1:1250

NOTES

REV: _____ DATE: _____ BY: _____

ALL DIMENSIONS TO BE CHECKED ON SITE WORK TO FIGURED DIMENSIONS ONLY REPORT ANY DISCREPANCIES TO THE DESIGNER AT ONCE BEFORE PROCEEDING

DO NOT SCALE

ARCHITECTURAL SERVICES

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TEL: 01305 786336
EMAIL: matthewsummers@btinternet.com

PROJECT WEYMOUTH KEBAB HOUSE
1 WESTHAM ROAD,
WEYMOUTH, DORSET, DT4 8NP.

CLIENT WEYMOUTH KEBAB HOUSE

TITLE GROUND FLOOR PLAN & LOCATION PLAN

SCALE 1:50 & 1:1250 @ A3 DATE SEPT. '2019

DRAWING No: 1446/01 REVISION

DRAWN BY: MS

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From: Jane Biscombe [REDACTED]
Sent: 24 December 2020 11:35
To: Kathryn Miller <[REDACTED]>
Subject: RE: Weymouth Kebab House - New Application

Hi Kathryn,

I emailed my Councillors and it appears they still wish to register an objection:

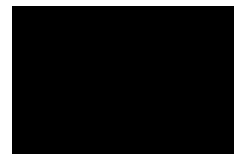
Weymouth Town Council objects for the following reasons:

- The area is a high risk area for the negative impacts of alcohol and cumulative impact area is testament to this.
- The level of dangerous drinking in the area is higher than in other areas and if residents drink to dangerous levels then being able to order alcohol for delivery removes one of the barriers to them stopping drinking eg being able to walk to the shops. Home deliveries remove this safety valve and fuel more dangerous levels of alcohol addiction.
- Making alcohol easier to access will fuel the existing issues eg disorder and anti-social behaviour.

Many thanks
Jane

Licensing Section,
Dorset council
South Walks House
South Walks Rd
Dorchester
DT1 1UZ

DORSET COUNCIL
29 DEC 2020
Digital Mail Room



23.12.20

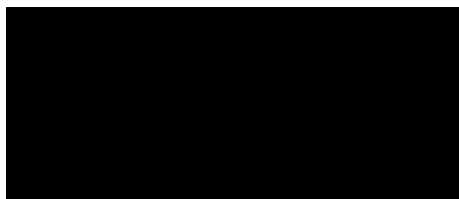
Dear Sir / Madam,

Dorset council objection to premises applications -
WEYMOUTH KEBAB HOUSE
1 WESTHAM ROAD, WEYMOUTH, DORSET, DT4 8NP
Open application 054650 which is a Variation Application for Premises Licence to indefinite

I object to the variation application to deliver alcohol, as a soft drink quenches thirst with none of the risks alcohol poses, which include clouding of judgment, increase of the risk of more people becoming dependant on alcohol, and when taken in excess, alcohol sometimes causes violence including domestic. To provide alcohol from this venue adds it to the service of food that never before did so and there is no need for this.

I also object to the premises' application to remain open until 5 and 6 a.m. as the night time is for sleeping, not eating and this will encourage people (customers and staff/ delivery drivers) to switch to a nocturnal way of life which is not healthy.

Yours sincerely,



**This statement of licensing policy will remain in force from
1st September 2014 to 31st August 2019**

WEYMOUTH & PORTLAND BOROUGH COUNCIL

STATEMENT OF LICENSING POLICY CONTENTS

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- 5. Integration of Community Policies and Strategies**
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- 10. Contact details, advice and guidance**
- 11. Table of Delegation of Licensing Function**

12. Terminology of the Act

13. Pro-Forma Risk Assessment

WEYMOUTH & PORTLAND BOROUGH COUNCIL

STATEMENT OF LICENSING POLICY

1. INTRODUCTION

1.1 Weymouth & Portland Borough is at the heart of the World Heritage Coast. It covers an area of 16.1 square miles.

1.2 The joint population of Weymouth & Portland is 65,029 (mid-2012) with approximately 52,200 living in Weymouth and the remainder on Portland. The age profile is above the national average for age 65 and above, with the under 65 age groups being below the national average.

Since 1991, the population of the borough has increased from 62,000 to 65,029 (mid-2012) – an increase of 4.9%. The age profile is such that, in 2011, 28.4% of the population was aged 60 or over, compared to the national figure of 22.4%.

Based on the 2011 census figures, the age profile of the district is as detailed below:

0 – 19	21.5%
20 – 44	29.0%
45 – 59	21.1%
60+	28.4%

1.3 In view of the above, the Licensing Authority will not make any predetermined presumptions about licensed premises and their associated applications based on the area in which they are situated. Even if special policies are made relating to specific concerns within an area, this will not prevent the Licensing Authority from considering all applications on their own merits.

1.4 This Statement of Licensing Policy will assist applicants, Members of the Licensing Committee, and persons making representations, in the consideration of the relevant issues regarding applications, and ensuring they are dealt with fairly, in line with the law.

1.5 It lays down the procedures and considerations the Licensing Authority will follow depending on the type of application/representation for which the Licensing Authority's discretion is being exercised.

1.6 This Policy also affords Members of the Licensing Committee and officers alike, to take into account the concerns of the public, and other recognised bodies, and to take appropriate measures where the objectives of the Licensing Act 2003 are put in jeopardy after licences have been issued.

2. BACKGROUND

2.1 Weymouth & Portland Borough Council is the Licensing Authority (“Licensing Authority”) under the Licensing Act 2003 and is responsible for granting Premises Licences, Club Premises Certificates, Temporary Events Notices and Personal Licences in its administrative area in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late night refreshment.

2.2 The 2003 Act requires that the Licensing Authority carries out its various licensing functions under the Act so as to promote the following four licensing objectives:-

The prevention of crime and disorder
The promotion of public safety
The prevention of public nuisance
The protection of children from harm

Each objective is of equal importance.

2.3 The 2003 Act further requires that the Licensing Authority publish a ‘Statement of Licensing Policy’ every 5 years that sets out the policies it will generally apply to promote the licensing objectives when making decisions on applications made under the Act.

2.4 During the 5 year period, the policy must be kept under review and the Licensing Authority may make any revisions to it as it considers appropriate, for instance in the light of feedback from the local community on whether the statutory objectives are being met.

2.5 This ‘Statement of Licensing Policy’ has been prepared in accordance with, and will take note of, the provisions of the 2003 Act and the Guidance issued under Section 182 of the Act.

3. CONSULTATION

3.1 There are a number of groups who have a stake in the leisure industry, including providers, customers, residents and enforcement agencies, all of which have views and concerns that require consideration as part of the licensing function.

3.2 Before publishing this Policy Statement, the Licensing Authority has consulted with and taken into account comments received from the following organisations and others, not listed, but who have made individual requests to be consulted :-

- Dorset Police;
- Dorset Fire and Rescue Services;
- Dorset NHS
- Relevant town/parish Councils
- Equity;
- Relevant LVA Groups;
- CAMRA;

- Relevant B.I.D. groups
- Taxi & private hire associations;
- Crime and Disorder Reduction Partnership;
- The Association of Licensed Multiple Retailers;
- Retail Groups with premises holding full on-licences (Breweries, etc.);
- Relevant Chamber(s) of Commerce;
- Dorset Chamber of Commerce & Industry;
- Federation of Small Businesses (Wessex Region);
- British Institute of Innkeeping;
- Musicians Union;
- Dorset County Council Social Services.
- Pubwatch groups in the Borough

3.3 Appropriate weight was given to the views of all the persons/bodies consulted before this Policy Statement took effect on 1st September 2014, and it will remain in force for a period of not more than 5 years and will be subject to review and further consultation prior to 31st August 2019.

3.4 Where revisions are made to the statutory guidance by the Secretary of State it will be for the Licensing Authority to determine whether revisions to its statement of licensing policy are appropriate.

4 Guidance for Applicants

4.1 The Licensing Authority has published separate guidance on the procedures to be followed by persons wishing to apply for a Personal Licence, Premises Licence or Club Premises Certificate. The guidance also details a number of measures that the Licensing Authority considers would promote the Licensing Objectives. Applicants are advised to have due regard to these measures and the Pro-Forma Risk Assessment within this Statement of Licensing Policy when developing their Operating Schedules. The 'Guidance for Applicants' should be read in conjunction with this Licensing Policy.

5 INTEGRATION OF COMMUNITY POLICIES AND STRATEGIES

GENERAL

5.1.1 The role of the Council as licensing authority is to hold a balance between the needs of the licensing, entertainment and food industry and the needs of residents and other users of the Borough including businesses, workers, shoppers and visitors.

5.1.2 The Council has a duty to do all that it reasonably can to prevent crime and disorder in the area, under Section 17 of the Crime and Disorder Act 1998. The Council has paid special attention to this in formulating its policies.

5.1.3 The Council is under a duty to protect the rights of residents to privacy and family life under Article 8 of the European Convention of Human Rights. At

the same time, the Council respects the interests of commercial landowners to operate their premises without unnecessary restraint. This Statement of Licensing Policy is intended to reflect a balance between those rights.

5.1.4 The Council acknowledges the right to freedom of expression under Article 10 of the European Convention of Human Rights.

5.1.5 The Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000 obliges the Council to have due regard to the need to eliminate unlawful discrimination, and to promote equality of opportunity and good relations between persons of different racial groups.

5.2 PLANNING AND BUILDING CONTROL

5.2.1 The Licensing Authority recognises the need to provide for a proper separation of the planning and licensing regimes to avoid duplication and inefficiency. Licensing applications will not be a re-run of the planning application and shall not cut across decisions made by the Council's Planning Committee or following appeals against decisions taken by that committee.

5.3 LIVE MUSIC, DANCING AND THEATRE

5.3.1 In its role of implementing local authority cultural strategies, the Council recognises the need to encourage and promote live music, dance and theatre for the wider cultural benefit of the community. A natural concern to prevent disturbance in neighbourhoods will always be carefully balanced with these wider cultural benefits, particularly those for children.

5.3.2 To ensure that cultural diversity thrives Weymouth and Portland Borough Council has obtained premises licences for numerous public spaces within the Borough so that performers and entertainers have no need to obtain a premises licence or give a temporary event notice for types of regulated entertainment. However, permission will still be required from the local authority for entertainment that is proposed to be provided in these areas.

5.4 DUPLICATION

5.4.1 The Licensing Authority recognises the need to avoid duplication with other regulatory regimes.

5.4.2 However, some regulations do not cover the unique circumstances of some entertainment and the Licensing Authority will consider attaching conditions to premises licences and club premises certificates where these are necessary for the promotion of the licensing objectives and not already provided for in any other legislation.

6 POLICIES RELATING TO PREMISES

6.1 REQUIRED NOTICES

- 6.1.1 An application for a premises licence must be made in the prescribed form to the relevant licensing authority and be copied to each of the appropriate responsible authorities.
- 6.1.2 Full details of the requirements for advertising can be found in the Act and the regulations made under it.
- 6.1.3 The Licensing Authority will make available the applications for interested parties to inspect at the Council Offices as well as publishing them on the Council's web-site.

