



LICENSING SUB-COMMITTEE

To: Councillors Forrest, Gerrard, Howe and Ranson* (For attention)
**Councillor Ranson is the Reserve Member*

All other members of the Council
(For information)

You are requested to attend the meeting of the Licensing Sub-committee to be held in the Preston Room, Woodgate Chambers, Woodgate, Loughborough on Friday, 1st July 2022 at 10.00 am for the following business.

Chief Executive

Southfields
Loughborough

22nd June 2022

AGENDA

1. INTERESTS

Members of the Sub-committee are asked to confirm that they are not aware of any interests or other reason which might prejudice the ability to hold a fair hearing and make a sound determination of the matters to be considered.

2. INTRODUCTIONS AND PROCEDURE FOR MEETING 3 - 4

The Chair is asked to introduce the various parties and explain the procedure to be followed in conducting the hearing.

3. APPLICATION FOR FULL VARIATION TO PREMISES LICENCE 5 - 99
(LICENSING ACT 2003)

To consider an application for full variation to premises licence (Hathern Club, 44 Dovecote Street, Hathern LE12 5HS).

Papers in respect of the matter are attached for the Sub-committee's consideration.

WHERE TO FIND WOODGATE CHAMBERS

Woodgate Chambers
70 Woodgate
Loughborough
Leics
LE11 2TZ

Please use access on Town Hall Passage for this meeting (marked Citizen's Advice Bureau).

ITEM 2 – PROCEDURE FOR THE MEETING

PREMISES LICENCE APPLICATION

Procedure to be followed:

- This is not a court and strict rules of procedure and evidence therefore do not apply.
- Evidence will not be given under oath, however all parties are reminded that the deliberate telling of untrue statements is a criminal offence under section 158 of the Licensing Act.
- All evidence will be given so far as possible by parties seated in their current positions. There is no need for anyone to stand.
- Any statement, comment or question must be addressed through the Chair. There will be no direct cross-examination by any person of any other person.
- The Chair has and will exercise the right to intervene and interrupt any person if that person is providing evidence that is not relevant to the proceedings or to the four licensing objectives.
- As a reminder to all parties attending, the four licensing objectives are:
 - The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- If any person behaves in an unruly, abusive or disruptive manner, the Chair shall exercise his/her right as Chair to adjourn the hearing in order to have that person removed from the meeting.
- The order in which evidence is to be given to the Licensing Sub-committee is as follows:
 1. The Licensing Manager will present her report.
 2. The Applicant will present their information in support of the application.
 3. The Interested Parties will present their evidence in support of their representations.

4. Finally, the Interested Parties and the Applicant can make a closing speech summing up their representations/application.
- With the consent of the Sub-committee, parties will be given the opportunity to ask questions following the presentation of evidence in 1-3 above.
 - Any person may be represented by another person of his/her choosing whether that person is legally qualified or not.
 - Any person may withdraw their submission in regard to this application at this Hearing.
 - The Chair and the other two Licensing Sub-committee members may ask questions at any time of any person in order to clarify any matter, or to clarify any condition proposed to be put onto the Premises Licence should it be granted.
 - Requests from any of the parties for permission for another person to appear at the hearing as a witness will be considered by the Sub-committee.
 - At the end of the hearing, the Licensing Sub-committee will withdraw from the hearing and will privately deliberate in order to consider all the evidence before giving a final determination of this application. During deliberations, the Licensing Sub-committee will be accompanied by the Sub-committee's Legal Advisor who will advise on the law. The Legal Advisor will not make any recommendation as to the determination to be given.
 - Any advice given to the Sub-committee will also be given to all other parties here today.
 - The Sub-committee will endeavour to make a final determination today.
 - The determination will be sent in writing to all the parties at this hearing and all other persons who have made representations previously.

TITLE OF REPORT: Application for variation of a Club Premises Certificate:
Hathern Club, 44 Dovecote Street, Hathern, Loughborough,
LE12 5HS

REPORT OF: Licensing Manager – Regulatory Services

1. PURPOSE OF THE REPORT

This report provides information for Members about a variation application made for Hathern Club, 44 Dovecote Street, Hathern, Loughborough, LE12 5HS under the Licensing Act 2003. The report is to assist Members in determining the outcome of the variation application. It summarises the representations received, highlights the licensing objectives, the relevant parts of the guidance and regulations and the relevant sections of Charnwood Borough Council's Licensing Policy.

2. BACKGROUND

Hathern Club has held a Club Premises Certificate since August 2005. The Club Premises Certificate (CLUB5425) is attached at **Appendix 1**.

3. CURRENT APPLICATION

The application to vary the Club Premises Certificate was submitted by Benjamin Hardy, (Secretary to the Club) on 13 May 2022.

The proposed variation seeks to change the licensable activity hours for Live music, Recorded music, and the Supply of Alcohol. In addition, off sales for alcohol has also been requested.

A copy of the application is attached at **Appendix 2**.

The application was advertised in accordance with the provisions of the Licensing Act Regulations 2005. A copy of the required blue notice and newspaper advertisement is attached at **Appendix 3**.

This application for the variation of the Club Premises Certificate was made under s84 of the Licensing Act 2003 for the following:

Supply of alcohol (On and Off the premises)

- Monday to Sunday 11.00 to 24.00

Live Music (Indoors)

- Monday to Sunday 11.00 to 24.00

Recorded Music (Indoors)

- Monday to Sunday 09.00 to 24.00

Mandatory (compulsory) Conditions are issued by the Secretary of State and are applied (where relevant) to all Premises Licenses selling alcohol. A full list of all Mandatory Conditions is attached at **Appendix 4**.

Representations

One representation has been received from a local resident.

The representation has been made on the grounds of the following licensing objective:

- The Prevention of Public Nuisance

Full details of the representation are attached at **Appendix 5**.

Additional Information

No representations have been received from any of the Responsible Authorities.

Parties

The Parties to the hearing will be:

- a) The Applicant, Benjamin Hardy, (Secretary to the Club)
- b) Interested Parties – Local Resident

4. FOR CONSIDERATION

The areas for consideration by the Sub-Committee are:

- The application for a variation of the Club Premises Certificate
- The representations received from the local resident
- Whether or not the application should be varied and
- The conditions to be attached to the varied Club Premises Certificate (if granted).

5. POLICY & GUIDANCE

When carrying out its functions the Sub-Committee must have regard to:

- (a) the Statement of Charnwood Council's Licensing Policy, and
- (b) the Amended Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State.

Charnwood Borough Council's Licensing Policy is attached at **Appendix 6**.

Relevant parts of the Amended 182 Guidance are attached at **Appendix 7**.

The parties may refer to the Policy and Guidance during the hearing.

6. FOR DECISION

Having considered the variation application and representation, Members must consider whether to;

- Vary the Club Premises Certificate without modification
- Vary the Club Premises Certificate to include additional conditions
- Reject the variation application

The Licensing Authority may attach conditions to any Club Premises Certificate which are necessary for the promotion of the Licensing Objectives. A copy of the Model Pool of Conditions from Charnwood Borough Councils Statement of Licensing Policy is attached at **Appendix 8**.

Appendix 9 shows:

- Current plan held on file
- Area plan

Charnwood Borough Council

Part A

Club Premise Certificate

CLUB5425

Part I – Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Hathern Club
44 Dovecote Street

Post town Hathern

Post code LE12 5HS

Telephone number 01509 842404



Alan Twells
Head of Regulatory Services
Thursday, 11 December 2008

Licensable activities authorised by the licence

Playing of Recorded Music
Supply of alcohol to members and sale of alcohol to guests of members
Performance of Live Music
Performance of Dance, dancing & Ent. of a Similar Description to provision of facilities for making music and provision of facilities for dancing

The times the licence authorises the carrying out of licensable activities

Playing of Recorded Music

Monday from 19:30 to 23:30
Wednesday from 20:00 to 22:30
Thursday from 19:30 to 23:30
Friday from 19:30 to 22:30
Saturday from 20:00 to 23:30
Sunday from 12:30 to 22:30

Bank Holidays from 12:00 to 17:00
Boxing Day from 12:00 to 14:00
New Years Eve 22:00 to 01:30

Supply of Alcohol to members and sale of alcohol to guests of members

Monday to Saturday from 19:00 to 24:00
Sunday from 12:00 to 16:00 and 20:00 to 24:00

Bank Holidays from 12:00 to 17:00
Boxing Day from 12:00 to 17:00
Christmas Day 12:00 to 14:00
New Years Eve 11:00 to 14:00

Registered number of holder, for example company number, charity number (where applicable)

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

N/A

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

N/A



ANNEX 1

MANDATORY CONDITIONS

Mandatory Conditions applicable to all Premises Licences & Club Premises Certificates under the Licensing Act 2003

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Exhibition of Films

3. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
4. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
5. Where-
 - (a) The film classification body is not specified in the licence, or
 - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,admission of children must be restricted in accordance with any recommendation made by that licensing authority.
6. In this section “Children” - means persons aged under 18; and “Film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Door Supervision

7. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, that licence must include a condition that each such individual must:
 - (a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001;
 - (b) Be entitled to carry out activity by virtue of section 4 of the Act.

8. But nothing in subsection (1) requires such a condition to be imposed:
 - (a) In respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films); or
 - (b) In respect of premises in relation to:
 - (i) Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) Any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

9. For the purposes of this section:
 - (a) "Security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and which is licensable conduct for the purposes of that Act.
 - (b) Paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Age Verification

10. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

11. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

12. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

Permitted Price

13. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

14. For the purpose of this condition set out in paragraph 1:

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);

(b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$

Where:

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(b).

15. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

16.(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Irresponsible Drink Promotions (applicable to ‘on’ & ‘off’ sales)

17. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

18. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise).

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

19. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Alcoholic Drink Measures

20. The responsible person must ensure that:

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

ANNEX 2 – OPERATING SCHEDULE CONDITIONS

PREVENTION OF CRIME & DISORDER

Only members and guests are allowed in the club. Alcohol is not served to under 18's.

Our records of being a quiet and orderly club show our intention to prevent underage drinking and disorder.

PUBLIC SAFETY

We have a regular fire inspection and certificate from CHUBB.

Health and Safety is monitored by the committee and a regular meeting (monthly).

PREVENTION OF PUBLIC NUISANCE

Notices are displayed near exits requesting members to be quiet on leaving and respect the neighbours.

PROTECTION OF CHILDREN FROM HARM

Children are only permitted in the club with parents or Grandparents. No children are permitted near the bar. Young adults applying for membership will be scrutinised by the committee. Notices are posted asking parents etc. to supervise children at all times.

ANNEX 3 – LICENSING COMMITTEE CONDITIONS

None.