6.2 MEDIATING PERIOD/REQUIREMENT OF HEARINGS

- 6.2.1 If the Licensing Authority receives representations on an application the appropriate officer of the Licensing Authority shall first mediate between the applicant and each person making representations with a view to taking steps to ensure the licensing objectives are met without the need to put the matter before Licensing Committee.
- 6.2.2 The Licensing Authority shall retain the discretion to deem objections remaining after the mediation stage as irrelevant, frivolous or vexatious (see 6.3.1), particularly if a common consensus of compromise is reached with the majority of objectors, which appear to address the licensing objectives.
- 6.2.3 When, during the 'mediating period' all parties agree that a hearing is not necessary, the appropriate officer may issue the licence subject to the agreed alterations to the terms and conditions of the licence.
- 6.2.4 Paragraph 6.2.3 may typically apply when a responsible authority such as the Police, Fire and Health authorities recommend improvements to the premises to meet the licensing objectives.
- 6.2.5 When during the 'mediating period' a suitable compromise cannot be reached, the appropriate officer shall arrange for a hearing of the Licensing Committee or sub-Committee to make a decision on the application.

6.3 RECEIPT OF REPRESENTATIONS

- 6.3.1 The Licensing Authority may disregard any representations submitted on an application if it is considered to be irrelevant, frivolous or vexatious.
- 6.3.2 When a representation is considered to be irrelevant, frivolous or vexatious, the appropriate Officer shall give notice to the person who made it of the reasons for that decision.

- 6.3.3 The Licensing Authority recognises the right of 'responsible authorities' to submit representations about applications for premises licences or major variations of such licences, or ask for a review of a premises licence.
- 6.3.4 The Licensing Authority recognises the right of 'interested parties' to submit representations about applications for premises licences or major variations of such licences, or ask for a review of a premises licence.
- 6.3.5 Whilst the Licensing Authority recognises the importance of the right of 'responsible authorities' and 'interested parties' to request reviews of premises licences, the Licensing Authority would expect a reasonable interval between hearings for the same premises, and unless exceptional and compelling circumstances existed, would not hold a repeat hearing within 12 months, unless it followed a Closure Order.

6.4 PREMISES: GENERAL DECISION MAKING CONSIDERATIONS

- 6.4.1 The Licensing Authority shall consider each application on its own merits.
- 6.4.2 The responsibility for compliance with the Licensing Act 2003, and this Statement of Licensing Policy rests with applicants, licensees, corporate bodies or limited companies, as appropriate to the circumstances.
- 6.4.3 The Licensing Authority shall consider applications based on the applicant controlling entertainment, and customer behaviour whilst in their direct control and not what may occur when customers are beyond that control.
- 6.4.4 The Licensing Authority shall take into account any relevant representations made on an application, and ignore any that are irrelevant.
- 6.4.5 The Licensing Authority will not impose conditions on (save those offered by the applicant) or refuse to grant or vary a premises licence or club premises certificate unless it has received a representation from a responsible authority, such as the police or an environmental health officer, or an interested party, such as a local resident or local business and only then if conditions are considered appropriate, reasonable and proportionate.
- 6.4.6 The Licensing Authority will expect applicants for licences to show in their operating schedule what steps they will take to promote the licensing objectives having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community. Applicants may wish to refer to the Risk Assessment Pro-Forma set out at the end of this Statement of Licensing Policy.
- 6.4.7 Applicants attention is drawn to the following publications which could assist when formulating premises operating schedules.

- Model National and Standard Conditions for places of public entertainment and associated guidance ISBN 1 904031 11 0 (Entertainment Technology Press – ABTT publications)
- The Event Safety Guide – A guide to health, safety and welfare at music and similar events (HSE 1999)(“The Purple Book”) ISBN 978 0 7176 2453 9
- Managing Crowds Safely (HSE 2000) ISBN 978 0 7176 1834 7
- The Guide to Safety at Sports Grounds (The Stationery Office, 2007) (“The Green Guide”) ISBN 978 011 7020740
- The following British standards should also be considered: BS5588 Part 6 (regarding places of assembly), BS5588 Part 9 (regarding ventilation and air conditioning systems), BS5588 Part 9 (regarding means of escape for disabled people), BS5839 (fire detection, fire alarm systems and buildings) and BS5266 (emergency lighting systems).

Some useful websites are:

- The Health and Safety Executive. Website address: www.hsebooks.co.uk
- The Stationery Office. Website address: www.tso.co.uk/bookshop
- The National Society for Clean Air and Environmental Protection. Website address: www.nasca.org.uk
- Department for Environment, Food and Rural Affairs. Website address: www.defra.gov.uk

6.5 NEED FOR LICENSED PREMISES

6.5.1 The Licensing Authority is aware that there can be confusion between the “need” and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub or restaurant or hotel. This is not a matter for a Licensing Authority in discharging its licensing functions or for its licensing policy. “Need” is a matter for the Planning Authority and for the market.

6.6 CUMULATIVE IMPACT ON PREMISES

6.6.1 “Cumulative impact” is not mentioned specifically in the Act but, in accordance with the Statutory Guidance, means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for the Licensing Authority to consider in developing its licensing policy statement.

- 6.6.2 The Licensing Authority recognises that there should be an evidential basis for the decision to include a special policy within the statement of licensing policy. For example, Crime and Disorder Reduction Partnerships will often have collated information which demonstrates cumulative impact as part of their general role on anti-social behaviour; and crime prevention strategies may have already identified cumulative impact as a local problem. Similarly, environmental health officers may be able to demonstrate concentrations of valid complaints relating to noise disturbance.
- 6.6.3 Should a special policy be adopted by the Licensing Authority it shall not be applied absolutely. The Licensing Authority shall allow for the circumstances of each application to be considered properly and for licences, which are unlikely to add significantly to saturation, to be approved. The Licensing Authority will always consider whether it would be justified in departing from its policy.
- 6.6.4 In summary, the Licensing Authority would take the following steps in considering adoption of a special policy:
- identification of concern about crime and disorder and/or public nuisance.
 - consideration of whether it can be demonstrated that crime and disorder and/or nuisance are arising and are caused by the customers of licensed premises, and if so identifying the area from which problems are arising and the boundaries of that area; or that the risk factors are such that the area is reaching a point when a cumulative impact is imminent.
 - consultation with those specified by section 5(3) of the 2003 Act as part of the general consultation required in respect of the whole statement of licensing policy.
 - future publication of a special policy as part of the statement of licensing policy required by the 2003 Act, attached as an appendix.
- 6.6.5 Any special policies agreed by the Licensing Authority will be made in accordance with the guidance issued under Section 182 of the Licensing Act 2003. Any adopted special policy would be reviewed regularly to assess whether the need for it remained or whether the area of it needed expanding or altering.
- 6.6.6 If the Licensing Authority were to adopt a special policy of this kind, it would still only be applied to applications if representations were received from interested parties or responsible authorities. If no representation were received it would remain the case that the application must be granted in terms that are consistent with the operating schedule submitted.
- 6.6.7 Conversely, on receipt of relevant representations on an application affected by a special policy, the presumption would be to refuse applications for new premises licence or club premises certificates, or material variations to such

premises, unless the applicant could demonstrate that the operation of the premises would not add to the cumulative impact.

- 6.6.8 The Licensing Authority would not normally consider applying special policies of this kind to premises for the consumption of alcohol off the premises. However, if consideration were to be given by the Licensing Authority to including such premises within a special policy, then that policy would highlight those specific problems relating to the impact of off licence premises which may include such matters as underage sales, proxy purchasing, street drinking and “pre-loading”.
- 6.6.9 The Licensing Authority will not adopt or use a policy to revoke an existing licence or certificate when representations are received about problems with premises.
- 6.6.10 The absence of a special policy would not prevent any responsible authority or interested party making representations on a new application for the grant or variation of a licence on the grounds that the premises would give rise to a negative cumulative impact on one or more of the licensing objectives.

OTHER MECHANISMS FOR CONTROLLING CUMULATIVE IMPACT:

6.6.11 The Licensing Authority recognises that once away from licensed premises, a minority of consumers will behave badly and unlawfully. Other mechanisms exist both within and outside the licensing regime that are available for addressing such issues and these include:

- 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 Council.
- Powers of the Council to designate parts of its area as places where alcohol may not be consumed publicly.
- Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices.
- The prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk.
- The confiscation of alcohol from adults and children in designated areas.
- Police powers to close down instantly for up to 24 hours any licensed premises or temporary event on the grounds of disorder, the likelihood of disorder, or noise emanating from the premises causing a nuisance.
- The power of the police, other responsible authority or a local resident or business to seek a review of the licence or certificate in question.
- Other local initiatives that similarly address these problems.

6.7 ATTACHING CONDITIONS TO LICENCES/PRO-FORMA RISK ASSESSMENT

6.7.1 Where responsible authorities and interested parties do not raise any representations about the application made to the Licensing Authority, it is the duty of the Authority to grant the licence or certificate subject only to

conditions that are consistent with the operating schedule and any mandatory conditions prescribed in the Act itself.

- 6.7.2 A key concept underscoring the Act is for conditions to be tailored to the specific premises concerned. This effectively rules out standardised conditions which ignore these individual aspects. The Licensing Authority recognises that conditions must be proportionate and properly recognise significant differences between venues.
- 6.7.3 The Licensing Authority will not impose any conditions unless its discretion has been engaged following the receipt of relevant representations and it has been satisfied at a hearing of the necessity to impose conditions. It will then only impose conditions that are necessary to promote one or more of the four licensing objectives. Such conditions will need to be expressed in unequivocal and unambiguous terms to avoid legal dispute. It is for this reason that a pro-forma risk assessment has been developed.
- 6.7.4 It is possible that in certain cases, because the test is one of necessity, where there are other legislative provisions which are relevant and must be observed by the applicant, no additional conditions at all are needed to promote the licensing objectives.
- 6.7.5 The Licensing Authority wishes to work in partnership with all parties to ensure that the licensing objectives are promoted collectively. To support this aim and to minimise disputes and the necessity for hearings, the Licensing Authority believes it would be sensible for applicants to seek the views of the key responsible authorities before formally submitting applications but wish to point out that there is no legal requirement to do so.
- 6.7.6 As previously stated, the Licensing Authority will not use standardised conditions. However, conditions may be drawn from the pro-forma risk assessment where it is appropriate to do so. Applicants and others may also wish to refer to these conditions as appropriate and these can be seen at the end of this document.
- 6.7.7 The Licensing Authority will monitor the impact of licensing on regulated entertainment, and particularly live music and dancing, and will ensure that only necessary, proportionate and reasonable licensing conditions are applied in these and all other instances. For ease of reference regulated entertainment is defined (at the time of writing this policy) in the Act as:
- (a) a performance of a play
 - (b) an exhibition of a film
 - (c) an indoor sporting event
 - (d) a boxing or wrestling entertainment
 - (e) a performance of live music
 - (f) any playing of recorded music
 - (g) a performance of dance
 - (h) entertainment of a similar description to that falling within paragraph (e), (f) or (g).

where the entertainment takes place in the presence of an audience and is provided for the purpose, or for purposes which include the purpose, of entertaining that audience.

There are numerous exemptions to the above entertainment descriptions.

Exemptions include:

- Films for advertising or education
- Music incidental to another activity
- Live television broadcasts
- Entertainment at a place of worship
- Entertainment at garden fetes
- Morris dancing
- Certain types of wrestling
- Entertainment provided on a moving vehicle

The Live Music Act 2012 has de-regulated some live music performances on alcohol licensed premises between 8am and 11pm with audiences of less than 200 people.

For further advice on what activities require a licence please contact Business Licensing or seek independent legal advice.

6.7.8 If its discretion is engaged the Licensing Authority shall consider attaching conditions to licences if it is felt necessary to meet the licensing objectives, and these may include conditions drawn from the pro-forma risk assessment available at the end of this Statement of Licensing Policy.

6.7.9 Where the 'responsible authorities' and 'interested parties' do not raise any representations about the proposals made to the Licensing Authority, it is a duty of the Licensing Authority to grant the licence or certificate subject only to conditions that are consistent with the operating schedule and any mandatory conditions prescribed in the Act itself.

6.7.10 The Licensing Authority shall not impose conditions, which censor the content of any form of regulated entertainment.

6.8 MISUSE OF ILLEGAL SUBSTANCES/SAFER CLUBBING PUBLICATION

6.8.1 The Licensing Authority recognises that drug use by young people in a public house/club environment is not something that is relevant to all licensed premises. However, it also recognises that following receipt of relevant representations, conditions may have to be imposed for certain venues to reduce the sale and consumption of drugs, and to create a safer environment for the patrons. Such conditions may be taken from the 'Safer Clubbing' publication issued by the Home Office.

6.8.2 Where representations have been received substantiating concerns of possible drink spiking occurring on premises, conditions may be attached to assist its prevention. Such conditions may be taken from the pro-forma risk assessment available at the end of this Statement of Licensing Policy.

6.9 LICENSING HOURS

6.9.1 The Licensing Authority will consider the licensing hours for each application for a premises licence on its own merits, taking into account any representations received.

6.9.2 The Licensing Authority is aware that the Government wants to ensure that licensing hours should not inhibit the development of thriving and safe evening and night-time economies which are important for investment and employment locally and attractive to domestic and international tourists.

6.9.3 Providing consumers with greater choice and flexibility is an important consideration, but should always be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.

6.9.4 With regard to shops, stores and supermarkets, the Licensing Authority considers that they should be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours. For example, a limitation may be appropriate following Police representations in the case of some shops known to be a focus of disorder and disturbance because youths gather there.

6.10 CHILDRENS ACCESS TO LICENSED PREMISES

6.10.1 The Licensing Authority recognises the great variety of premises for which licences may be sought, including theatres, cinemas, restaurants, concert halls, cafes, takeaways and fast food outlets, as well as public houses and nightclubs. Therefore, the Licensing Authority shall not limit the access of children to premises unless it is deemed necessary for the protection of children from harm.

6.10.2 The Act details a number of offences designed to protect children in licensed premises and the Licensing Authority will work closely with the police and other relevant agencies to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children.

6.10.3 The Act made it an offence to permit children under the age of 16 who are not accompanied by an adult to be present on the premises being used exclusively or primarily for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a temporary event notice.

- 6.10.4 In addition, it is an offence to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate or temporary event notice.
- 6.10.5 Outside of these hours, the offence does not prevent the admission of unaccompanied children under 16 to the wide variety of premises where the consumption of alcohol is not the exclusive or primary activity. Between 5am and midnight, the offence would not necessarily apply to many restaurants, hotels, cinemas, and even many pubs where the main business activity is the consumption of both food and drink. This does not mean that children should automatically be admitted to such premises and the following paragraphs are therefore of great importance notwithstanding the new offences created by the Act.
- 6.10.6 The fact that the offence may effectively bar children under 16 accompanied by an adult from premises where the consumption of alcohol is the exclusive or primary activity does not mean that the Act automatically permits unaccompanied children under the age of 18 to have free access to other premises or to the same premises even if they are accompanied or to premises where the consumption of alcohol is not involved. Subject only to the provision of the Act and any licence or certificate conditions, admission will always be at the discretion of those managing the premises. The Act includes on the one hand, no presumption of giving children access or on the other hand, no presumption of preventing their access to licensed premises. Each application and the circumstances at each premises must be considered on its own merits.
- 6.10.7 The Licensing Authority obliges every applicant for a premises licence or club premises certificate to copy their application to Dorset County Council to specifically consider the objective of the protection of children from harm.
- 6.10.8 However, the Licensing Authority may consider that there is particular concern in respect of the protection of children from harm. Whilst the following examples are not exhaustive, these might include premises:
- Where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking;
 - Where there is a known association with drug taking or dealing;
 - Where there is a strong element of gambling on the premises (excluding small numbers of cash prize machines);
 - Where entertainment of an adult or sexual nature is commonly provided;
- 6.10.9 The Licensing Authority may consider a range of alternatives available for limiting the access of children where that is necessary for the prevention of harm to children. These, which can be adopted in combination, include:

- Limitations on the hours when children may be present;
- Limitations excluding the presence of children under certain ages when particular specified activities are taking place;
- Limitations on the parts of premises to which children might be given access;
- Age limitations (below 18);
- Requirements for accompanying adults (including, for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- Full exclusion of those people under 18 from the premises when any licensable activities are taking place.

6.10.10 The Licensing Authority will not impose conditions requiring the admission of children to any premises. Where no licensing restriction is necessary, this will remain a matter for the discretion of the individual licensee or club, and the Licensing Authority will not interfere with that discretion.

6.10.11 In the case of premises giving film exhibitions, the Licensing Authority expects licensees to impose conditions within the premises Operating Plan that children will be restricted from viewing age-restricted films classified according to the recommendations of a Film Classification Body (at the time of writing this is the British Board of Film Classification (BBFC)) granted authority under section 4 of the Video Recordings Act 1984, or by the Licensing Authority itself (in cases it considers appropriate) using the BBFC film classification categories.

6.10.12 In the case of a premises licence holder intending to exhibit a film not classified by a Film Classification Body, the Licensing Authority, upon notification, shall impose restrictions upon the admission of children as it considers appropriate to the film using the BBFC film classification categories.

6.11 ENFORCEMENT

6.11.1 Once licensed, it is essential premises are maintained and operated by the premises licence holders as well as the designated premises supervisors so as to ensure the continued promotion of the licensing objectives and compliance with the specific requirements of the 2003 Act, and the Licensing Authority will make arrangements to monitor premises and take appropriate action to ensure this.

6.11.2 The Licensing Authority will work closely with the local police and other enforcing authorities to carry out inspections and enforcement roles. Provision will be made to target agreed high risk premises which require greater attention, while providing a lighter touch for low risk premises which are well run.

6.11.3 The Licensing Authority will maintain close links with the Police, Trading Standards Officers and other relevant organisations concerning the extent of unlawful sales and consumption of alcohol by minors and will seek to be

involved in the development of any strategies to control or prevent unlawful activities.

6.12 SPECIAL LICENSING POLICY

6.12.1 The Licensing Authority has adopted a special policy relating to cumulative Impact in relation to:

- Melcombe Regis (Weymouth)

This special policy will create a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

6.12.2 The effect of adopting a special policy of this kind is to create a rebuttable presumption that where representations are received applications will normally be refused unless the applicant can demonstrate, in their operating schedule, that there will be no adverse cumulative impact on the licensing objectives

6.12.3 It must be stressed that the presumption created by this special policy does not relieve responsible authorities or other persons of the need to make a representation. If there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted.

6.12.4 This special policy is not absolute. The circumstances of each application will be considered on its merits and the Licensing Authority shall permit licences and certificates that are unlikely to add to the cumulative impact on the licensing objectives to be granted.

6.12.5 After receiving representations in relation to a new or variation application the Licensing Authority will consider whether it would be justified in departing from this special policy in the light of the individual circumstances of the case. The impact of an application can be expected to be different for premises with different styles and characteristics. If the Licensing Authority decides that an application should be refused, it will still need to show that the grant of the application would undermine one or more of the licensing objectives and that conditions or restrictions would be an ineffective solution.

6.12.6 Examples of applications that the Licensing Authority may consider as exceptional may include, though are not limited to:

- Small premises with a capacity of 50 persons or less who only intend to operate during the hours 10:00 and 23:00
- Premises which are not alcohol-led and operate only within the hours 08:00 and 22:00

6.12.7 Examples of factors the Licensing Authority will not consider as exceptional include that the :

- Premises will be well managed and run

- Premises will be constructed to a high standard
- Applicant operates similar premises elsewhere without complaint
- Similar premises operate in the area

6.13 CUMULATIVE IMPACT AREAS - SUPPORTING EVIDENCE

6.13.1 The headline statistics that underpin Weymouth's approach to introducing the proposed Cumulative Impact Area in 2017 Melcombe Regis (Weymouth):

- was the second highest Dorset District Council Area
- 9.8% increase of all crime at Force Level compared to the same period in previous years
- Weymouth and Portland as a police section has the second highest increase in crimes in the whole of the Dorset County
- Public Place Violence (PPV) has increased by 39% compared to the same period for previous years

6.13.2 The evidence from Dorset Constabulary confirms that the area of Melcombe Regis has significantly disproportionate amount of PPV per head of population compared to all other areas of Dorset. The evidence provides a clear link between the night time economy hours determined as 21:00 hours to 06:00 hours, the amount of licensed venues licensed to sell alcohol between these hours and PPV.

6.13.3 To assist in identifying the specific cumulative impact area in Weymouth the Licensing Authority has considered:

- Alcohol Related Crime and Disorder Statistics
- Ambulance alcohol related call out data.
- Noise and antisocial behaviour callouts
- Licensing data – residents' complaints and representations
- Feedback from Partner Agencies

Weymouth and Portland (Melcombe Regis)

6.13.4 The police have recorded assault crimes of all levels that occur either between 21:00 hours and 06:00 hours and 06:00 hours to 21:00 hours. The data has been collected over a six month period from 1st January 2016 to 30th June 2016.

6.13.5 In more recent years the Licensing Authority has seen an increase in concerns raised by local residents, councillors and local businesses about the impact that the night time economy is having on the local environment in this area. Typical issues of concern include:

- There were 119 public place assaults at night (9pm – 6am) within the Melcombe Regis area between 1st January 2016 & 30th June 2016. Therefore in that period, **the Melcombe Regis area accounted for 63.3% of the whole of Weymouth and Portland's night time public place assaults.**

- There were 85 public place assaults during the day (6am – 9pm) within the Melcombe Regis area between 1st January 2016 & 30th June 2016. Therefore in that period, ***the Melcombe Regis area accounted for 31.4% of the whole of Weymouth and Portland's day time public place assaults.***
- The split between night time and day time assaults in the Melcombe Regis area is therefore ***weighted more towards the night time period, with 58.3% of its public place assaults taking place between 9pm – 6am. Despite***
- Melcombe Regis accounts for 44% of all sections of PPV

Despite Melcombe Regis only covering 1.29% of the Borough's total area, its share of public place assaults (both day and night) is clearly well out of proportion to its geographical size.

6.13.6 In response to these concerns the Licensing Authority has undertaken various initiatives, in partnership with other agencies and the licensed trade, to tackle these issues which involved:

- Working with the Borough's CCTV team to monitor the area.
- Police operations targeting excessive drinking.
- Promotion of Best Bar None and Pubwatch schemes.
- Carrying out robust enforcement visits.
- Working with late operating venues
- Introduction of a Designated Public Places Order (DPPO) for the area.