ANNEX 4 – PREMISES PLAN

The plans relating to the Premises Licence are referenced as;

CP/HATHERN CLUB/CLUB5425/25.07.2005



Charnwood Borough Council

Part B


Premises Licence Summary

Club Premise Certificate

CLUB5425

Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Hathern Club 44 Dovecote Street	
Post town Hathern	Post Code: LE12 5HS
Telephone number 01509 842404	

 Alan Twells Head of Regulatory Services Thursday, 11 December 2008
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Licensable activities authorised by the licence
Playing of Recorded Music Supply of alcohol to members and sale of alcohol to guests of members Performance of Live Music Performance of Dance, dancing & Ent. of a Similar Description to provision of facilities for making music and provision of facilities for dancing

The times the licence authorises the carrying out of licensable activities	
Playing of Recorded Music	Monday from 19:30 to 23:30 Wednesday from 20:00 to 22:30 Thursday from 19:30 to 23:30 Friday from 19:30 to 22:30 Saturday from 20:00 to 23:30 Sunday from 12:30 to 22:30 Bank Holidays from 12:00 to 17:00 Boxing Day from 12:00 to 14:00 New Years Eve 22:00 to 01:30

<p>Supply of Alcohol to members and sale of alcohol to guests of members</p> <p>Performance of Live Music</p> <p>Performance of Dance, Dancing & Ent. of a Similar Description to provision of facilities for making music and provision of facilities for dancing</p>	<p>Monday to Saturday from 19:00 to 24:00 Sunday from 12:00 to 16:00 and 20:00 to 24:00</p> <p>Bank Holidays from 12:00 to 17:00 Boxing Day from 12:00 to 17:00 Christmas Day 12:00 to 14:00 New Years Eve 11:00 to 14:00</p> <p>Monday from 20:00 to 23:30 Wednesday to Saturday from 20:00 to 23:30 Sunday from 20:00 to 22:30</p> <p>Bank Holidays from 12:00 to 17:00 Boxing Day from 12:00 to 14:00 New Years Eve 22:00 to 01:30</p> <p>Monday from 20:00 to 23:30 Wednesday to Saturday from 20:00 to 23:30 Sunday from 20:00 to 22:30</p> <p>Bank Holidays from 12:00 to 17:00 Boxing Day from 12:00 to 14:00 New Years Eve 22:00 to 01:30</p>
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The opening hours of the premises

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

ON

Name, (registered) address of holder of premises licence

Name: Hathern Club
Address: 44 Dovecote Street
Hathern
Loughborough
Leicestershire
Postcode: LE12 5HS
Telephone: 01509 842404

Registered number of holder, for example company number, charity number (where applicable)

N/A

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

N/A

State whether access to the premises by children is restricted or prohibited

See attached conditions

13 MAY 2022



Application to vary a club premises certificate to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE COMPLETING APPLICATION

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.

HATHERN CLUB

(Insert name of club)

club applies for a club premises certificate under section 84 of the Licensing Act 2003 for the premises named in Part 1 below

Club premises certificate number <u>CLUB5425</u>

Part 1 – Club premises details

Name of club <u>HATHERN CLUB</u>			
Postal address of premises, if any, or if none Ordnance Survey map reference or description <u>44, DOVECOTE STREET, HATHERN</u>			
Post town	<u>LOUGHBOROUGH</u>	Postcode	<u>LE12 5HS</u>
Telephone number (if any)			
E-mail address (optional)	<u>ben@hathernclub.co.uk</u>		

Name of person performing duties of a secretary to the club <u>BENJAMIN HARDY</u>
Address of person performing duties of a secretary to the club

Post town	LOUGHBOROUGH	Postcode	LE12
Daytime contact telephone number (if any)			
E-mail address (optional)	ben@hathernclub.co.uk		

Part 2 – Applicant details

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

Part 3 - Variation

Please tick

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

Yes No

If not when do you want the variation to take effect from?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

<p>Please describe briefly the nature of the proposed variation (Please see guidance note 2)</p> <p>Changing of opening hours to a more rigid structure, allowing for Hathern Club to be open in the daytime rather than just in the evening, for the sale of alcohol and playing recorded music in the daytime, option for live music in the evening. All other licensable activities to remain the same.</p>

If the club's 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

<input type="text"/>

Part 4 – Club Operating Schedule

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

What qualifying club activities do you intend to conduct on the club premises which will be affected by your application?

Provision of regulated entertainment (please read 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 entertainments (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)

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club (if ticking yes, fill in box I)

The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Wed					
Thur			<u>Non standard timings. Where the club intends to use the premises for the performance of a play at different times from those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5)		
Tue			State any seasonal variations for the exhibition of film (please read guidance note 6)		
Wed			Non standard timings. Where the club intends to use the premises for the exhibition of film at different times from those listed in the column on the left, please list (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details here</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			<u>Non-standard timings. Where the club intends to use the premises for indoor sporting events at different times from those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non-standard timings. Where the club intends to use the premises for the boxing or wrestling entertainment at different times from those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5) <u>Whilst most likely opnly intending to provide live music on a Friday & Saturday night as it currently does under current certificate rules, the ability to expand on this when demand is there would be beneficial. All live music will continue to be noise monitored.</u>		
Mon	<u>11:00</u>	<u>24:00</u>			
Tue	<u>11:00</u>	<u>24:00</u>	State any seasonal variations for the performance of live music (please read guidance note 6) <u>Bank Holidays (including Christmas Day, Boxing Day, New Year’s Day & Good Friday) plus Christmas Eve and New Year’s Eve: extended until 01:00.</u>		
Wed	<u>11:00</u>	<u>24:00</u>			
Thur	<u>11:00</u>	<u>24:00</u>	Non-standard timings. Where the club intends to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 7)		
Fri	<u>11:00</u>	<u>24:00</u>			
Sat	<u>11:00</u>	<u>24:00</u>			
Sun	<u>11:00</u>	<u>24:00</u>			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	<u>09:00</u>	<u>24:00</u>	Please give further details here (please read guidance note 5) <u>Recorded music played through internal PA system currently separated into three areas of the Club. To play background music at below talking level. Playlist on repeat. Recorded music may include discos during seasonal variations.</u>	Both	<input type="checkbox"/>
Tue	<u>09:00</u>	<u>24:00</u>			
Wed	<u>09:00</u>	<u>24:00</u>	State any seasonal variations for the playing of recorded music (please read guidance note 6) <u>Bank Holidays (including Christmas Day, Boxing Day, New Year's Day & Good Friday) plus Christmas Eve and New Year's Eve: extended until 01:00.</u>		
Thur	<u>09:00</u>	<u>24:00</u>			
Fri	<u>09:00</u>	<u>24:00</u>	Non-standard timings. Where the club intends to use the premises for the playing of recorded music at different times from those listed in the column on the left, please list (please read guidance note 7)		
Sat	<u>09:00</u>	<u>24:00</u>			
Sun	<u>09:00</u>	<u>24:00</u>			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri			<u>Non-standard timings. Where the club intends to use the premises for the performance of dance at different times from those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment that the club will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur			State any seasonal variations for this entertainment (please read guidance note 6)		
Fri					
Sat			Non-standard timings. Where the club intends to use the premises for this entertainment at different times from those listed in the column on the left, please list (please read guidance note 7)		
Sun					

I

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)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	<u>11:00</u>	<u>24:00</u>	State any seasonal variations (please read guidance note 6) <u>Bank Holidays (including Christmas Day, Boxing Day, New Year's Day & Good Friday) plus Christmas Eve and New Year's Eve: extended until 01:00.</u>	Both	<input checked="" type="checkbox"/>
Tue	<u>11:00</u>	<u>24:00</u>			
Wed	<u>11:00</u>	<u>24:00</u>			
Thur	<u>11:00</u>	<u>24:00</u>	Non-standard timings. Where the club intends to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 7)		
Fri	<u>11:00</u>	<u>24:00</u>			
Sat	<u>11:00</u>	<u>24:00</u>			
Sun	<u>11:00</u>	<u>24:00</u>			

J

<p>Hours club premises are open to the members and guests Standard days and timings (please read guidance note 8)</p>			<p>State any seasonal variations (please read guidance note 6) <u>Bank Holidays (including Christmas Day, Boxing Day, New Year's Day & Good Friday) plus Christmas Eve and New Year's Eve: extended until 01:00.</u></p>
Day	Start	Finish	
Mon	<u>09:00</u>	<u>24:00</u>	
Tue	<u>09:00</u>	<u>24:00</u>	
Wed	<u>09:00</u>	<u>24:00</u>	
Thur	<u>09:00</u>	<u>24:00</u>	
Fri	<u>09:00</u>	<u>24:00</u>	
Sat	<u>09:00</u>	<u>24:00</u>	
Sun	<u>09:00</u>	<u>24:00</u>	
			<p>Non standard timings. Where you intend the premises to be open to the members and guests at different times from those listed in the column on the left, please list (please read guidance note 7)</p>

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

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

Please tick as appropriate

- I have enclosed the club premises certificate
- I have enclosed the relevant part of the club premises certificate



If you have not ticked one of these boxes, please fill in reasons for not including the certificate or part of it below

Reasons why the club has not enclosed the club premises certificate or relevant part of it:

M Describe the steps you intend to take to promote the four licensing objectives:

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

Hathern Club has a strong relationship with its membership base and is keen to expand on this. The membership is a close group and very rarely is there any cause for trouble on site. In the instance that there is, full training has been provided to our Steward on the 4 below points.

b) The prevention of crime and disorder

Only members and guests are allowed in the club. Alcohol is not served to under 18's. Our records of being a quiet and orderly club show our intention to prevent underage drinking and disorder.

c) Public safety

We have regular fire inspection checks. We also have a designated Health & Safety officer performing regular premises checks.

d) The prevention of public nuisance

Historically no complaints regarding public nuisance. Appropriate signage in place asking members & guests to respect neighbours when leaving the premises.

e) The protection of children from harm

Children are only permitted inside the club when accompanied by a responsible adult. No children are permitted near the bar. We operate a Challenge 25 policy.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities.
- I understand that I must now advertise my application.
- I have enclosed the club premises certificate or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.


IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

I BENJAMIN HARDY

(Insert full name)

make this application on behalf of the club and have authority to bind the club

Signature	
Date	12/05/2022
Capacity	CLUB SECRETARY

Address for correspondence associated with this application (please read guidance note 13)			
Post town	LOUGHBOROUGH	Postcode	LE12
Telephone number (if any)			
If you would prefer us to correspond with you by e mail, your e mail address (optional) ben@hathernclub.co.uk			

AN APPLICATION HAS BEEN SUBMITTED TO CHARNWOOD BOROUGH COUNCIL AS FOLLOWS:-

Type of application (grant or variation)	FULL VARIATION
Name of Applicant	HATHERN CLUB
Premises Name	HATHERN CLUB
Address of premises	44 DOVECOTE STREET HATHERN LE12 5HS
Type of activity to be licensed	Days and times Licensable activities are to take place
Live Music (indoors) Supply of Alcohol (on and off Sales)	Monday 11:00 to 24:00
	Tuesday 11:00 to 24:00
	Wednesday 11:00 to 24:00
	Thursday 11:00 to 24:00
	Friday 11:00 to 24:00
	Saturday 11:00 to 24:00
	Sunday 11:00 to 24:00
Recorded Music (indoors)	Monday 09:00 to 24:00
	Tuesday 09:00 to 24:00
	Wednesday 09:00 to 24:00
	Thursday 09:00 to 24:00
	Friday 09:00 to 24:00
	Saturday 09:00 to 24:00
	Sunday 09:00 to 24:00

Dated: Friday, 13th May 2022

Any objections in respect of the application should be made in writing, using the Representation Form which can be found at <https://www.charnwood.gov.uk/pages/object-to-premises-licence>

or club certificate to: Licensing Manager, Charnwood Borough Council, Council Offices, Southfield Road, Loughborough, Leicestershire, LE11 2TX, and must be made by the following date:- **10th June 2022**

A record of the application can be inspected at the Council Offices at the aforementioned address during normal office hours. It is an offence to knowingly or recklessly make a false statement in or in connection with an application. Any person found guilty of such offence shall be liable on summary conviction to a maximum fine in the sum of £5000.00. Guidance for making objections can be found using the above link:

Licensing Section contact details:

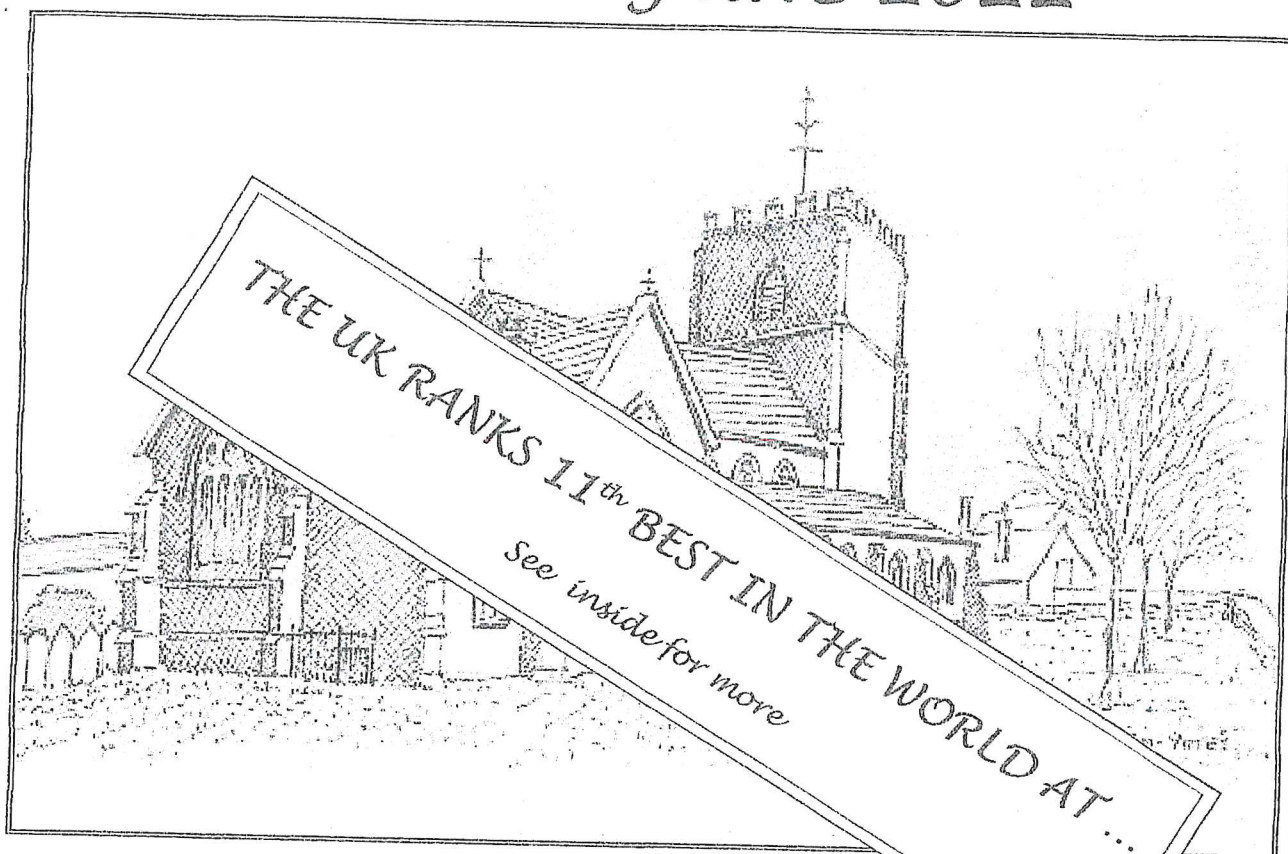
Personal visit to:	Writing to us at:
Charnwood Borough Council Licensing Section Southfield Road Loughborough Leicestershire LE11 2TX	The Licensing Section Charnwood Borough Council Council Offices Southfield Road Loughborough Leicestershire LE11 2TX
Email: licensing@charnwood.gov.uk	Phone: 01509 634562
Internet: www.charnwood.gov.uk	Fax: 01509 632529

AN APPOINTMENT SYSTEM IS IN OPERATION. PLEASE MAKE AN APPOINTMENT PRIOR TO ATTENDING.

SS PETER & PAUL, HATHERN

No.488 - JUNE 2022

26 MAY 2022



Hathern Church is a member of the Kegworth & Hathern Team Ministry and Church
Members work together throughout the united Benefice.
Enquiries regarding Marriages and Baptisms should be directed to our Rector:
Lauretta Wilson, 01509 678966, LJWilson33@btinternet.com

WHO TO CONTACT

Team Rector	Revd Lauretta Wilson	LJWilson33@btinternet.com
	The Rectory, 24 Nottingham Road, Kegworth, Derby	07840 753 202
Team Vicar	Revd Louise Corke	Words.th@talktalk.net
	The Rectory, Presents Lane, Belton, Leicestershire	07549 027 923
Licensed Reader	Mrs Sue Hack, 46 Shepshed Road, Hathern	844 174
Church Warden	Mrs Rosemary Worsfold, 33 Green Hill, Hathern	842 585
Deputy Warden	Tony Croft, 32 Narrow Lane, Hathern	842 634
PCC Lay Chair	Mrs Rosemary Worsfold, 33 Green Hill, Hathern	842 585
PCC Secretary	Mrs Jill Bennett, 48 Wide Lane, Hathern	553 644
PCC Treasurer	Mrs Linda Wigley, 32 Nightingale Avenue, Hathern	843 744
Safeguarding	Mrs Sue Hack, 46 Shepshed Road, Hathern	844 174
Tower Captain	Tony Croft, 32 Narrow Lane, Hathern	842 634
Mothers' Union	Mrs Linda Wigley, 32 Nightingale Avenue, Hathern	843 744
Magazine Editor	John Worsfold, 33 Green Hill, Hathern	JHW.Hathern@gmail.com 842 585



www.aChurchNearYou.com/church/5269/
www.facebook.com/HathernChurch/
www.facebook.com/HathernPraise/



LETTER FROM THE CLERGY TEAM

A GRAND OCCASION OFTEN INVOKES SOMETHING SPECIAL: an anthem composed to be sung in a grand cathedral; a speech or two written to celebrate a bride and groom; a poem created to mark a retirement. What might one write for a Platinum Jubilee, I wonder? What would the refrain encapsulate?

We create words and music for events, be they of celebration or of tragedy, of joy or lament.

I was particularly struck listening to the composer John Rutter recently talking about his reaction to Russia's invasion of Ukraine. He said, 'How can a composer respond to a global tragedy? I suppose by writing music. Like everybody I have been shocked and dismayed by the events of recent days. And the first thing I wanted to do was to write some music that would respond in my own way. I went to a late night service in my old college chapel where they sang a setting of a lovely Ukrainian prayer. So having encountered the text in another musical setting on Wednesday night, on Thursday I wrote my own music. I hope the meaning of the text will resonate in people's hearts.' You can hear his setting of the prayer at

www.youtube.com/watch?v=2nxAolyOEfc

Two years ago, in the early months of the covid pandemic, a 3000 year old blessing, using a tune written for Easter 2020, and worked it into a crowd-sourced video, recorded in people's

homes during lockdown. 65 churches of every style, from cathedral choirs to Salvation Army, took part, singing a prayerful blessing over the UK in such difficult times. You can hear that song at

www.youtube.com/watch?v=2nxAolyOEfc

Thankfully, the Queen's Platinum jubilee is a much more joyful focus and celebration, and songs have indeed been written. A group of hymn writers have collaborated to create a song which is easy to sing, looks to the example of the Queen's life of service, care, wisdom and clear faith. It starts:

**In this glorious year of the Jubilee,
we give thanks for her Majesty
in honour of a faithful heart
who chose to serve and to play her
part.**

It continues by encouraging each of us, as we give thanks for her, also to find our own unique presence in the place where we are. You can hear the song at

www.theplatinumjubilee.com/sing/

Whatever your plans for the Jubilee celebrations, whatever your actions for the future, I hope you find the song which resonates in your own heart – it's a song that needs to be sung!

Rev Louise Corke

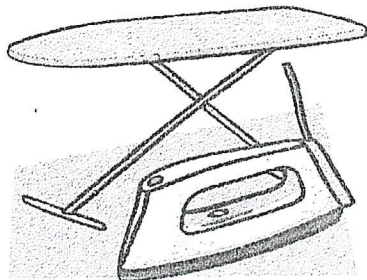
REGISTERS

Holy Baptism: 1st May Eleanor Jane ROSE

Did you know that Adam and Eve were the very first people to misunderstand the Apple terms and conditions?

SUNDAY SERVICES IN HATHERN CHURCH (IN BOLD) + OTHER BENEFICE SUNDAY SERVICES (STREAMED ON FACEBOOK)

Sunday 5 th	10:30am Hathern, Welcome Church 6:15pm Evensong @ Kegworth
Sunday 12 th	10:30am Benefice service with Holy Communion @ Kegworth
Sunday 19 th	10:30am Benefice service with Holy Communion @ Hathern 5:30pm Evening Prayer @ Belton
Sunday 26 th	10:30am Benefice Service with Holy Communion @ Diseworth 6:15pm Holy Communion with prayers for peace @ Hathern



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CLIMATE CHANGE BEATS POPE GREGORY XIII

BECAUSE EARTH DOES NOT COMPLETE an orbit of the Sun in a whole number of days every year (actually it takes 365.2422 days), the seasons were gradually getting out of step with the year in mediaeval times.

So, in 1582, Gregory introduced the Gregorian Calendar. He inserted an extra day every 4 years, but this was a tad too much and he had to leave out most centennial years. This was not quite enough so he added every 4th centennial year back.

This gave an average year length of 365.2425 days (only 0.0003 days out per year), and it's worked for nearly 500years! The seasons have kept in step and the farmers could get on with their jobs to a reasonable time frame.

But now it seems that we've managed, with our industrial life-style, to undo everything that Gregory achieved.

What have Mistletoe and the Eiffel Tower got in common?
They're both Paris-sites!

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Personal visit to:	Writing to us at:
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Email: licensing@charnwood.gov.uk	Phone: 01509 634562
Internet: www.charnwood.gov.uk	Fax: 01509 632529

AN APPOINTMENT SYSTEM IS IN OPERATION. PLEASE MAKE AN APPOINTMENT PRIOR TO ATTENDING.

26 MAY 2022

OTHER SERVICES IN HATHERN CHURCH AND THE BENEFICE

- * HATHERN CHURCH IS OPEN EVERY DAY, 10:00am to 4:00pm, FOR QUIET AND FOR PRIVATE PRAYER
- * SAID HOLY COMMUNION EVERY OTHER WEDNESDAY, 9:30am to 10:00am (1st, 15th & 29th June)
- * BENEFICE MORNING PRAYER (at 8:30am, every day) WILL BE STREAMED ON FACEBOOK
- * ZOOM MEETINGS ARE HELD EVERY THURSDAY EVENING AT 8:30pm FOR EVENING PRAYER
(Please contact Revd Louise Corke for easy joining instructions)

PRAISE IN THE PARK – HATHERN'S BIG WEEK

Wednesday 1st June, sees our Praise Evening move to the big marquee on Hathern Park as "PRAISE IN THE PARK", a service of song as part of Hathern's "BIG WEEK".

Do join us at 7:30pm and join in with lively hymns and songs, old and new, as we praise God through our music. There's lovely refreshment afterwards, too, why not give it a try?

You may not know all the songs, but you will know all the more traditional ones, and remember that for the new songs – A stranger's just a friend you do not know yet! All the songs are lively, the words are chosen to reflect our Christian beliefs.

DO JOIN US FOR A GOOD SING!!

WEATHER REPORT FOR HATHERN

APRIL

Rainfall : 12.8mm (0.5")
Max temp : 22.3°C, Min temp : -3.6°C

MARCH

Rainfall : 32.7mm (1.3")
Max temp : 18.4°C, Min temp : -3.0°C

The weather reporters on TV said April had been a dry month but compare it to April 2021 when there was only 2.5mm (0.1") of rain!