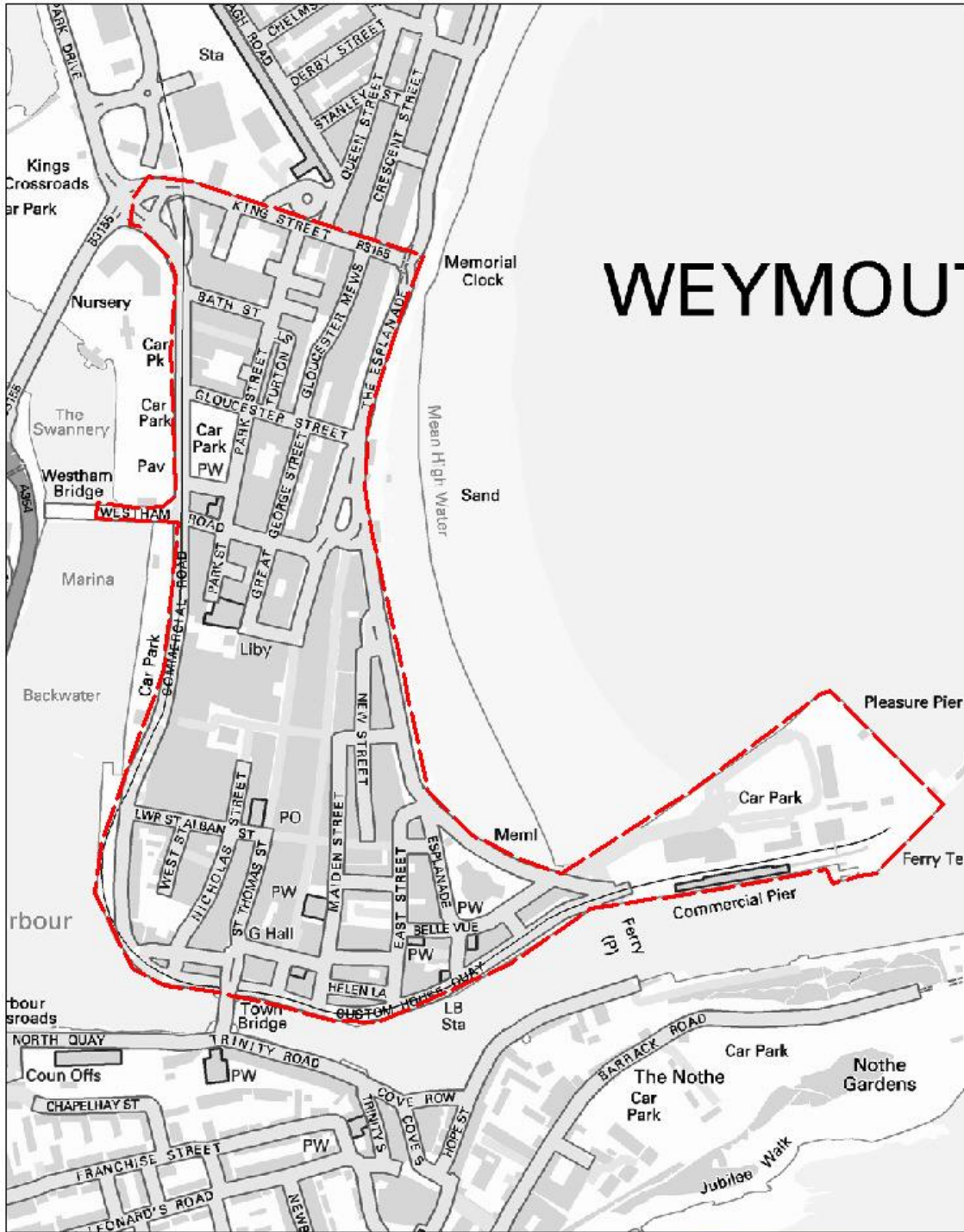
6.13.7 While some of the licensed premises in Melcombe Regis represent some of the best examples of good practice among licensed premises available in the Borough, concerns continue to be raised by Dorset Constabulary about PPV.

6.13.7 Whilst improvements have been made the Council continues to receive information from Dorset Constabulary about the rise of PPV within Melcombe Regis.

6.13.8 Having considered all the evidence the Licensing Authority is of the opinion that Melcombe Regis is now saturated with licensed premises and a cumulative impact area to cover the area mapped by Dorset Constabulary is required as being appropriate for promoting the licensing objectives.

6.13.9 The map below shows the proposed cumulative impact area in Melcombe Regis:

6.14 MAP OF AREA TO WHICH THE SPECIAL POLICY APPLIES



Map of proposed Cumulative Impact Area (CIA) for Weymouth.

THIS MAP IS NOT DEFINITIVE AND HAS NO LEGAL STATUS

Ref:
 Date: 15/08/2016
 Scale 1:5000
 Drawn By: 7889
 Cent X: 368161
 Cent Y: 79175

Dorset Police

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7 PERSONAL LICENCES AND DESIGNATED PREMISES SUPERVISORS

7.1 PERSONAL LICENCES

7.1.1 The Licensing Authority will ensure that only the requirements of the Licensing Act 2003 will be used to decide whether an individual should receive a licence to sell alcohol. It recognises that it is not in its remit to judge the fitness of an individual in the absence of proper representation from the Police.

7.1.2 If, the following criteria apply to an applicant, a personal licence shall be issued by the appropriate officer :-

- The applicant is over 18 years old
- The applicant possesses a licensing qualification approved by the Secretary of State;
- The applicant has not forfeited a personal licence within the last 5 years;
- The Police have made no representation
- The applicant has paid the appropriate fee

7.1.3 Criminal Record certificates will be accepted for up to one calendar month after the date of issue subject to the certificate being accompanied by a declaration that no further convictions have been received (or are pending) since the issue date.

7.1.4 Where an applicant is found to have an unspent conviction for a relevant or foreign offence, and the Police object to the application on crime prevention grounds, the applicant is entitled to a hearing before the Licensing Committee or one of its sub-committees.

7.1.5 In the circumstances described in paragraph 7.1.5 above, the Licensing Authority will follow the Secretary of State's advice that the refusal of the application should be the normal course unless there are, in the opinion of the licensing committee, exceptional and compelling circumstances which justify granting the application.

7.2 DESIGNATED PREMISES SUPERVISORS

7.2.1 The Licensing Authority expects the Designated Premises Supervisor, as described in the Licensing Act 2003, to be responsible for the day to day running of the premises.

7.2.2 The Licensing Authority expects police officers, fire officers or officers of the Council to be able to identify the Designated Premises Supervisor to ensure any problems can be dealt with swiftly.

7.2.3 The Police are permitted under the Licensing Act 2003 to object to the designation of a new Premises Supervisor where they believe the appointment would undermine the Crime Prevention Objective. Where the Police do object, the Licensing Authority will arrange for a hearing and such hearings will be given priority over other types.

7.3. GRANTING EXEMPTIONS FROM THE REQUIREMENT OF DESIGNATED PREMISES SUPERVISORS AND PERSONAL LICENCE HOLDERS – THE LEGISLATIVE REFORM (ALCOHOL SALES IN CHURCH AND VILLAGE HALLS &C.) ORDER 2009

7.3.1 On receipt of an application requesting the removal of the 2 mandatory conditions relating to the need for a Designated Premises Supervisor, and sales of alcohol being authorized by a personal licence holder, the Licensing Authority will consider replacing those conditions with the following ‘alternative condition’:

‘That every supply of alcohol under the premises licence must be made or authorised by the management committee’.

7.3.2 Such applications shall only be granted to ‘community premises’.

7.3.3 A Community Premises is defined as premises that are or form part of;

- (a) A church hall, chapel hall or other similar building, or
- (b) A village hall, parish hall, community hall or similar building.

7.3.4 The Licensing Authority will consider each application on its own merits.

7.3.5 The main consideration for the Licensing Authority will be how the premises are predominately used. If they are genuinely made available and accessible by a broad range of persons and sectors of the local community, for purposes beneficial to the community as a whole, then the premises is likely to meet the definition.

7.3.6 The Licensing Authority will consider the management arrangements of the premises when considering such applications. This should be by formal Management or Executive Committee, and the premises licence should be in the name of that committee.

7.3.7 The Licensing Authority will need to be satisfied that the arrangements for the management of the premises are sufficient to ensure adequate supervision of the supply of alcohol on the premises.

7.3.8 Any arrangements should normally include:-

- The contact details of a responsible person or nominated contact to take any necessary action should issues arise.
- A written policy on how children and underage sales of alcohol will be managed. The policy should identify the offences under Sections 145 –

153 inclusive of the Licensing Act 2003 in respect of children and alcohol.

- An effective hiring agreement when the premises are hired for private events where the sale of alcohol is permitted.

7.3.9 The Licensing Authority would normally expect any hiring agreement to contain the following:-

The conditions of the premises licence

The policy on underage sales

A signed declaration that the hirer has read and understands his/her responsibilities in leasing the premises

7.3.10 The management board or committee, as premises licence holder, will collectively be responsible for ensuring compliance with law.

7.3.11 If a representation is received from the Chief Officer of Police requesting the imposition of the same mandatory conditions applicable to non-community premises, then the Licensing Authority will also consider whether those conditions are necessary to promote the crime prevention objective before granting or varying the licence.

7.3.12 Where a review application is made in respect of a premises licence that includes the 'alternative condition', the Licensing Authority may determine that normal mandatory conditions should apply, and a Designated Premises Supervisor is required.

8 TEMPORARY EVENT NOTICES

8.1 The Licensing Authority recognises that only the Police and Environmental Health may intervene to prevent such an event arranged under a Temporary Event Notice that meet the required criteria in paragraph 8.2.

A Temporary Event Notice must be submitted no less than ten working days before the date of the proposed event, notwithstanding the date that it was sent. Should the Police or Environmental Health have reason for concern that the organisers have not properly addressed the licensing objectives, they may make representation. Late Temporary Event Notices are also possible for events that cannot be foreseen. In such circumstances applications can be submitted as long as between 5 and 9 working days notice remains prior to the event. The Licensing Authority actively encourages applicants to give 28 days notice of such events so that appropriate guidance and advice can be given to organisers.

8.2 The Licensing Authority will only ever intervene on such events if the limits on the number of Notices that it may be given in various circumstances are exceeded:-

- The number of times a person may give a Temporary Event Notice (50 times per year for a Personal Licence holder, 5 times per year for other people);

- The number of times a Temporary Event Notice may be given in respect of any particular premises (12 times in a calendar year, and aggregate maximum of 21 days);
 - The length of time a Temporary Event may last for these purposes (168 hours / 7 days); and
 - The scale of the event in terms of the maximum number of people attending at any one time (less than 500).
- 8.3 The Licensing Authority actively encourages people organising events under Temporary Event Notices to have proper respect for the concerns of local residents and to follow any advice given by the Council's Environmental Health Section, the Police, Fire Authority or any other relevant agency promoting public protection.
- 8.4 When the Notice is not within the parameters described in paragraph 8.2, the Licensing Authority will issue a Counter Notice to the person giving the Notice.
- 8.5 Exceptionally, the Police or Environmental Health may issue an Objection Notice to an event because they believe it would undermine one or more of the licensing objectives set out in the Act. In such circumstances, the Licensing Authority will consider the objection by way of a hearing.

9 CLUB PREMISES CERTIFICATES

- 9.1 The Licensing Authority recognises that private premises to which public access is restricted, and where alcohol is supplied other than for profit, give rise to different issues for licensing law than presented by commercial enterprises selling direct to the public.
- 9.2 The benefits offered to such premises bearing in mind that alcohol is 'supplied' to members of clubs, and 'sales' do not actually take place include:-
- The authority to supply alcohol to members and (sell it to) guests without the need for any member or employee to hold a Personal Licence;
 - The absence of a requirement to specify a Designated Premises Supervisor;
 - More limited rights of entry for the Police and Authorised Persons because the premises are private and are not generally open to the public;
 - Not being subject to Police powers of instant closure on grounds of disorder and nuisance because they operate under their Codes of Discipline and Rules which are rigorously enforced; and
 - Not being subject to potential Orders of the magistrates' court for the closure of all licensed premises in an area when disorder is happening or expected.

- 9.3 The Licensing Authority will consider an application for a full premises licence if the Club decides it wishes to offer its facilities commercially for use by the general public (separate planning permission should be sought.)
- 9.4 The Licensing Authority will only issue a Club Premises Certificate if the conditions in Sections 61 and 63 of the Licensing Act 2003, and other requirements of the Act, are satisfied.
- 9.5 The Licensing Authority will consider requests for Clubs to supply alcohol for consumption off premises during times that the premises are open for the purposes of supplying alcohol to its members on the premises.
- 9.6 Any permission granted under paragraph 9.5 will be subject to the alcohol being supplied in a sealed container, and only supplied to members of the Club.
- 9.7 The Licensing Authority, whilst acknowledging the importance of sex equality to society generally, will not consider representations on such applications based on different treatment for people of different gender, in view of it not being a Licensing Objective.
- 9.8 Save for the above paragraphs and other restrictions within the Licensing Act 2003, the Licensing Authority will apply the other policies relating to premises applications, detailed from paragraphs 6.1-6.10.2 above, to Club Premises Certificates.

10 CONTACT DETAILS, ADVICE AND GUIDANCE

- 10.1 Applicants can obtain further details about licensing and the application process, including application forms, fees and advice from:

Business Licensing
Weymouth and Portland Borough Council
North Quay
Weymouth
Dorset
DT4 8TA

Tel: 01305 838000
Email: Licensing@weymouth.gov.uk
Web: www.dorsetforyou.com

- 10.2 Applicants may also submit electronic applications and payments online via the Council's website at www.dorsetforyou.com

10.3 Contact details for all the responsible authorities are provided below:

<p>POLICE The Licensing Team Dorset Police 5 Madeira Road Bournemouth Dorset BH1 1QL</p> <p>T: 01202 222284 E: licensing@dorset.pnn.police.uk</p>	<p>TRADING STANDARDS Head of Regulatory Services Trading Standards Service County Hall Dorchester Dorset DT1 1XJ</p> <p>T: 01305 224012</p>
<p>FIRE BRIGADE Dorset Fire and Rescue Service Joint Emergency Services Building Wimborne Road Poole Dorset BH15 2BP</p> <p>T:01305 252600 E:firesafety_bh@dorsetfire.gov.uk</p>	<p>PLANNING Principal Planning Officer Weymouth and Portland Borough Council South Walks House South Walks Road Dorchester Dorset DT1 1UZ</p> <p>T: 01305 838336 E: planning@westdorset-weymouth.gov.uk</p>
<p>ENVIRONMENTAL HEALTH Head of Business Regulation and Support Weymouth and Portland Borough Council North Quay Weymouth Dorset DT4 8TA</p> <p>T: 01305 838452 E: Envhealth@weymouth.gov.uk</p>	<p>CHILD PROTECTION Head of Children’s Services Children’s Services Directorate Dorset County Council County Hall Colliton Park Dorchester Dorset DT1 1XJ</p>
<p>PRIMARY CARE TRUST FAO Jo Tibbles Public Health Directorate Third Floor East Vespasian House Bridport Road Dorchester Dorset DT1 1TS</p>	<p>LICENSING AUTHORITY Business Licensing Weymouth and Portland Borough Council North Quay Weymouth Dorset DT4 8TA</p> <p>T: 01305 838000 E: Licensing@weymouth.gov.uk</p>

11. TABLE OF DELEGATION OF LICENSING FUNCTION

MATTER TO BE DEALT WITH	FULL COMMITTEE	SUB-COMMITTEE	OFFICERS
Application for personal licence		If a police representation	If no representation made
Application for personal licence with unspent convictions		All Cases (If a police representation)	If no police representation made
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club registration certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police representation	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police representation	All other cases
Application for Interim Authority Notice		If a police representation	All other cases
Application to review premises licence/club premises certificates		All cases	
Consideration of interim steps and summary review of a premises licence		All cases	
Application for a minor variation of a premises licence or club premises certificate			All cases
Decision on whether a complaint is irrelevant, frivolous, vexatious etc			All cases
Decision to object when local authority is a consultee and not the lead authority		All cases	
Determination if a police/Environmental Health representation to a temporary event notice		All cases	
Removal of the requirement for a DPS and personal licence at community premises		If a Police representation	All other cases
Reviews of Statement of Licensing Policy	All cases (With recommendation to Full Council)		

LICENSING ACT 2003

TERMINOLOGY

Appeals

Appeals against decisions of the licensing authority are to the magistrates' court for the area in which the premises are situated. The appeal must be lodged within 21 days of receipt of the Committee's written decision notice by the appellant. On appeal a magistrates' court may, dismiss the appeal; substitute its own decision; remit the case to the licensing authority with directions; and/or make an order for costs

Authorised Persons

The Act creates three categories of people/bodies that can make representations to a licensing authority about an application for a licence. "Authorised persons" are specified people who have statutory duties in relation to the inspection of premises, e.g. fire, health & safety. Only these groups may make representations about an application for a premises licence.

These are defined in the Act as:

- An officer of a licensing authority in whose area the premises are situated who is authorised by that authority for the purposes of this Act,
- An inspector appointed by the fire and rescue authority for the area in which the premises are situated,
- An inspector appointed under section 19 of the Health and Safety at Work etc Act 1974 (c. 37)
- An officer of a local authority, in whose area the premises are situated, who is authorised by that authority for the purposes of exercising one or more of its statutory functions in relation to minimising or preventing the risk of pollution of the environment or of harm to human health,
- In relation to a vessel, an inspector, or a surveyor of ships, appointed under section 256 of the Merchant Shipping Act 1995 (C.21),
- A person prescribed for the purposes of this subsection.

Closure Order

There are powers for the police and courts to close premises. The 2003 Act gives powers to the police to seek court orders in a geographical area that is experiencing or likely to experience disorder or to close down instantly individual licensed premises that are disorderly, likely to become disorderly or are causing noise nuisance

Club Premises Certificate

A certificate which licences a qualifying club for the sale/supply of alcohol. It can be granted to members clubs which comply with specific conditions e.g. membership rules, run by club committees, profits go to members not an owner etc. There is no time limit on the duration of the certificate but it may be withdrawn, surrendered or suspended

Conditions	A premises licence may be granted subject to different conditions, and these may be in respect of different parts of the premises and different licensable activities. There is no power to impose conditions on a personal licence. Secretary of State's guidance provides "The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. It is possible that, in certain cases, where there are other legislative provisions which are relevant and must be observed by the applicant, no additional conditions are appropriate to promote the licensing objectives." Conditions must be proportionate and tailored to size, style, characteristics and activities taking place at the premises concerned.
Designated Premises Supervisor	The person designated in the premises licence as the person who is responsible for supervision of the premises e.g. the day-to-day manager. Any premises where alcohol is supplied as a licensable activity must have a designated premises supervisor.
Exempt Entertainment	Entertainment that does not require a licence.
Interested Parties	"Interested parties" are any individual, body or business, regardless of vicinity.
Interim Authority Notices	Where a premises licence lapses due to the death, incapacity or insolvency etc of the holder, specified persons can within 28 days serve an interim authority notice on the licensing authority. This revives the licence, subject to police objection, for a period of up to 3 months so the premises can continue trading.
Late Night Refreshment	Supply of hot food or hot drink between 11pm and 5am whether for consumption on or off the premises e.g. will cover late night takeaways and fast food outlets but also restaurants open after 11pm.
Licensable Activities	Activities that must be licensed under the Act: The sale by retail of alcohol; supply of alcohol by a club; provision of regulated entertainment; provision of late night refreshment.
Licensing Authority	Local authorities (district or county councils)
Licensing Committee	A committee of at least 10 but not more than 15 members of the local authority. There may also be one or more sub-committees consisting of at least three members.
Licensing Objectives	The objectives of licensing set out in the Act: The prevention of crime and disorder; the promotion of public safety; the prevention of public nuisance; and the protection of children from harm. The Licensing

Authority must carry out its functions under the Act with a view to promoting the licensing objectives.

Mandatory Conditions

Conditions that the Act requires are imposed on a premises licence in specified circumstances. These include:

- No supply of alcohol unless there is a designated premises supervisor (save for community premises who have been applied for and been granted exemption);
- Every sale or supply of alcohol must be made or authorised by a personal licence holder
- Where films are exhibited film classifications must be observed;
- Where the premises licence includes a door supervision condition it must also require the door supervisors to be licensed by the Security Industry Authority
- No irresponsible drink promotions
- No alcohol to be dispensed directly into the mouth of a person
- Where alcohol is sold or supplied, free drinking water must be available
- Where alcohol is sold or supplied an age verification policy must be in force
- Small measures of alcohol available for Beer or cider: ½ pint, Gin, rum, vodka or whisky: 25ml or 35ml, and still wine in a glass: 125ml

Objection Notice

A procedure whereby the police can object to the grant of a personal licence on the grounds that where having regard to convictions of the applicant for relevant offences, the grant would undermine the crime prevention objective.

Operating Schedule

A document in a prescribed form that sets out information about how the applicant for a premises licence intends to operate his business. It sets out information such as the relevant licensable activities, the proposed licensed hours, any other opening hours, the name of the proposed premises supervisor and steps which it is proposed to take to promote the licensing objectives. Where an applicant for a premises licence submits an operating schedule, and there are no relevant representations (objections), the local authority licensing committee must grant the application and can impose only those conditions on the licence that are consistent with the operating schedule.

Personal Licence

A licence granted to an individual which authorises that person to supply alcohol or authorise the supply of alcohol in accordance with a premises licence. The licence lasts for 10 years. It ceases to have effect when revoked, forfeited, surrendered or suspended. A personal licence holder is not required where the premises concerned do not supply alcohol as one of its licensable activities. A personal licence holder is also not required for the supply of alcohol in a club which holds a club premises certificate, and where exemptions are granted for community premises. Only the police can object to the grant of a personal licence (there is no equivalent to relevant representations as for premises licences).

Premises Licence A licence granted in respect of any premises, which authorises the premises to be used for one or more licensable activities. Has effect until revoked, surrendered or death, insolvency etc of the holder. Applications dealt with by the Licensing Authority in the area where the premises are situated.

Provisional Statement A procedure by which the licensing authority can give a statement approving for licensing purposes proposals for a premises being built or in the course of being constructed. Where a provisional statement is made, subject to limited exceptions, the full licence must normally be granted once the premises are completed.