2022 so far

Rainfall : 148.3mm (5.8")
Max temp : 22.3°C, Min temp : -4.9°C

2021

Rainfall : 581.7mm (22.9")
Max temp : 33.0°C, Min temp : -7.0°C

*They said that I'd never be any good at poetry
because of my dyslexia! But I've showed them!
I've already made 3 nice jugs and a matching
tea set!*

HATHERN OLD CRICKET CLUB 200 CLUB

May 2022 Draw

£20 - Nr 2 - J Berrington
£5 - Nr 23 - Steve Cooper

HATHERN RECREATION ASSOCIATION
running

HATHERN VILLAGE HALL

AGM

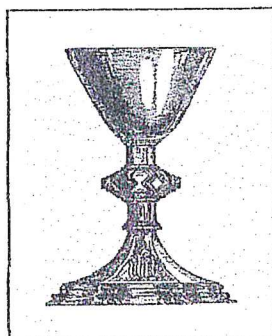
Monday 6th June at 7:30pm

MAGAZINE ITEMS FOR JULY TO JOHN WORSFOLD BY FRIDAY 17th JUNE

You can send details as an attachment by email to JHW.Hathern@gmail.com

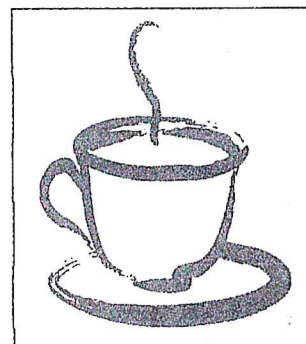
SAID HOLY
COMMUNION
EVERY OTHER
WEDNESDAY

9:30am-10:00am
1st, 15th & 29th June



COFFEE
MORNING
EVERY
WEDNESDAY

10:00am-12:00noon



MANDATORY CONDITIONS

Mandatory Conditions applicable to all Premises Licences & Club Premises Certificates under the Licensing Act 2003

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Exhibition of Films

3. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
4. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
5. Where-
 - (a) The film classification body is not specified in the licence, or
 - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,admission of children must be restricted in accordance with any recommendation made by that licensing authority.
6. In this section “Children” - means persons aged under 18; and “Film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Door Supervision

7. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, that licence must include a condition that each such individual must:
 - (a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001;
 - (b) Be entitled to carry out activity by virtue of section 4 of the Act.

8. But nothing in subsection (1) requires such a condition to be imposed:
- (a) In respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films); or
 - (b) In respect of premises in relation to:
 - (i) Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) Any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
9. For the purposes of this section:
- (a) "Security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and which is licensable conduct for the purposes of that Act.
 - (b) Paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Age Verification

10. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
11. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
12. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:
- (a) a holographic mark, or
 - (b) an ultraviolet feature.

Permitted Price

13. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

14. For the purpose of this condition set out in paragraph 1:

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);

(b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$

Where:

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(b).

15. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

16. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Irresponsible Drink Promotions (applicable to 'on' & 'off' sales)

17. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
18. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise).
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
19. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Alcoholic Drink Measures

20. The responsible person must ensure that:

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

06 JUN 2022



**Representations on a Current Application for a Grant/Variation/Review of a
Premises Licence or Club Premises Certificate under The Licensing Act 2003**

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.

Name (Insert name)..... MRS. MARION COX.....wish to
make representation in relation to an application that has been made in respect of the
premises described in Part 1 below.

PART 1 – PREMISES OR CLUB PREMISES DETAILS

Postal Address of Premises or Club Premises, or if none, ordnance survey map reference or description <p align="center"><u>44 DOVECOTE STREET</u></p>	
Post Town <u>HATHERN</u>	Post Code <u>LE12 5HS</u>
Name of premises licence holder or club holding club premises certificate (if known) <p align="center"><u>HATHERN CLUB</u></p>	
Number of premises licence or club premises certificate (if known) 	

PART 2 – DETAILS OF PERSON MAKING REPRESENTATION

- | | Please
Tick ✓ |
|--|-------------------------------------|
| 1) A responsible authority (please complete (C) below) | <input type="checkbox"/> |
| 2) A member of the club to which this representation relates (please complete (A) below) | <input type="checkbox"/> |
| 3) Other persons (Please complete (A) or (B) below) | <input checked="" type="checkbox"/> |

(A) DETAILS OF INDIVIDUAL MAKING REPRESENTATION (fill in as applicable)

Mr Mrs Miss Ms Other Title (for example, Re)

Surname

First Names

I am 18 years old or over Yes (Please Tick)

Current Address	<input type="text" value="46 DOVECOTE STREET"/>		
Post Town	<input type="text" value="HATHERN"/>	Post Code	<input type="text" value="LE12 5HS"/>

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER PARTY MAKING REPRESENTATION (e.g Body or Business)

Name and Address

Telephone Number (If any)	<input type="text"/>
E-Mail address (optional)	<input type="text"/>

(C) DETAILS OF RESPONSIBLE AUTHORITY MAKING REPRESENTATION

Name and Address

Telephone Number (If any)	<input type="text"/>
E-Mail address (optional)	<input type="text"/>

This representation relates to the following licensing objective(s)

Please
Tick ✓

- | | |
|---|-------------------------------------|
| 1. The Prevention of Crime and Disorder | <input type="checkbox"/> |
| 2. Public Safety | <input checked="" type="checkbox"/> |
| 3. The Prevention of Public Nuisance | <input checked="" type="checkbox"/> |
| 4. The Protection of Children from Harm | <input type="checkbox"/> |

Please state the ground(s) for representation (please read guidance note 1)

The Prevention of Crime and Disorder
Public Safety <i>Increase in traffic flow and parking on Dovecote Street.</i>
The Prevention of Public Nuisance <i>Noise pollution in residential area.</i>
The Protection of Children from Harm

Please provide as much information as possible to support the representation

(Please read guidance note 2)

(2) Public Safety

Dovecote Street is narrow. Many houses are terraced, so residents have to park on the street. Hathern Club has limited parking, but an increase in opening hours would inevitably bring in more people. Many of these would be forced to park on Dovecote Street, depriving residents of parking spaces.

With cars being parked on the street, traffic flow is also a problem, with cars having to reverse along the narrow street to allow oncoming cars to pass.

Please provide as much information as possible to support the representation

(Please read guidance note 2)

(3) The Prevention of Public Nuisance.

Hathern Club is situated in a village centre, surrounded by housing. Our house is adjacent to the Club and, in the past few weeks, we have experienced an increase in noise levels from music events in the evenings, usually twice a week. This is noticeable in our garden and inside our house. As this noise very often goes on up to midnight, this does disturb our sleep. The proposed increase in the music licensing hours would mean that this disturbance could happen on any day and at any time.

We accept that there will be occasions when we hear music from the Club, but feel that the increase in hours applied for is unsociable and unnecessary.

Please
Tick ✓

Have you made any representation relating to these premises before?


If Yes, please state the date of that representation

Day		Month		Year			

If you have made representation before relating to these premises please state what they were and when you made them.

Part 3 – Signatures (Please read guidance note 3)

Signature of representative or representative’s solicitor or other duly authorised agent. (See guidance note 4) If signing on behalf of the representative please state in what capacity.

Signature		Date	05/06/2022
Capacity			

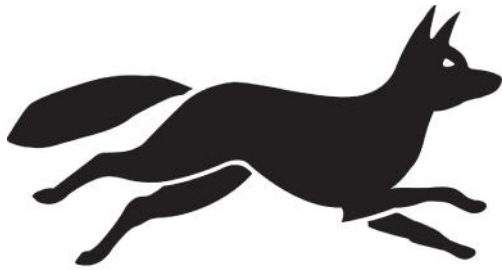
Please Note – Your address will be a matter of public records if the application to which this representation relates is referred to the Licensing Committee to determine at a Hearing.

Contact name (where not previously given) and address for correspondence associated with this representation. (Please read guidance note 5) Mrs. Marion Cox 46 Dovecote Street.			
Post Town	Hathern	Post Code	LE12 5HS

Telephone Number (if any)	
E-mail Address (optional)	

Notes for Guidance

1. The ground(s) for representation **must** be based on one or more of the licensing objectives.
2. Please list any additional information or details for example dates of problems, which are included in the grounds for representation, if applicable.
3. The representation form must be signed.
4. A representative’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this representation.
6. For further information about the Licensing Act 2003 please contact: The Licensing Section, Charnwood Borough Council, Southfield Road, Loughborough, Leicestershire, LE11 2TX. Tel: 01509 634562 Email: Licensing@charnwood.gov.uk.



Charnwood



Licensing Act 2003

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Charnwood Borough Council

Statement of Licensing Policy

1 Introduction

Purpose

- 1.1 This Statement of Licensing Policy explains how the licensing authority will carry out its role under the Licensing Act 2003, during the next five years. During this period the licensing authority will keep the policy under review and may make revisions to the document following consultation with the bodies outlined below.

It will also:

-) be used as a guide by members of the Licensing Authority in their decision making ;
-) inform applicants about how applications will be viewed and how a licensed premises is likely to be able to operate within the area of the Licensing Authority, albeit that each application will be examined and considered on an individual basis;
-) inform residents and businesses about how applications will be viewed and how their needs will be addressed;
-) be used to support decisions made by the Licensing Authority when these decisions are challenged in a court of law.

This Policy is normally in place for five years but will be kept under review during that five year period.

Consultation

- 1.2 In developing this Statement the Licensing Authority has consulted with the groups set out below, and has taken account of their views:

-) the police
-) the fire authority
-) persons representing holders of existing licences for the sale of alcohol, public entertainment, theatres, cinemas and late night refreshment
-) persons representing holders of clubs registered under the Licensing Act 1964
-) bodies representing businesses and residents in its area
-) other groups that the Licensing Authority considered appropriate

Licensable Activities

1.3 The licensable activities are:

-) the sale of alcohol by retail
-) the supply of alcohol by or on behalf of a club, or to the order of, a member of the club
-) the provision of late night refreshment
-) the provision of regulated entertainment,

Regulated entertainment requires a licence when it is performed in front of an audience and includes the following:

-) a performance of a play
-) an exhibition of a film
-) an indoor sporting event
-) a boxing or wrestling entertainment (indoors and outdoors)
-) a performance of live music (not incidental music, i.e. a piano in a restaurant)
-) any playing of recorded music
-) a performance of dance
-) and similar types of musical or dance related entertainment.

1.4 Amendments made to the 2003 Act by the Live Music Act 2012 and the Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013, Legislative Reform Order 2014 and the Deregulation Act 2015, means that a licence is not required for the following activities to the extent that take place between **08:00- 23:00** on any day:

-) a performance of a play in the presence of any audience of no more than 500 people;
-) an indoor sporting event in the presence of any audience of no more than 1,000 people, this includes Greco Roman or free style wrestling
-) most performances of dance in the presence of any audience of no more than 500 people; and
-) live music, where the live music comprises;
 - Z)a performance of unamplified live music
 - Z)a performance of live amplified music in a workplace with an audience of no more than 500 people; or
 - Z)a performance of live or recorded music on licensed premises which takes place in the presence of an audience of no more than 500 people, subject to certain conditions being met.

-) Recorded music, where recorded music comprises;
- Any playing of recorded music on licensed premises which takes place in the presence of an audience of no more than 500;
 - Any playing of recorded music in unlicensed premises, subject to certain conditions being met.
 - Dance – no licence is required for performances on any day provided that the audience does not exceed 500.

Where de-regulated activities take place on licensed premises any licence conditions relating to 'live' music or entertainment will be suspended, but it is possible to impose new, or reinstate existing conditions following a review of a premises licence or club premises certificate.

When considering whether an activity constitutes 'the provision of regulated Entertainment', each case will be treated on its own merits. There will inevitably be a degree of judgement as to whether a performance is live music or not, so organisers of events are encouraged to contact the Licensing Authority to discuss whether a licence will be required.

Unauthorised Activity: It is a criminal offence under section 136 of the 2003 Act to carry on any of the licensable activities listed above other than in accordance with a licence or other authorisation under the 2003 Act. If an unauthorised activity takes place then the Police and local authorities have powers to take action.

2 Fundamental Principles

Background

- 2.1 This Statement of Licensing Policy is the key document relied upon when delivering the requirements of the Licensing Act 2003. However, all decisions relating to licences will be made on the merits of the individual case, having regard to this policy as part of the decision making process.

2.2 Immigration Act 2016

Section 36 of and Schedule 4 to the Immigration Act 2016 (the 2016 Act) amends the 2003 Act and introduces immigration safeguards in respect of licensing applications made in England or Wales on or after 6 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late night refreshment.

The statutory prevention of crime objective in the 2003 Act includes the prevention of immigration crime and the prevention of illegal working in

licensed premises. Licensing authorities should work with the Home Office (Immigration Enforcement) as well as the police, in respect of these matters.

The Home Secretary (in practice Home Office (Immigration Enforcement)) is added to the list of responsible authorities in the licensing regime, which requires Home Office (Immigration Enforcement) to receive premises licence applications (except regulated entertainment only licences), and in some limited circumstances personal licence applications, and permits Home Office (Immigration Enforcement) to make appropriate representations and objections to the grant of a licence.

Immigration officers are permitted to enter premises which they have reason to believe are being used to sell alcohol or provide late night refreshment, to investigate whether immigration offences are being committed in connection with the licensable activity.

2.3 Entitlement to Work

Individuals applying for a premises licence for the sale of alcohol or late night refreshment must be entitled to work in the UK. This includes applications made by more than one individual applicant. An application made by an individual without the entitlement to work in the UK must be rejected. This applies to applications which include the sale of alcohol and the provisions of late night refreshment, but does not include applications which apply to regulated entertainment only.

Applicants must provide copies of Identification documents to verify their entitlement to right to work within the UK. The documents, which may be relied on in support of an application demonstrating an entitlement to work in the UK, are the same for the personal licence (see section 14) shown in Appendix 3.

2.4 The Licensing Objectives

The licensing authority will carry out its functions with a view to promoting the licensing objectives. The licensing objectives, which carry equal importance, are:

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

2.5 Balance

The licensing authority will also seek to achieve a balance between leisure/entertainment and the needs of residents and other businesses

for an acceptable environment and quality of life.

- 2.6 This Policy will not undermine the right of any individual to apply for a variety of permissions and to have any such application considered on its individual merits. Nor will it override the right of any person to make representations on an application or seek a review of a licence or where provision has been made for them to do so in the Licensing Act 2003.

Relevancy

- 2.7 Licensing is about the control of premises and places being used for licensable activities and the vicinity of those premises and places. The terms and conditions attached to various permissions are focused on relevant matters that are within the control of the holders of those permissions. This means those matters occurring at, and in the immediate vicinity of, the premises, and the direct impact they have on nearby residents and businesses.
- 2.8 Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned.

3 Cumulative Impact

- 3.1 The Licensing Authority recognises that there can be confusion about the difference between “need” and “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub, restaurant, etc. This is not a matter for a licensing authority in discharging the licensing functions or for this statement of licensing policy. “Need” is a matter for planning committees and for the market. On the other hand, the cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for the licensing authority and its licensing committee to consider.
- 3.2 In certain situations the number, type and density of premises selling alcohol or providing late night refreshment may be associated with serious problems of crime and disorder. Where the impact on surrounding areas of customers taken together may be greater than the usual impact of customers from individual premises the licensing authority may consider that an area has become saturated with licensed premises.
- 3.3 The Licensing Authority has received a representation from the Leicestershire Police that the circumstances described above exist in relation to parts of Loughborough’s Town Centre, and that the grant of

further premises licences or club premises certificates would undermine the crime prevention objective.

- 3.4 In response to this representation the Licensing Authority has:
-) Considered evidence about the extent of the problem of crime and disorder;
 -) Considered evidence about the likely association of the problem with the number and density of licensed premises in the town centre;
 -) Consulted on the proposal for a special policy in relation to new licences and variations to existing ones within the town centre;
 -) Considered the outcome of that consultation; and
 -) Resolved to declare the special policy described in Section 4 below.
- 3.5 The authority recognises that once away from licensed premises, there is always a risk that a minority of consumers will behave badly and unlawfully. Depending on the circumstances, there are other mechanisms available for addressing such issues for instance:
-) planning controls;
 -) positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority;
 -) the provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols;
 -) powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
 -) 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;
 -) a Public Spaces Protection Order (PSPO) is designed to stop individuals or groups committing anti-social behaviour in a public space and gives the police a power to confiscate alcohol from adults and children in designated areas;
 -) A closure notice of up to 48 hours, can be issued by the Council or Police without going to Court, where there is nuisance to the public or disorder near to the premises;
 -) the power of the police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question.

4 Special Policy on Cumulative Impact

- 4.1 The Licensing Authority will adopt a special policy on cumulative impact in relation to the area of the Town Centre:
-) bounded by Sparrow Hill, Church Gate, Steeple Row, Rectory Place, Bridge Street, Broad Street, Ashby Road, Frederick Street, Browns Lane Bedford Square, Southfield Road, Barrow Street Jubilee Way and Pinfold Gate.
 -) Including both sides of the streets bounding the area;
 -) Including Ashby Road to its junction with Storer Road; and Nottingham Road, to the entrance to the Falcon Works.
- 4.2 The Licensing Authority recognises, however, that this policy cannot be absolute and it will continue to consider each application on its merit. Licences that are unlikely to add to the problems of saturation would be approved.
- 4.3 The Special Policy does not however change the fundamental way that licensing decisions are made. It is therefore open to the Licensing Authority to grant an application where it is considered appropriate and where the applicant has demonstrated in their operating schedule that they would not be adding to the cumulative impact.
- 4.4 Applications in areas covered by the Special policy should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives. The authority acknowledges that the impact will be different for premises with different styles and characteristics.
- 4.5 The Special Policy does not relieve responsible authorities (or any other person) of the need to make relevant representations where they consider it appropriate to do so for the promotion of the licensing objectives. As with all licensing applications under the 2003 Act, if there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted.
- 4.6 Once a Cumulative Impact Assessment is carried out and a 'Special Policy on Cumulative Impact' published, the licensing authority within three years considers whether it remains of the same opinion. In order to decide whether it remains of the same opinion, or if it considers that it needs to be amended the licensing authority must undertake appropriate consultation before any amendment is made.
- 4.7 The special policy will not be used to:
-) remove a licence when representations are received about problems with an existing licensed premises; or to

-) justify the rejection of modifications to a licence except where those modifications are directly relevant to the special policy; or to
-) adopt quotas or set terminal hours in a particular area that pre-determine the individual merits of any application.

5 Licensing Hours

- 5.1 In making decisions that relate to the hours for which a premise is licensed, consideration will be given to the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance. Each case will be decided on its individual merits.
- 5.2 It is recognised that longer licensing hours are important to help to ensure that concentrations of customers leaving licensed premises simultaneously are avoided. In turn this will reduce the potential for disorder at fast food outlets, taxi ranks and other sources of transport.
- 5.3 In relation to shops and other retail outlets supplying alcohol for consumption off the premises, the general policy will be to allow sales of alcohol at all times that the premises is open for business. Any decision not to allow sales of alcohol at particular times will be based on evidence of the need to prevent crime, disorder and public nuisance.
- 5.4 In making decisions in respect of licensing hours, consideration will be given to representations made by residents and businesses in the vicinity of the premises, their representatives, and the police as well as the applicant. This may lead to the imposition of stricter conditions on noise controls in areas having denser residential accommodation
- 5.5 Fixed trading hours will not be set for particular geographical areas. It should be stressed that each case will be decided on its own merits based on whether the licensing objectives can be met.

6 Promotion of the Licensing Objectives

- 6.1 The Licensing Authority is required to carry out its functions so as to promote the licensing objectives. This includes its role in:
-) Granting or refusing applications for licences;
 -) Reviewing licences;
 -) Imposing conditions;
 -) Deciding how to integrate with other strategies of the council.

Licence applications should be accompanied by an operating schedule that includes the steps that the licensee proposes to take to promote the licensing objectives. The Licensing Authority expects that the process of developing the operating schedule will include a thorough

risk assessment with regard to the licensing objectives, which will assist in identifying those steps.

- 6.2 Applicants for licences are urged to discuss their proposals with the responsible authorities prior to submitting an application. This will enable them to seek advice on the production of their operating schedule and may avoid the need for a hearing in response to representations made by the authorities. The relevant authorities are:
-) Prevention of Crime and Disorder – Leicestershire Police, Leicester Crime Reduction Partnership and Leicestershire Trading Standards, Home Office Immigration Enforcement (on behalf of the Secretary of State).
 -) Public Safety – Leicestershire Police, Leicestershire Fire and Rescue, the Council’s Environmental Health Officers with responsibility for Health & Safety
 -) Public Nuisance – the Borough Council’s Environmental Health Officers with responsibility for Pollution Control
 -) Protection of Children from Harm – Leicester Area Child Protection Committee, Leicestershire Police and Leicestershire Trading Standards, Leicestershire Public Health.
- 6.3 Further information is provided in the following sections of this policy on a variety of steps to promote the licensing objectives that the Licensing Authority will support. However, the Licensing Authority will not impose them indiscriminately. It is for the applicant to decide which of these are appropriate for inclusion in the operating schedule for the premises, based on the exact circumstances involved. The Licensing Authority will take into account the information set out below, on steps to promote the licensing objectives, when undertaking the functions identified in Paragraph 6.1 above.

7 The Prevention of Crime and Disorder

7.1 CCTV

The presence of CCTV cameras can be an important means of deterring and detecting crime at, and immediately outside, licensed premises. The Licensing Authority will therefore support the provision of CCTV in town centre pubs and clubs and town centre late night refreshment premises.

7.2 Open Containers of Alcohol

A significant part of the town centre is the subject of a Public Spaces Protection Order (PSPO). This is an area where there is a power for the Police to request someone to refrain from drinking to address nuisance or annoyance. Failure to comply with this request is a criminal offence. To support this, the Licensing Authority considers it

appropriate for town centre premises to adopt a policy of prohibiting open containers of alcohol being taken from the premises. This approach will also prevent the use of these containers as offensive weapons.

7.3 Irresponsible Drinks Promotions

The Licensing Authority will support an approach to the marketing of alcohol and the management of licensed premises that promotes responsibility in the consumption of alcohol.

Determining whether a drinks promotion is irresponsible or not will require a subjective judgement. The sale of alcohol to persons who are already drunk is an offence under the Act. The incidence of drunken people present at premises may provide an indication that the marketing and sale of alcohol at the premises is not being approached in a responsible way.

7.4 Dance Venues

The culture of dance venues requires that special consideration be given to the steps required to prevent crime and disorder and promote public safety. It is recommended that operators of night clubs providing facilities for dancing are aware of the detailed guidance provided in the “*Safer Clubbing Guide*” published by the Government http://www.csdp.org/research/safer_clubbing_txt.pdf

7.5 Other Steps to Promote the Prevention of Crime and Disorder

There is a wide range of other steps which may be appropriate in particular circumstances including:

-) Prohibiting the sale of alcohol in bottles for consumption on the premises, to prevent their use as weapons
-) Requiring drinking vessels to be plastic or toughened glass
-) Requiring the provision of retail radio's to connect premises supervisors in town centres to the police
-) Appropriate measures to prevent overcrowding in parts of the premises
-) The provision of staff to control admission and to control customers inside the premises.
-) The adoption of an age determination policy such as Challenge 21 to prevent underage sales

8 Public Safety

Premises Licensed for Regulated Entertainment

8.1 Premises licensed for regulated entertainment, including cinemas and

theatres, are subject to a range of legislative requirements and regulatory regimes such as the Health and Safety at Work Act and fire safety legislation, aimed at protecting public safety. The Licensing Authority does not intend to duplicate requirements of existing statutory provisions. However, premises will be expected to ensure a level of compliance that promotes public safety.