Regulated Entertainment Specified entertainment that takes place in the presence of an audience for their entertainment; performance of a play, exhibition of a film, indoor sporting event, performance of live music, playing of recorded music, performance of dance, other entertainment similar to music and dancing, subject to exemptions.

Relevant Offences Offences relevant to the consideration of an application for the grant of a personal licence and about which the police may serve an “objection notice”. The offences are listed in schedule 4 of the 2003 Act and generally relate to drunkenness, dishonesty, drugs, copyright, food safety, sexual offences & violence.

Relevant Representations The 2003 Act does not use the term “objections”. Instead authorised persons, interested parties and responsible authorities may be able to make relevant representations about an application for a licence. Representations must relate to the licensing objectives and where made by an interested party must not be frivolous or vexatious. When considering an application from an interested party or responsible authority the Licensing Authority need only consider relevant representations. The making of relevant representations engages the licensing authorities discretion to take steps consistent with the licensing objectives when considering the application.

Responsible Authorities The Act creates three categories of people/bodies that can make representations to a licensing authority about an application for a licence. “Responsible authorities” include the police, fire, enforcing authority for health and safety, planning authority, environmental health, NHS, bodies responsible for child protection and other specified authorities. Only these groups can make representations about an application for a premises licence

These are defined in the Act as:

- The chief officer of police for any police area in which the premises are situated,
- The fire authority for any area in which the premises are situated,
- The enforcing authority within the meaning given by section 18 of

the Health and Safety at Work etc Act 1974 for any area in which the premises are situated,

- The local planning authority within the meaning given by the Town and Country Planning Act 1990 for any area in which the premises are situated,
- NHS,
- The local authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health,
- A body which – represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the protection of children from harm; and is recognised by the licensing authority for that area for the purposes of this section as being competent to advise it on such matters,
- Any licensing authority in whose area part of the premises is situated,
- In relation to a vessel – **a navigation authority** (within the meaning of section 221 (1) of the Water Resources Act 1991 having functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is, or is proposed to be, navigated at a time when it is used for licensable activities. **The Environment Agency, the British Waterways Board, or the Secretary of State.**
- A person prescribed for the purposes of this subsection.

Authorised persons, interested parties or responsible authorities are the only groups who can make representation.

Review of Licence

Where a premises licence is in force an interested party or responsible authority may apply to the licensing authority for it to be reviewed. The authority must hold a hearing to review the licence and as a result must take any appropriate steps to promote the licensing objectives, such as the modification of conditions; exclusion of licensable activities; removal of the premises supervisor; suspension of the licence for up to three months; or the revocation of the licence. E.g. neighbours of a public house causing a public nuisance could apply to the licensing authority for the premises licence to be reviewed

Statement of Licensing Policy

Each licensing authority must every five years determine and publish a statement of licensing policy. There is a requirement to consult on the policy and keep it under review.

Temporary Event Notices

Where it is proposed to use premises (the definition of which includes any place) for one or more licensable activities involving less than 500 people during a period not exceeding 168 hours a “temporary event notice” may be given to the licensing authority. The most important aspect of this system is that no permission is required for these events from the licensing authority – once the required notice is served in the specified way then subject to police and/or environmental health

objections on the licensing objectives the event can proceed. Applicants for temporary event notices do not have to hold a personal licence but non-licence holders are limited to 5 in one year, a personal licence holder can have up to 50 temporary events. There is a maximum of 12 temporary events per year in respect of one premises

Transfer

A procedure where an application can be made to transfer the premises licence into a new name e.g. if a premises licence holder sells his premises an application may be made to transfer the premises licence to the new owner.

Variation Procedures

Procedures set out in the Act that allow applications to be made to vary a premises licence (e.g. to modify/extend the premises to which the licence applies) or to vary/change the designated premises supervisor. Variations that could not impact adversely on the licensing objectives can be subject to simplified minor variations process.

WEYMOUTH & PORTLAND BOROUGH COUNCIL

LICENSING ACT 2003

PREMISES LICENCES: PRO-FORMA RISK ASSESSMENT

INTRODUCTION

The Licensing Act 2003 and the regulations made under it detail those matters that the Licensing Authority expects applicants to address as part of premises' Operating Schedules.

The proper preparation of the Operating Schedules for each premises should therefore avoid the need for Responsible Authorities and Interested Parties to request the Licensing Authority to attach additional conditions to the licence to ensure the Licensing Objectives are met.

Even in the absence of conditions being attached to the licence, the Licensing Authority would expect licensees to act upon any advice given by Authorised Persons, thereby avoiding unnecessary requests for reviews of premises licences.

Whether or not any risk assessment of a premises shows the need to include measures in the Operating Schedule, or alternatively the imposition of a condition by the Licensing Authority, depends on a range of factors including the nature and style of the venue, the activities being conducted there, the location of the premises and the anticipated clientele of the business involved. It should also be borne in mind that club premises operate under codes of discipline to ensure the good order and behaviour of members.

Appropriate conditions for the licence or certificate will also depend on local knowledge of the premises.

Under no circumstances should the following measures be regarded as standard conditions to be automatically imposed in all cases. They are designed to provide a range of conditions drawn from experience relating to differing situations and to offer guidance.

The Licensing Authority would expect Responsible Authorities to submit their reasons for their request to attach one or more of the conditions suggested. There should be an evidential base, to demonstrate that the imposition of a condition is required to ensure the required measures are taken. Ideally, applicants and licensees should be prepared to co-operate with the authorities to achieve the Licensing Objectives without the need for specific conditions. This should ensure that any condition attached is proportionate and reasonable in line with Council Policy.

If a Responsible Authority is satisfied that the only way one of the Licensing Objectives can be achieved is by way of condition then the suggested wording of the condition should be submitted as part of the representation.

Any individual preparing an Operating Schedule is at liberty to volunteer any measure, such as in the following Pro-Forma Risk Assessment, as a step he or she intends to take to promote the Licensing Objectives. Good Operating Schedules should pre-empt the need for any non-mandatory conditions to be applied. When incorporated into the licence or certificate as a condition, they become enforceable under the law and a breach of such a condition could give rise to prosecution.

The following conditions are not exhaustive and the Licensing Authority may attach whatever other conditions it feels necessary to ensure the Licensing Objectives are met. Even so, the following Pool of Conditions should give guidance to both applicants, Responsible Authorities, and Interested Parties when considering the type of measures available to the Licensing Authority.

Licensing Act 2003

Pro Forma Risk Assessment

Please complete the details below:

Applicant name:
Business name:
Business address:
Postcode:

Guidance about this document

1. The Licensing Authority recommends that you complete this specially designed pro-forma risk assessment to help you decide what should be entered in your operating schedule of your licence application to show how you will promote the four licensing objectives.
2. Whilst the Licensing Authority cannot insist that you use this document it takes the view that it assists responsible authorities in assessing the operating schedule, promotes discussions and partnership working and will reduce the number of representations and

hearings. Use of this document is especially recommended to those applying for a pub or club licence.

3. If you do not use this risk assessment pro forma then you will need to demonstrate how you will meet the licensing objectives by providing other supporting evidence via your operating schedule.

4. The Licensing Authority strongly recommends that you consult with the responsible authorities early in the application process to ensure that the measures you are suggesting are appropriate and sufficient for your application. Contact details for the responsible authorities are in the guidance note in the application pack. Please contact Business Licensing if you cannot find this information.

How to use this document

1. This document has four sections which correspond with the four licensing objectives. In each section you will find information on potential control measures (each with an individual code) which we suggest may help you meet the four licensing objectives.

2. Run through the questions at the beginning of each section and consider the potential control measures listed in the columns beneath. These Yes/No answers will not form licence conditions.

3. If you are happy to volunteer the suggested measures as part of your application place a tick in the relevant box in the right hand column. You can then enter the corresponding codes in page 14 of your application form in the boxes which match up with the licensing objectives or simply write "see pro forma risk assessment". These measures will then appear on your licence and will become enforceable conditions that you must adhere to. If you are not certain you can adhere to the condition at all relevant times, you may wish to re-word or not agree to it being a formal licence condition.

Crime and Disorder

CCTV

Does the premise have CCTV?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES:	
Was the siting and standard agreed with Dorset Police?	YES <input type="checkbox"/> NO <input type="checkbox"/>
Have you agreed a policy on the retention and security of the footage with Dorset Police?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If NO:	
Have you consulted Dorset Police about whether CCTV should be installed?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
(NB unless Dorset Police have agreed CCTV is not required, a representation is likely)	

Suggested measures	Code	✓
A Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times when members of the public are present on the premises.	CD01	

The CCTV system will cover all areas of the premises occupied by the public under the terms of the licence (licensed areas), including corridors and stairways (excluding WCs and changing rooms).	CD02	
The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises.	CD03	
The CCTV system will cover all external areas of the premises occupied by the public, i.e. queuing areas, beer gardens, smoking areas and car parks.	CD04	
The location of CCTV cameras are identified on the site plan of the premises. No amendments to the locations of the cameras will be made without prior consultation with Dorset Police and the Licensing Authority	CD05	
The CCTV system will be of a resolution quality which will enable the identification of persons and activities, and other fine details such as vehicle registration number plates in any light condition.	CD06	
The CCTV system will contain the correct time and date stamp information.	CD07	
The CCTV system will have sufficient storage retention capacity for a minimum of 31 days' continuous footage.	CD08	
The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has accessed the system, the reason why and when. This record must be made available to Police/Licensing on request.	CD09	
A designated member/members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested, will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request, to an authorised officer of the Licensing Authority or a Responsible Authority with the absolute minimum of delay.	CD10	
The CCTV system will be capable of securing relevant pictures for review or export at a later date.	CD11	
The CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.	CD12	
The CCTV system replay software must allow an authorised officer of the Licensing Authority or Responsible Authority to search the picture footage effectively and see all the information contained in the picture footage.	CD13	
It must be possible to replay exported files immediately e.g. no re-indexing of files or verification checks.	CD14	

Designated Premises Supervisor (DPS)

Will the DPS generally be on site?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
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Is the DPS contactable in emergency?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If the DPS is not to be generally on site, have you made arrangements to nominate the supervisor in his/her absence?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Is the Supervisor's Register bound with consecutively numbered pages?	YES <input type="checkbox"/> NO <input type="checkbox"/>

Suggested measures	Code	✓
A Supervisor's Register will be maintained at the licensed premises, showing the names, addresses and up-to-date contact details for the DPS and all personal licence holders.	CD15	
The Supervisors Register will state the name of the person who is in overall charge of the premises at each time that licensed activities are carried out, and this information will be retained for a period of twelve months and produced for inspection on request to an authorised officer.	CD16	
There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.	CD17	