- 8.2 Premises providing regulated entertainment have particular safety issues associated with their ability to attract significant numbers of people to a venue. The Licensing Authority will support measures designed to promote public safety in this context. This will include:
-) Setting of a capacity limit for all, or separate parts, of the premises.
 -) The provision of staff to control admission and to control customers inside premises and at outdoor events.

9 The Prevention of Public Nuisance

- 9.1 The Licensing Authority considers that applicants for premises licences and club premises certificates to determine the potential effect on neighbouring premises should carry out a risk assessment. Advice and assistance in undertaking this task should be sought from Council Environmental Health Officers. Steps which may be appropriate to prevent public nuisance include:
-) Limitation on hours of operation where necessary to prevent nuisance and disturbance
 -) Measures to reduce noise and vibration emissions from premises
 -) Measures to prevent noxious smells
 -) Measures to reduce light pollution
 -) Steps to prevent noise, disturbance and anti-social behaviour from people arriving at and leaving the premises
 -) Stricter controls will be supported in areas in closer proximity to residential accommodation.

10 The Protection of Children from Harm

General

- 10.1 The Licensing Authority will carry out its responsibilities so as to promote the licensing objective of protection of children from harm. In doing so it will take into account representations made by the Area Child Protection Committee on each application.
- 10.2 Licences will be sought from a wide variety of premises including theatres, cinemas, restaurants, concert halls, cafes, late night take-aways, pubs, bars and nightclubs. It is not possible for a licensing policy to anticipate every situation where children are at risk. The Licensing Authority will not therefore impose general conditions that

apply to all premises, but will consider how the licensing objectives can be best promoted in each particular case.

- 10.3 The Licensing Authority will not seek to limit the access of children to licensed premises unless it is necessary to protect children from harm. The following areas would give rise to particular concern in respect of children:
-) Where entertainment or services of an adult or sexual nature are commonly provided;
 -) 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 has been an association with drug taking or dealing.
 -) Where there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines or of bingo).
- 10.4 Conditions will not be imposed that require the admission of children. This will remain a matter for the discretion of the licensee.
- 10.5 The range of options available to limit the access of children to licensed premises that may be imposed by the Licensing Authority include:
-) Limitations on the hours where children may be present;
 -) Age limitations (below 18);
 -) Limitations or exclusions when certain activities are taking place;
 -) Limitations on the parts of premises to which children might be given access;
 -) Requirements for an accompanying adult;
 -) In exceptional cases, exclusion of people under the age of 18 from the premises when any licensable activities are taking place.

Children and Cinemas

- 10.6 Licensees will be expected to prevent children from viewing films that are unsuitable because of the age classification of the film that has been imposed by the British Board of Film Classification or other film classification board approved by the licensing authority. Children will not be permitted to view un-certificated films.

Children and Public Entertainment

- 10.7 The Licensing Authority will expect that where a significant number of unaccompanied children will be present during a public entertainment event, the licensee will ensure that an adequate number of adult staff are present to control the access, egress and safety in and around the premises. The licensee should take into account the number of children

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to be present, the type of entertainment, the age of the children, the characteristics of the premises and any other relevant factor.

Proof of Age Cards

- 10.8 The Licensing Authority supports the adoption of proof of age cards as a means of preventing underage drinking. It recommends that any premises licensed to sell alcohol adopts a policy of requiring proof of age from any person where there is any doubt as to whether they are over 18. The authority would suggest as best practice, that proof of age could be in the form of a passport, photographic driving licence, or a proof of age card complying with the Proof of Age Standards Scheme (PASS) launched in January 2003 by the British Retail Consortium.
- 10.9 The Licensing Authority supports the '**Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks.**' It will seek to ensure that premises licensed for the sale of alcohol comply with the code.

11 Integrating strategies

- 11.1 The Licensing Authority will seek to achieve integration with the strategies set out below and will consult with the appropriate organisations to achieve this.

Crime Reduction Partnership

- 11.2 The Licensing Authority recognises its responsibility to address issues relating to crime and disorder and is committed to working together, with other partners, to make Charnwood a safe and attractive borough in which to live, work, study and socialise.
- 11.3 In making decisions, the Licensing Authority will consider the Charnwood Community Safety Partnership Strategy, especially relating to;
-) Reducing the opportunities for crime to occur
 -) Tackling disorder and anti-social behaviour
 -) Reducing the fear of crime
 -) Combating the use of drugs

Planning

- 11.4 The Licensing Authority will ensure that planning and licensing regimes are properly separated to avoid duplication and inefficiency. Licensing applications will not be a rerun of any planning application and licensing decisions will not cut across decisions taken by the Planning Committee or permission granted on appeal, or decisions made under delegated authority to officers.

- 11.5 There are circumstances when as a condition of planning permission; a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution.

Cultural Strategy

- 11.6 'Leisure and cultural opportunities for all' is Charnwood's Cultural Strategy setting out the common vision and shared goals for all those involved in the cultural life of the borough. Charnwood Borough Council is committed to its implementation working with the Cultural Strategy Partnership.
- 11.7 The International Covenant on Economic, Social and Cultural Rights (ICESCR) which was ratified by the UK in 1976 recognises the right of everyone to take part in cultural life and requires that active steps are taken to develop cultural activity and ensure that everyone can participate in the cultural life of the community.
- 11.8 The Strategy encompasses arts, heritage, museums, parks and green spaces, neighbourhood facilities, markets, festivals and public events, media, libraries and literature, sport, play, faith and worship, tourism, restaurants and bars and creative industries. A key objective of Leicester's Cultural Strategy is "to invest in the development of cultural activity which contributes to the economic, social and personal well-being of individuals at all stages in their lives and to increase access to, and participation in, cultural activity". Borough Council performance targets to increase cultural participation have underpinned this.
- 11.9 The Borough Council will also seek premises licences for selected public spaces in the community in its own name. This could include, for example, green spaces, parks, and town centre square's etc. Performers and entertainers would require permission from the Council, as the premises licence holder, to use these spaces for regulated entertainment.
- 11.10 This licensing policy will operate in the spirit of the Cultural Strategy and the International Covenant on Economic, Social and Cultural Rights (ICESCR). In doing so, it will seek to maintain a balance between regulation and supporting cultural activity. It will strive to maintain a balance between the need to 'manage' any detrimental impacts of an activity in a community with the many benefits cultural activity brings to communities, in developing personal aspiration and potential, building cohesive communities, providing opportunities for young people, contributing to economic growth and regeneration and the development of sustainable communities.

11.11 In order to maintain this balance the Licensing Authority will:

-) monitor the impact of licensing on the provision of regulated cultural activities and entertainment, such as live music, theatre, dance and festivals
-) create a dialogue with the cultural sector about the impact of the licensing policy and work with our partners to balance different interests
-) seek to ensure that conditions attached to licences do not deter live music, festivals, theatre, sporting events etc. by imposing unnecessary restrictions
-) seek to ensure that conditions attached to licences do not deter new or small scale groups/ activities in communities by imposing conditions which will lead to a cost disproportionate to the size of the event
-) seek to create an environment which minimises nuisance and anti-social behaviour connected to cultural activity and events but without undermining our commitment to increase access to cultural participation as a fundamental human right.

Building Control

11.12 The Building Regulation process is a separate system to the licensing regime but complementary in terms of some shared objectives.

11.13 Where a licence is applied for, or exists, and any Building Regulated work is carried out, either as a material alteration, change of use or new build to a licensed premises, the owner / licensee should ensure that before opening to the public, Building Regulations consent has been granted in full and that completion certificates have been issued.

11.14 Two separate and distinct certificates are issued on a commercial or work place premises. The first confirms compliance with Building Regulations in general and the second confirms compliance in terms of fire precautions, including means of escape in case of fire. A copy of this second certificate is sent to the Fire Service, which triggers their responsibilities under the Work Place Regulations and enforcement of risk assessments.

Promotion of Equality

11.15 In developing this strategy, the Licensing Authority has recognised its responsibility under the Equality Act 2010, to consider the need to eliminate unlawful discrimination, harassment and victimisation and to advance equality of opportunity between different groups and foster good relations between different groups.

11.16 The Licensing Authority also recognises that this policy should promote equality in a wider sense and has therefore assessed the potential impact on disadvantaged groups in general, as well as from a race equality perspective. It has considered and consulted with this in mind.

11.17 The following actions, which have been identified as being necessary to promote equality, and within the scope of the Act and supporting guidance, will be implemented by the Licensing Authority:

-) The Licensing Policy and associated documents will be available on the internet, and in other formats upon request.
-) The licensing objective of protecting children from harm will be promoted.
-) Support will be offered to licence applicants, licence holders and potential objectors who are socially excluded.
-) Account will be taken of the effect of specific applications on community cohesion, including the need to balance the benefits of cultural and community activities with limited local disturbance.
-) Action will be taken to endeavour to ensure the safety of vulnerable people in licensed premises.
-) Action will be taken to ensure that all applications, particularly those for disadvantaged groups, are dealt with fairly.

11.18 The Licensing Authority is aware that there may be particular sensitivities of certain buildings, for example religious buildings, to certain licensable activities taking place in close proximity. Where this proximity has an impact on the promotion of one of the licensing objectives this is a matter for the Licensing Authority. Where the impact does not affect the promotion of the licensing objectives, there may be other control mechanisms, such as the planning system, that could be applicable.

Disabled Access

11.19 The guidance supporting the Act advises that conditions relating to disabled access should not be attached to licences, as this would duplicate existing statutory requirements. The Licensing Authority therefore takes this opportunity to remind operators of premises of their duties under the Equality Act 2010.

Transport

11.20 Transport Strategy is set out in the Local Transport Plan (LTP).

11.21 The LTP policies seek to ensure that alternatives to the use of the private car are available; these alternatives include walking, cycling and public transport (bus, rail and taxi). They are operated in

conjunction with land use policies to seek to ensure that development takes place in locations where these alternatives can be best provided; the Town Centre is naturally one of these locations, particularly with regard to public transport.

11.22 A high level of bus services is provided commercially between the hours of 7am and 7pm Monday to Saturday. Lower levels of services are provided up to 11pm and on Sundays, and the Council's Transport Strategy will continue to seek ways of improving the provision of bus services at these times and later at night to assist in getting people away from the Town Centre quickly, safely and efficiently.

11.23 Taxis provide a useful role in transporting people, particularly at times when bus services are not well provided. Taxi ranks are provided where demand is identified, and include both 24 hour ranks and ones which operate only at night. The Council's Transport Strategy will continue to seek to ensure that the demand for rank provision is satisfied and that their locations are amended as demand alters, subject to competing demands for use of kerbside space.

12 Duplication

12.1 The authority will avoid duplication with other regulatory regimes (e.g. the Health and Safety at Work Act) insofar as attaching conditions to premises licences and club premises certificates.

12.2 Conditions will only be attached where they are necessary for the promotion of the licensing objectives. If matters are already provided for in other legislation they cannot be considered necessary in the context of licensing law.

13 Standardised Conditions

13.1 The Licensing Authority will only attach to premises licences, and club premises certificates, those conditions that are tailored to the individual style and characteristics of the premises and the events concerned, and where they are necessary for the achievement of one or more of the four licensing objectives.

13.2 However, to aid administration attached to this statement, but not forming part of it, at Appendix 1, are pools of conditions from which the authority may draw appropriate and proportionate conditions to cover particular circumstances. This is not intended to be an exhaustive list and other specific conditions may be appropriate.

13.3 A number of conditions are mandatory and are required to be applied to licences.

Mandatory Conditions.

Mandatory conditions are provided by the 2003 Act, amended by the (Mandatory Licensing Conditions) (Amendment) Order 2014 and should be included in every Licence and/or Club Premises Certificate.

The Mandatory Conditions are attached to this Policy at Appendix 2. These need to be adhered to and complied with by the Premises Licence Holder.

For premises with ON sales the Mandatory Conditions will include the following requirements;

-) The need for a Designated Premises Supervisor to be registered on the Licence.
-) Alcohol needs to be sold or authorised by a Personal Licence Holder.

Mandatory Conditions also refer to:-

Permitted price of alcohol

Age verification Policy

Irresponsible promotions

No drinking games (encouraging people to drink too much or within specific time limits).

Free potable water

Measures of alcoholic drink

Exhibition of films

Door Supervision

For premises with OFF sales the Mandatory Conditions will include the following requirements;

-) The need for a Designated Premises Supervisor to be registered on the Licence.
-) Alcohol needs to be sold or authorised by a Personal Licence Holder.

Mandatory Conditions also refer to:-

Permitted price of alcohol

Age verification Policy

14 Personal Licences

- 14.1 Individuals applying for a personal licence must be entitled to work in the UK. The Immigration Act 2016 amended the Licensing Act 2003, with effect from April 6 2017. Applications made on or after this date by someone who is not entitled to work in the UK must be rejected.
- 14.2 Licences must not be issued to people who are illegally present in the UK, who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from doing work relating to the carrying on of a licensable activity.
- 14.3 In order to carry out this duty, from April 6 2017, licensing authorities must be satisfied that an applicant has the right to work in the UK. They require applicants to submit an identification document, to show that they have permission to be in the UK and to undertake work in a licensable activity.
- 14.4 In order to discharge this duty, from 6th April 2017, licensing authorities must be satisfied that an applicant has the right to work in the UK and require applicants to submit copies of one of the documents listed in Appendix 3.
- 14.5 The Licensing Authority recognises the important role that personal licence holders have to play in the promotion of the licensing objectives at premises selling alcohol. For this reason personal licence holders are required to have prescribed training and not have relevant convictions that would indicate their unsuitability.

The Policing and Crime Act 2017 gives licensing authorities the power to revoke or suspend personal licences, with effect from 6 April 2017. When a licensing authority has granted a personal licence and becomes aware that the licence holder has been convicted of a relevant offence or foreign offence or been required to pay an immigration penalty, a licensing authority may revoke the licence or suspend it for a period of up to six months. This applies to convictions received and civil immigration penalties which a person has been required to pay at any time before or after the licence was granted, as long as the conviction was received after 6 April 2017, or the requirement to pay the civil penalty arose after 6 April 2017.

- 14.6 Every sale of alcohol at licensed premises is required to be authorised by a personal licence holder. Because of the importance of their role, the Licensing Authority considers it to be good practice for personal licence holders to have significant operational involvement in the sale of alcohol rather than to undertake a remote, periodic authorisation of other staff. In practical terms this would mean authorisation on at least a daily basis, and to be available on the premises throughout most of the day to deal with circumstances requiring their expertise and

authority.

- 14.7 When applying for a personal licence, the Licensing Authority would expect applicants to produce an up to date Disclosure Barring Service certificate. All applicants would also be expected to make a clear statement as to whether or not they have been convicted outside England and Wales of a relevant offence or an equivalent foreign offence.
- 14.8 In accordance with the Secretary of State's advice the Licensing Authority will normally refuse applications where the police have issued an objection notice unless there are, in the opinion of the Licensing Authority, exceptional and compelling reasons which justify granting the application.

15 Temporary Event Notices (TENs)

- 15.1 Part 5 of the Licensing Act allows licensing activities to be carried out in specified circumstances on a temporary basis, subject to a temporary event notice being served on the Licensing Authority, with a copy to the chief officer of police and Environmental Health services for the area no less than ten working days before the event. The chief officer of police or Environmental Health services may object to the event if satisfied that any of the four licensing objectives would be undermined.
- 15.2 "Late" TENs are intended to assist premises users who are required for reasons outside their control to, for example, change the venue for an event at short notice. Late TENs can be given at any time as long as the limits specified, within guidance issued under section 182 of the Licensing Act 2003, are not exceeded. Late TENs can be given up to five working days but no earlier than nine working days before the event is due to take place and, unless electronically given to the licensing authority, must also be sent by the premises user to the police and Environmental Health Services. A late TEN given less than five days before the date of the event to which it relates will be returned as void and the activities to which it relates will not be authorised.
- 15.3 The Licensing Authority considers that it is important that the police and Environmental Health services have sufficient time to properly evaluate the likely impact of a temporary event. Where insufficient notice of the event is given this may lead to objections being made that may have been unnecessary if a fuller evaluation had been possible. Equally, if notice of an event is given too far in advance it may be difficult to evaluate because of future uncertainty.
- 15.4 The Licensing Authority would therefore suggest as best practice that a

temporary event notice is served between one and two months ahead of the event taking place.

16 Enforcement

- 16.1 The Licensing Authority will carry out its responsibilities for enforcement so as to promote each of the four licensing objectives referred to in Section 1.
- 16.2 The Licensing Authority will develop and review enforcement protocols in agreement with the police.
- 16.3 Enforcement activities will be targeted in terms of risk and so as best to promote the licensing objectives. In addition account will be taken of the general enforcement policy of the licensing authority, which aims to ensure that enforcement is open, fair, reasonable and proportionate.
- 16.4 Enforcement activities will include operations designed to:
 -) Ensure compliance with conditions attached to licences, operating schedules, requirements specified in the this Statement of Policy, and the requirements of the Licensing Act itself;
 -) Protect public safety;
 -) Prevent nuisance;
 -) Prevent crime and disorder;
 -) Protect children from harm;
 -) Identify unlicensed activities;
 -) Respond to complaints and representations from relevant individuals and responsible authorities;
 -) Prevent the sale of alcohol to minors
 -) Prevent the sale of alcohol to people who are drunk
 -) Identify the keeping of smuggled goods
 -) Prevent drug misuse

17 Live Music, Dancing, Theatre, Circuses and Street Arts

- 17.1 The Licensing Authority will ensure that when it considers applications for licences for entertainment involving live music, dancing, theatre, circuses and street arts it will act so as to promote the licensing objective of preventing public nuisance.
- 17.2 The Licensing Authority recognises that there is a need to encourage and promote a broad range of entertainment, particularly those activities identified above, because of the wider cultural benefits to communities. The potential for limited disturbance will therefore be balanced against these wider benefits.

18 Wholesale of alcohol

From 1 April 2017, businesses which sell alcohol (for example, retailers of alcohol and trade buyers) will need to ensure that the UK wholesalers that they buy alcohol from have been approved by HMRC under the Alcohol Wholesaler Registration Scheme (AWRS). They will need to check their wholesalers Unique Registration Number (URN) against the HMRC online database which will be available from April 2017. This is an ongoing obligation and if a business is found to have bought alcohol from an unapproved wholesaler, they may be liable to a penalty or could even face criminal prosecution and their alcohol stock may be seized. Any trader who buys alcohol from a wholesaler for onward sale to the general public (known as a 'trade buyer') does not need to register unless they sell alcohol to other businesses. Examples of trade buyers would be pubs, clubs, restaurants, cafes, retailers and hotels. However, they will need to check that the wholesaler they purchase alcohol from is registered with HMRC. Further information may be found at: <https://www.gov.uk/guidance/the-alcohol-wholesaler-registration-scheme-awrs>.

19 Delegation of Functions

- 19.1 The following matters will be determined by either the Licensing Committee or one of its sub-committees:
-) Application for a personal licence where there are relevant unspent convictions;
 -) The review of a premises licence or club premises certificate;
 -) Decision to object when the local authority is the consultee and not the relevant authority considering the application;
 -) Determination of a police objection to a temporary event notice.
- 19.2 The following matters will be determined by either the Licensing Committee or one of its sub-committees where a relevant representation has been made:
-) Application for a personal licence;
 -) Application for a premises licence or club premises certificate;
 -) Application for a provisional statement;
 -) Application for variation to a premises licence or club premises certificate;
 -) Application to vary a designated premises supervisor
 -) Application for transfer of a premises licence
 -) Application for interim authority
 -) Determination of a temporary event notice.
- 19.3 The Licensing Manager will determine all other matters.

- 19.4 Variations to premises licences or club premises certificates that could not impact adversely on the licensing objectives are subject to a simplified 'minor variations' process. There is clear guidance as to what constitutes a "minor variation" contained on Charnwood Borough Councils website.
- 19.5 Councillors are now considered as "interested parties" and can make representations on any application as such, even if they do not live in the vicinity, or may represent persons living or working in the vicinity of the premises in question.

20 Period of Validity & Review

- 20.1 This statement of licensing policy will come into force on June 2017 and be valid for five years.
- 20.2 The policy will be kept under review during the period of validity and if necessary amendments made.
- 20.3 Before a new policy is adopted or amendments made to the existing one the Licensing Authority will undertake consultation in accordance with Section 5 of the Licensing Act 2003.

Public nuisance

- 2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the

early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

- 2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

POOL OF MODEL CONDITIONS
LICENSING ACT 2003

Mandatory conditions

1 Mandatory conditions where licence authorises supply of alcohol

(1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.

(2) The first condition is that no supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

(3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

2 Mandatory condition: exhibition of films

(1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

(2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

(3) Where-

(a) the film classification body is not specified in the licence, or

(b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

(4) In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

3 Mandatory condition: door supervision

(1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.

(2) But nothing in subsection (1) requires such a condition to be imposed-

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or

- (b) in respect of premises in relation to-
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- (3) For the purposes of this section-
 - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Crime and Disorder

4 Text/Radio Pagers.

The Licensee will join the Pubwatch scheme operating in the area and will ensure that

- The text/pager equipment is kept in working order at all times
- The pager link be activated, made available to and monitored by the designated premises supervisor or a responsible member of staff at all times that the premises are open to the public
- Any police instructions/directions are complied with whenever given, and
- All instances of crime and disorder are reported via the text/radio pager link by the designated premises supervisor or a responsible member of staff to an agreed police contact point

5 Door Supervisors.

Where the condition is imposed on the provision of door supervisors the following may also be applied depending upon the circumstances affecting the premise

- (a) The Licensee will employ sufficient registered door staff to deal with any likely contingency.
- (b) Any employed door staff will wear a name badge as identification.
- (c) Each door supervisor will carry proof of his/her registration with the Security Industry Authority.
- (d) Door supervisors will be stationed at a location either inside or outside the premises and at times to be determined by the licensee as being appropriate but the Licensing Authority would expect such staff to be provided.
- (e) If Door supervisors are required to undertake body searches then at least one female supervisor should be available to undertake the body searches of female customers.

- (f) Where door supervisors are required the Licensee will keep records showing the names of the supervisor and the date/time that they were employed.

6 Bottle bans

The licensee will ensure that:

- (a) No bottles containing beverages of any kind, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff serving away from the bar.
- (b) No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public (**Note:** this will not include those customers carrying sealed bottles for the purposes of consumption off the premises).

An exception to these conditions will be bottles containing wine sold for consumption with a table meal by customers who are seated in an area set aside from the main bar area for the consumption of food.

7 Plastic containers and toughened glass

The licensee will ensure that only plastic or toughened glass containers will be used for the supply of beverages.