Door Supervisors and Other Security Staff

Do you use registered door supervisors or security staff?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Are they Security Industry Authority (SIA) registered?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you specify a minimum number of door supervisors?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES, state the number of staff _____	
Days (and times) employed _____	
Has this been agreed with Dorset Police?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you have a policy with the door supervisor or security company which covers:	
<ul style="list-style-type: none"> Vetting customers entering the premises? 	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<ul style="list-style-type: none"> Is there a prominently displayed written search policy on the premises? 	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<ul style="list-style-type: none"> Controlling customers entering, within or leaving the premises? 	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<ul style="list-style-type: none"> Safeguarding the public within and immediately outside the premises? 	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<ul style="list-style-type: none"> Notifying Dorset Police at the earliest opportunity of any problems or incidents? 	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
<ul style="list-style-type: none"> Exclusion of persons who have had too much to drink or appear inclined to disorder? 	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you have a Daily Record Register within which door supervisors/security staff sign on and off duty?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Is the Daily Record Register bound with consecutively numbered pages?	YES <input type="checkbox"/> NO <input type="checkbox"/>
Can you identify who was on duty at any particular time?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you have an Incident Report Register?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Is the Incident Report Register bound with consecutively numbered pages?	YES <input type="checkbox"/> NO <input type="checkbox"/>

Suggested measures	Code	✓
Persons entering or re-entering the premises may be searched at random by an SIA trained member of staff and monitored by the premises CCTV system.	CD18	
At least 2 SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.	CD19	
All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests.	CD20	
A minimum of (____) SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business.	CD21	
A minimum of (____) SIA licensed door supervisors shall be on duty at the premises between the hours of ____ and ____.	CD22	
The Premises Licence Holder (PLH)/Designated Premises Supervisor (DPS) will ensure that a 'Daily Record Register' is maintained on the premises by the door staff.	CD23	
The Daily Record Register will contain consecutively numbered pages, the full name and registration number of each person on duty, the employer of that person and the date and time he/she commenced duty and finished duty (verified by the individual's signature).	CD24	
The Daily Record Register will be retained on the premises for a period of twelve months from the date of the last entry and made available to an authorised officer from the Licensing Authority or Police on request.	CD25	
Security staff/designated supervisors will be familiar with the premises policy concerning the admission, exclusion and safeguarding of customers whilst in the premises.	CD26	
All external fire exit doors shall be fitted with sensor alarms and visible or audible indicators to alert staff when the doors have been opened.	CD27	
The PLH/DPS will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour, admissions refusals and ejections from the premises.	CD28	
The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and	CD29	

registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident and / or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.		
The Incident Report Register will be produced for inspection immediately on the request of an authorised officer from the Licensing Authority or Police.	CD30	

Drugs and Offensive Weapons

Do you have a policy and procedure to prevent use of illegal drugs or weapons (e.g. a search policy)?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Has this been agreed with Dorset Police?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Does the policy include:	
• recording any search	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• seizing drugs/weapons found	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• a purpose made secure receptacle for items seized	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• informing the police of any search and seizure	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
• prominently display notices to inform customers of the policy	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.	CD31	
The PLH/DPS will inform Dorset Police as soon as possible of any search resulting in a seizure of drugs or offensive weapons.	CD32	
A suitable purpose-made receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with Dorset Police.	CD33	
Notices will be prominently displayed at the entrances of the premises which state: <ul style="list-style-type: none"> • Random searches will be conducted as a condition of entry to premises; • Incidents of crime and disorder will be reported to the police and a full recorded entry will be made in the incident report register. • Entry to the premises will be refused to any person who appears to be drunk, acting in a threatening manner or is violent; or appears to be under the influence of drugs. • entry will be refused to any person who has been convicted of an offence of drunkenness, violent or threatening behaviour or the use or distribution of illegal substances 	CD34	

Communication

Do you subscribe to a form of communication link (radio/text/pager system)? The system shall be recognised by Weymouth and Portland Borough Council, West Dorset District Council and Dorset Police.

YES NO N/A

Has this been agreed with Dorset Police?

YES NO N/A

Suggested measures	Code	✓
There will be a communication link via radio to other venues in the town centre. This will be the system recognised by Weymouth and Portland Borough Council, West Dorset District Council and Dorset Police.	CD35	
A radio communication link will be kept in working order at all times when licensable activities are taking place.	CD36	
The radio communication link will be available to the Designated Premises Supervisor or other nominated supervisor and be monitored by that person at all times that licensed activities are being carried out.	CD37	
Any police instructions or directions given via the radio link will be complied with whenever given.	CD38	
All incidents of crime or disorder will be reported via the radio link to an agreed police contact point.	CD39	
As soon as possible, and in any event within one month from the initial grant of this licence, the premises shall join the local pubwatch or other local crime reduction scheme approved by the police, and local radio scheme, if such a scheme exists.	CD40	

Responsible Sale of Alcohol (cont.)

Proof of Age

Have you adopted a proof of Age Scheme?

YES NO N/A

Have all staff been instructed of the steps required to prevent under age sales of alcohol?

YES NO N/A

Glass and Bottles

YES NO N/A

Do you have a policy for the frequent collection of glasses and bottles?

Do you take steps to prevent glasses/bottles being removed from the premises, e.g. instruction to door/bar staff, display of notices?

YES NO N/A

Do you use plastic or toughened polycarbonate (or similar) drinking glasses/bottles when necessary?

YES NO N/A

Alcohol Designated Public Places Orders

If your premises are in the area of an Alcohol Designated Public Places Order (DPPO), do you prominently display notices advising customers of the Order and its effects?

YES NO N/A

Suggested measures	Code	✓
The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 21/25 (delete as appropriate) who attempts to purchase alcohol at the premises.	CD41	
The PLH/DPS staff will ask for photographic identification in the form of either a passport, EU photographic driving licence or PASS accredited identification, from any person appearing to be under the age of 21/25 (delete as appropriate) who attempts to purchase alcohol at the premises.	CD42	
A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale, a description of the person refused, why they were refused (e.g. no ID, fake ID) and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of a Responsible Authority (Licensing Act 2003).	CD43	
<u>Glass and Bottles</u> Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of using tamper proof receptacles. Receptacles will be secured and not accessible to the customers.	CD44	
The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.	CD45	
Plastic or toughened polycarbonate (or similar) glasses/bottles will be used in all outdoor areas.	CD46	
Plastic or toughened polycarbonate (or similar) glasses/bottles will be used when requested by Dorset Police (e.g. football match days or at certain times i.e. after 23:00 hours).	CD47	
<u>Alcohol Designated Public Places Orders</u> Notices indicating the existence and effect of an Alcohol Designated Public Places Order will be prominently displayed at the exits to the premises.	CD48	

Responsible Sale of Alcohol (cont.)

Membership of a Recognised Body

Do you belong to a Licensees Association/Body

YES NO N/A

If **YES**, please state which body _____

Exclusion from Premises

Do you operate a system of excluding customers known to cause problems?

YES NO N/A

If **YES**:

- is this your own system or
- a system run by a local licensees body such as Pubwatch/Townwatch

YES NO N/A

YES NO N/A

Dispersal Policy

Do you have a written dispersal policy (e.g. A policy on how you disperse your clientele from your premises to reduce the risk of anti social behaviour) If **YES**:

YES NO N/A

- Was this agreed with Dorset Police?
- Are all bar and door staff trained on the policy?

YES NO N/A

YES NO N/A

Suggested measures	Code	<input checked="" type="checkbox"/>
The PLH/DPS will belong to a recognised trade body or Pub Watch Scheme where one exists, whose aims include the promotion of the licensing objectives.	CD49	<input type="checkbox"/>
The PLH/DPS will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises. The policy will be agreed with Dorset Police. The PLH/DPS will ensure that staff receive training on the policy and a record of training shall be kept/made available to an authorised officer upon request.	CD50	<input type="checkbox"/>

Entertainment of an Adult Nature e.g. Strip Tease Dancing or Nude Dancing

Do you provide any entertainment consisting of striptease or nude dancing including where dancers are wearing 'see through' clothing or the show includes sexual stimulation?

YES NO N/A

Please note that should you provide relevant entertainment more than 12 occasions per 12 month period or more frequently than monthly you will be required to apply for a Sex Establishment licence.

Suggested measures	Code	<input checked="" type="checkbox"/>
All adult entertainers will be aged no less than 18 years.	CD51	<input type="checkbox"/>
Adult entertainment price lists will be clearly displayed at each table and at each entrance to the premises.	CD52	<input type="checkbox"/>
Adult entertainers will only be present in the licensed area in a state of nudity when they are performing on stage or providing a private dance.	CD53	<input type="checkbox"/>
Any person on the premises who can be observed from outside the premises will be properly and decently dressed.	CD54	<input type="checkbox"/>
Entertainers will only perform on the stage area, or in areas identified on the plan	CD55	<input type="checkbox"/>

attached to the licence.		
Relevant entertainment will only be performed by the entertainer. There must be no audience participation. There must be no physical contact between entertainers.	CD56	
Customers will not touch the breasts or genital area of entertainers. Entertainers will not directly or indirectly touch the breasts or genital area of customers.	CD57	
Any performance will be restricted to dancing and the removal of clothes. There will not be any other form of sexual activity or stimulation which, for the avoidance of doubt, includes kissing.	CD58	
Sex toys must not be used and penetration of the genital area must not take place.	CD59	
Customers will not be permitted to throw money at the entertainers.	CD60	
All areas used for private dances must be visible to supervision and must not have closing doors or curtains that prevent performances from being observed.	CD61	
All areas used for private dances must be directly supervised by either a SIA registered door supervisor, or a member of staff who has direct contact with SIA registered door supervisors working on the premises at all times when the areas are in use. Direct supervision does not include remote supervision by CCTV.	CD62	

Public Safety

Management Arrangements

Suggested measures	Code	✓
The number of persons permitted in the premises at any one time (including staff) shall not exceed (____) persons.	PS01	
Before opening to the public, checks will be undertaken to ensure all accesses to the premises are clear for emergency vehicles. Hourly checks will be undertaken when the premises are open.	PS02	
Written records of all accidents and safety incidents involving members of the public and/or staff will be kept. These will be made available at the request of an authorised officer.	PS03	
During opening hours the cellar door must be kept locked or supervised to prevent unauthorised access by the public.	PS04	
A suitably trained and competent person must ensure daily/weekly/monthly (delete as appropriate) safety checks of the premises, decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact are undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.	PS05	
Empty bottles and glasses will be collected at least hourly, paying particular	PS06	

attention to balcony areas and raised levels.		
Electrical installations will be inspected on a periodic basis (at least every 3 years or at a frequency specified in writing) by a suitably qualified and competent person. Inspection records/certificates will be kept and made available at the request of an authorised officer. If used, any temporary electrical wiring and distributions will also be inspected. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.	PS07	
<p>One of the following protective measures shall be used for all socket-outlets which may be used for the connection for lighting, video or sound amplification equipment and display models:</p> <p>a) Each socket-outlet circuit will be protected by a residual current device having a rated residual operating current not exceeding 30mA, or</p> <p>b) Each individual socket-outlet will be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.</p> <p>The current operation of all residual current devices will be checked regularly by pressing the test button. If the device does not switch off the supply, an electrical contractor should be consulted. At the same time action should be taken to prohibit the use of socket outlets associated with a faulty residual current device.</p>	PS08	

General Housekeeping

Do you have written procedures for the inspection of:		
• Furnishings and fabrics	YES <input type="checkbox"/>	NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Suspended decorations/lights/amplification systems	YES <input type="checkbox"/>	NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Guarding to stairs/balconies/landings/ramps	YES <input type="checkbox"/>	NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Condition of floor surfaces	YES <input type="checkbox"/>	NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Provision of safety glazing	YES <input type="checkbox"/>	NO <input type="checkbox"/> N/A <input type="checkbox"/>
• Guardings to fires or open flames	YES <input type="checkbox"/>	NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
Daily/weekly/monthly (delete as appropriate) safety checks of guardings to stairs, balconies, landings and ramps will be undertaken, and a supervision policy will be maintained to prevent people from inappropriate behaviour, including climbing which may lead to a fall from height.	PS09	
Safety glass that is impact resistant or shielded to protect it from impact will be used in all areas where the public may come into contact with it. (N.B. for windows and doors etc).	PS10	

A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner. All staff will be made aware of the policy.	PS11	
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Refreshments

Do you prepare hot food / drinks in proximity to the public?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES: Has the risk of scalding or burns been assessed?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scald or burns.	PS12	

First Aid

Do you have staff trained in First Aid?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES, please state numbers _____	
Do you provide facilities for treatment of minor injuries (e.g. First Aid box)?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you have procedures for dealing with customers who are unwell including those who appear to be affected by drugs / alcohol)?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
A suitably trained First Aider or appointed person to deal with first aid issues will be provided at all times when the premises are open.	PS13	
An appropriately qualified medical practitioner will be present throughout any sporting entertainment.	PS14	
Staff holding a current qualification issued by a recognised national body in rescue and life safety procedures will be stationed and remain in the vicinity of the water at all material times.	PS15	
First Aid equipment and materials adequate for the number of persons on the premises will be available on the premises at all times. All staff will be made aware of first aid location.	PS16	
A procedure for dealing with unwell members of the public will be in place including those who appear to be affected by alcohol or drugs. Staff will be appropriately trained in such procedures.	PS17	
A dedicated first aid room will be available for use at all times the premises is open for licensable activities.	PS18	

Special Effects

Do you use special effects on/at the premises, e.g. strobes, lasers, smoke machines or fireworks? YES NO N/A

If yes, please give details :

Suggested measures	Code	✓
A written health and safety policy covering all aspects of the safe use of strobes, lasers, smoke machines or any other special effects, will be provided and staff will be trained on the policy.	PS19	
No strobes, lasers or smoke machines will be used at the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use.	PS20	

Sporting Events

Suggested measures	Code	✓
Prior to any "designated sporting event" (as defined in the Sporting Events Control of Alcohol Act 1985) the premises licence holder shall ensure that;		
(i) Alcohol sales in respect of cans of beer or cider are limited to no more than four cans per person for a minimum of four hours before the commencement of the relevant designated sporting event;	PS21	
(ii) No sales of alcohol in glass bottles or glass containers are made in the period four hours before the commencement of the designated sporting event;	PS22	
(iii) Alcohol sales cease for a period of one hour immediately before the commencement of the relevant designated sporting event;	PS23	
(iv) On any day where there is a relevant designated sporting event taking place, the premises will not externally advertise as a result of a local store promotion the availability of beer or cider in such a way as to be likely to be the sole inducement to attract persons to the premises who are either attending the designated sporting event or in the vicinity of the premises as a result of the designated sporting event;	PS24	
(v) All members of staff working at the premises are informed of this condition prior to taking up employment;	PS25	

Prevention of Public Nuisance

Noise and Vibration

Noise and vibration

Identify the potential sources of noise and vibration which apply/could apply to your premises:

- Amplified music
- Unamplified music
- Singing and speech
- Waste disposal, including bottle bins
- Plant and machinery, including extraction systems e.g. cooking extraction
- Food preparation
- Cleaning

Identify where sources of noise may occur outside your premises:

- Beer garden
- Play area
- Car park
- Temporary structure
- Plant and equipment
- Smoking area
- Sitting out area

Identify which measures are in place/proposed:

- Soundproofing
- Air conditioning to allow windows to be kept closed
- Sound limiters
- Use of lobby doors
- Cooling down period with reduced music volume
- Fixed and appropriate times for collection of waste
- Restricted use of outdoor areas
- No external loud speakers

Are the premises located near (<100m) noise sensitive properties, e.g. residential areas, residential homes, hospitals? YES NO

Applicants should refer to the Clean Neighbourhoods and Environment Act 2005 which has amended the Noise Act 1996 to introduce "night noise offences" for licensed premises in completing this section.

Suggested measures	Code	✓
Licensable activities will be conducted and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.	PPN01	

Noise from a licensable activity at the premises will be inaudible at the nearest noise sensitive premises.	PPN02	
There will be no external loudspeakers.	PPN03	
All windows and external doors shall be kept closed after (____) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.	PPN04	
A sound limiting device located in a separate and lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of an officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.	PPN05	
A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.	PPN06	
Bottles will not be placed in any external receptacle after 23.00 hours and before 07.00 hours to minimise noise disturbance to neighbouring properties.	PPN07	
No deliveries to the premises shall be arranged between 23:00 hours and 07:00 hours.	PPN08	
All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.	PPN09	
Noise from plant or machinery will be inaudible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery will be regularly serviced and maintained to meet this level.	PPN10	
The PLH/DPS will ensure patrons use beer gardens, external areas and play areas in a manner which does not cause disturbance to nearby residents and business in the vicinity. Patrons will not use such areas after (____) hours.	PPN11	
The activities of persons using the external areas will be monitored after (____) hours and they will be reminded to have regard to the needs of local residents and to refrain from shouting and anti social behaviour etc when necessary.	PPN12	
There shall be no admittance or re-admittance to the premises after (____).	PPN13	
Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to (____) persons at any one time.	PPN14	
Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks with them.	PPN15	

The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises e.g. for the last hour of opening.	PPN16	
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Litter

Does the premise sell takeaway food, drinks or other produce/packaging which may generate litter/waste?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES, please identify the steps taken to prevent nuisance caused by litter:	
.....	
.....	
<ul style="list-style-type: none"> • Provision of litter bins in vicinity of premises <input type="checkbox"/> • Display of notices to customers near exits <input type="checkbox"/> • Warnings/advice on packaging <input type="checkbox"/> • Instructions to staff to periodically clear litter from the street around the premises <input type="checkbox"/> • Other (please specify) <input type="checkbox"/> 	

Suggested measures	Code	✓
The PLH/DPS will ensure that litter arising from people using the premises is cleared away daily and that promotional materials such as flyers do not create litter.	PPN17	
The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected in accordance with the business's refuse storage arrangements.	PPN18	
No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.	PPN19	

Transport/Pedestrian Movement

Do you have a procedure to ensure that local residents and businesses are not disturbed by customers entering and or leaving your premises:	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If YES:	
What steps do you take to ensure that the procedure(s) works?	
.....	

Suggested measures	Code	✓
Clear and legible notices will be displayed at exits, car parks and other circulatory areas requesting patrons to leave the premises quietly having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti-social behaviour.	PPN20	
(___) SIA Registered door staff will be employed and used to manage queues and ensure queues are restricted to cordoned areas to prevent them obstructing footpaths and spilling out onto roads, and to keep noise and obstructions away from residential property.	PPN21	
The premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.	PPN22	
A facility will be provided for customers to order taxis/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent position on the premises.	PPN23	
There shall be no admittance or re-admittance to the premises after (____) hours.	PPN13	
Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to (___) persons at any one time.	PPN14	
Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks with them.	PPN15	

Protection of Children from Harm

Entertainment of an Adult Nature

Do you provide entertainment of a sexual or adult nature (including strong or offensive language)?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If so, do you only provide the adult entertainment at certain times/days of the week?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Is your premises located near to premises which are children orientated?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
People under 18 (including staff) will not be admitted to the premises at any time when entertainment of a sexual or adult nature is being provided.	PCH01	
The PLH/DPS will provide clear signage that entertainment of an adult nature is occurring which is not suitable for under 18s.	PCH02	

Measures will be put in place for ensuring non-admission to persons under 18 years of age when entertainment of an adult nature is taking place, such as door supervision and age identification checks (including staff)	PCH03	
The PLH/DPS will not externally display photographs or other images which indicate and suggest that striptease or similar entertainment takes place on the premises.	PCH04	
Any person on the premises who can be observed from outside the premises will be properly and decently dressed.	PCH04	
Any written, visual or auditory advertisement material, posters, signage or window display must not be of a sexually explicit or suggestive nature, will not contain images or text of a sexually explicit, obscene or offensive nature.	PCH05	

Under Age Sales of Alcohol

Do the premises sell or supply alcohol?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
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Suggested measures	Code	✓
People under 18 years of age will not be admitted.	PCH06	

Gambling

Is there a strong element of gambling on the premises?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
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Suggested measures	Code	✓
People under 18 (including staff) will not be admitted to the premises at any time when gambling is taking place.	PCH07	
or		
There will be a physical screen of the relevant entertainment from view of those under 18 years who are in a separate area of the premises.	PCH08	

Performers Under 18

Do entertainment performances include performances by children and young persons under 18 years of age?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
NOTE The Children (Performance) Regulations 1968 as amended – continue to apply but are not conditions on the licence as that would be duplication	

Suggested measures	Code	✓

The PLH/DPS will provide an adequate number of suitable adult supervisors who can provide care for the children as they move from stage to dressing room etc, and to ensure that all children can be accounted for in case of an evacuation or an emergency.	PCH09	
All supervisors and crew will receive instruction on the fire procedures applicable to the venue prior to the arrival of the children	PCH10	
The PLH/DPS will ensure that all special effects e.g. flashing lights, dry ice, smoke etc are safe for the children involved in the performance.	PCH11	

Entertainment and/or Facilities Specifically Provided for Children

Is any entertainment/facilities specifically provided for children?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If yes are the children unaccompanied or supervised by staff without parental presence (including where parents are elsewhere in the licensed premises).	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Do you provide young persons discos or similar entertainment?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Suggested measures	Code	✓
The PLH/DPS will ensure that an adult supervisor is stationed in the area(s) or levels which are occupied by children. The supervisors will be placed in the vicinity to exits to the premises. There will be one supervisor per 50 children at all times.	PCH12	
For closely seated audiences, i.e. theatres and cinemas, the ratio of supervisors will be 1 per 25 children, provided that where the children are in the charge of an adult organiser such organisers will be regarded as attendants to an extent not exceeding half of the number of attendants required by the above condition 4PF088.	PCH13	
No child will be permitted to occupy the front row of any balcony gallery or tier, unless accompanied by and in the charge of a person who appears to have attained the age of 16 years.	PCH14	
Upon egress from the premises the Licensee will deploy staff on exit doors and within the vicinity of the premises to ensure the safe dispersal of children and the premises will not close until all children have left the area.	PCH15	

Child Protection Measures

Do you have a system for ensuring the suitability of staff who work closely with children? YES NO N/A

If YES state measures used:

Are your premises located near any adult orientated premises e.g. an adult retail sex shop or a betting shop? YES NO N/A

Suggested measures	Code	✓
The PLH/DPS will perform the necessary background checks including relevant police checks on all potential staff before offering them employment. The Licensee will report any child related concerns to the police he/she has about potential staff, existing staff and customers.	PCH17	
The PLH/DPS will ensure staff receive training to deal with unaccompanied children on the premises and prevent them from harm.	PCH18	
The PLH/DPS will comply with the written guidance for protecting children from harm issued by Dorset County Council, Department of Social Services.	PCH19	
The PLH/DPS will liaise with any adult orientated premises close to his/her premises which the Licensee suspects are at risk of admitting underage children from his/her own premises.	PCH20	

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