8 CCTV

The licensee will ensure that CCTV is installed following advice from the Leicestershire Constabulary Crime Reduction Officer and maintained in accordance with the Information Commissioner's CCTV Code of Practice.

9 Open containers not be taken from premises

The licensee will ensure that no customers shall take glasses or open bottles from the premises.

10 Restrictions on drinking areas

The licensee will ensure that no alcoholic drinks will be consumed in the area marked (in red) on the plan (numbered.....) whilst activity is taking place.

11 Proof of age cards

The licensee shall introduce a policy requiring the production of "proof of age" for any sale that takes place where there is any suspicion that the customer is under 18. Such proof may include a pass conforming to the PASS accreditation system, photo driving licence, student cards and passports.

12 Crime prevention notices

The licensee will ensure that suitable notices are displayed warning customers of the prevalence of crime which may target them, for example, pick pockets or bag snatchers, the need to guard their property and leaving property unattended. The licensee will be directed over the provision of such notices by the Police crime prevention officer.

13 Drinks promotions

The licensee will not introduce or carry on any irresponsible sales promotion or discounting of prices of alcoholic beverages.

14 Signage

The licensee will ensure that:

- (a) A sign indicating the normal hours during licensable activities are permitted to take place to be displayed on or immediately outside the premises.
- (b) Any restrictions of the admission of children to be displayed on or immediately outside the premises.

15 High Volume Vertical Drinking establishments (HVVD's)

The licensee will ensure the adherence to

- A prescribed capacity
- An appropriate ratio of tables and chairs to customers based on the capacity
- The presence of SIA registered security teams to control entry for the purpose of compliance with the capacity limit

16 Drugs

The licensee will adopt the Leicestershire Constabulary's drugs policy.

17 Trading Late

The licensee will adopt the Leicestershire Constabulary's searching policy and conditions of entry.

The licensee will adopt the Leicestershire Constabulary's risk assessment policy in respect of events.

Conditions relating to public safety (including fire safety)

18 Disabled people

The licensee will ensure that

- (a) When disabled people are present adequate arrangements exist to enable their safe evacuation in the event of an emergency.
- (b) Disabled people on the premises are made aware of those arrangements.

19 Escape routes

The licensee will ensure the proper maintenance of all escape routes and exits including external exits. This will require that such exits are kept unobstructed, in good order with non slippery and even surfaces, free of trip` hazards and clearly identified. In premises where chairs and tables are provided all internal gangways must be kept unobstructed.

The licensee will ensure that

- (a) All exit doors are easily openable without the use of a key, card, code or similar means.
- (b) Doors at such exits are regularly checked to ensure that they function satisfactorily and a record of such checks are kept.
- (c) Any removable security fastenings are removed whenever the premises are open to the public or occupied by staff.
- (d) All fire doors are maintained effectively self-closing and shall not be held open other than by approved devices (for example, electromagnetic releases operated by smoke detectors).
- (e) Fire resisting doors to ducts, service shafts and cupboards shall be kept locked shut.
- (f) The edges of the treads of steps and stairways are maintained so as to be conspicuous.

20 Safety checks

The licensee will ensure

- (a) That safety checks are carried out before the admission of the public.
- (b) Details of such checks are kept in a log book.

21 Curtains, hangings, decorations and upholstery

The licensee will ensure that

- (a) Hangings, curtains and temporary decorations are maintained in a flame retardant condition.
- (b) Any upholstered seating meets on a continuous basis the pass criteria for smouldering ignition source 0, flaming ignition source 1 and crib ignition source 5 when tested in accordance with section 5 of BS5852:1990.
- (c) Curtains, hangings and temporary decorations are arranged so as not to obstruct exits, fire safety signs or fire fighting equipment.
- (d) Temporary decorations are not used without a review of the Fire risk assessment and prior notification to the Licensing Authority.

22 Accommodation limits

The licensee will ensure that any capacity limit imposed under this licence/certificate is not exceeded.

The person responsible for the day to day management of the premises should be aware of the number of people on those premises and required to inform any authorised person on request.

23 Fire action notices

The licensee will ensure that notices detailing the actions to be taken in the event of fire or other emergencies including how the fire brigade are summoned are prominently displayed and protected from damage and deterioration.

24 Outbreaks of fire

The licensee will ensure that the Fire Brigade must be called at once to any outbreak of fire, however slight, and the details recorded in a fire log book.

25 Loss of water

The licensee will ensure that the local fire control centre are notified as soon as possible if the water supply to any hydrant, hose reel, sprinkler, drencher or other fire extinguishing installation is cut off or restricted.

26 Access for emergency vehicles

The licensee will ensure that access for emergency vehicles is kept clear and free from obstruction.

27 First aid

The licensee will ensure that

- (a) Adequate and appropriate supply of first aid equipment and materials is available on the premises.
- (b) If necessary, at least one suitably trained first aider shall be on duty when the public are present and if more than one suitably trained first aider that their respective duties are clearly defined.

28 Lighting

The licensee will ensure that

- (a) In the absence of adequate daylight the lighting in any area accessible to the public, members or guests shall be fully in operation when they are present.
- (b) Fire safety signs are adequately illuminated.
- (c) Emergency lighting is not altered.
- (d) Emergency lighting batteries are fully charged before the admission of public, members or guests.
- (e) In the event of the failure of normal lighting, where the emergency lighting battery has a capacity of one hour, arrangements are in place to ensure that the public, members or guests leave the premises within 20 minutes unless within that time normal lighting has been restored and the battery is being recharged; and, if the emergency lighting battery has a capacity of 3 hours, the appropriate period by the end of which the public should have left the premises is one hour.

29 Temporary electrical installations

The licensee will ensure that

- (a) Temporary electrical wiring and distribution systems are not provided without prior inspection by a suitable qualified electrician.
- (b) Temporary electrical wiring and distribution system shall comply with the recommendations of BS 7671 or where applicable BS 7909.
- (c) Where they have not been installed by a competent person, temporary electrical wiring and distribution systems are inspected and certified by a competent person before they are put to use.

30 Indoor sports entertainments

The licensee will ensure that

- (a) If necessary, an appropriately qualified medical practitioner is present throughout the sports entertainment involving boxing, wrestling, judo, karate or other sports entertainment of a similar nature.
- (b) Where a ring is involved it is constructed and supported by a competent person and inspected by a competent authority and any material used to form the skirt around the ring is flame retardant.
- (c) At any wrestling or other entertainment of a similar nature members of the public do not occupy any seat within 2.5 metres of the ring.
- (d) At water sports entertainment, staff are adequately trained in rescue and life safety procedure and stationed and remain within the vicinity of the water at all material times.

31 Alterations to the premises

Premises should not be altered in such a way as to make it impossible to comply with an existing licence condition without first seeking a variation of the premises licence proposing the deletion of the condition relating to the public safety in question.

32 Special effects

Any special effects or mechanical installation should be arranged and stored so as to minimise any risk to the safety of the audience and performers and staff.

Special effects which should be considered include:

- Dry ice machines and cryogenic fog
- Smoke machines and fog generators
- Pyrotechnics including fireworks
- Real flame
- Fire arms
- Motor vehicles
- Strobe lighting
- Lasers

- Explosives and highly flammable substances

These special effects must only be used on the provision of a suitable and sufficient risk assessment and prior notification to the licensing authority.

Conditions relating to theatres, cinemas, concert halls and similar places (promotion of public safety)

Premises used for closely seated audiences

33 Attendants

- (a) The number of attendants on each floor in a closely seated auditorium should be as set out in the table below.

Number of members of the audience present on a floor	Minimum number of attendants required to be present on that floor
1-100	1
101-250	2
251-500	3
501-750	4
751-1000	5
And one additional attendant for each additional 250 (or part thereof)	

- (b) Attendants shall not be engaged in any duties that would hinder the prompt discharge of their duties in the event of an emergency or entail their absence from that floor or auditorium where they are on duty.
- (c) Any attendant shall be readily identifiable to the audience (but this need not entail the wearing of a uniform).
- (d) The premises shall not be used for a closely seated audience except in accordance with seating plan(s), a copy of which is available at the premises and shall be shown to any authorised person on request.
- (e) No article shall be attached to the back of any seat which would reduce the clear width of seatways or cause a tripping hazard or obstruction.
- (f) A copy of any certificate relating to the design, construction and loading of any temporary seating shall be kept available at the premises and shall be shown to any authorised person on request.

34 Standing and sitting in gangways

- (a) Sitting on floors shall not be permitted except where authorised in the premises licence or club premises certificate.

- (b) Waiting or standing shall not be permitted except in areas designated in the premises licence or club premises certificate.
- (c) In no circumstance shall anyone be permitted to
- (i) Sit in any gangway
 - (ii) Stand or sit in front of any exit, or
 - (iii) Stand or sit on any staircase including any landings

35 Drinks

Except as authorised by the premises licence or the club premises certificate, no drink shall be sold to or be consumed by a closely seated audience except in plastic and paper containers.

36 Balcony fronts

Clothing or other objects shall not be placed over balcony rails or upon balcony fronts.

37 Special effects

Any special effects or mechanical installation shall be arranged and stored so as to minimise any risk to the safety of the audience, the performers and staff.

Special effects include:

- Dry ice machines and cryogenic fog
- Smoke machines and fog generators
- Pyrotechnics including fireworks
- Real flame
- Fire arms
- Motor vehicles
- Strobe lighting
- Lasers (see HSE guide “the radiation safety of lasers used for display purposes [HS(G)95] and BSEN 60825: Safety of Laser Products)
- Explosives and highly flammable substances

In certain circumstances it may be necessary to require that certain special effects are only used with the prior notification of the Licensing Authority or [inspection by] fire authority.

38 Scenery

Any scenery should be maintained as being flame retardant.

39 Safety curtain

Where a safety curtain is provided it should be arranged so as to protect the audience from the effects of a fire or smoke on stage for some sufficient time to enable the safe evacuation of the auditorium.

Where a stage with a proscenium arch is not equipped with a safety curtain, any curtains provided between the stage and the auditorium should be heavyweight and be made of non combustible material inherently or durably treated flame retardant fabric.

40 Ceilings

All ceilings in those parts of the premises to which the audience are admitted should be inspected by a suitably qualified person who will decide whether a further inspection would be necessary and a certificate concerning the conditions of the ceilings forwarded to the Licensing Authority.

41 Seating

Where the potential audience exceeds 250 all seats in the auditorium should, except in boxes accommodating not more than 8 persons, be either securely fixed to the floor or battened together in lengths of not fewer than 4 or more than 12.

Premises used for film exhibitions

42 Attendance – premises without a staff alerting system

Where the premises are not equipped with a staff alerting system the number of attendants present should be as set out in the table below.

Number of members of the audience present on the premises	Minimum number of attendants required to be on duty
1-250	2
And one additional attendant for each additional 250 members of the audience present (or part thereof).	
Where there are more than 150 members of an audience in any auditorium or on any floor	At least one attendant shall be present in any auditorium or on any floor

43 Attendance – premises with a staff alerting system

(a) Where premises are equipped with a staff alerting system the number of attendants present should be as set out in the table below.

Number of members of the audience present on the premises	Minimum number of attendants required to be on duty	Minimum number of other staff on the premises who are available to assist in the event of an emergency
1-500	2	1
501-1000	3	2
1001-1500	4	4
1501 or more	5 plus one for every 500 (or part thereof) persons over 2000 on the premises	5 plus one for every 500 (or part thereof) persons over 2000 on the premises

- (b) Staff shall not be considered as being available to assist in the event of an emergency if they are:
- (i) The holder of the premises licence or the manager on duty at the premises or
 - (ii) A member of staff whose normal duties or responsibilities are likely to significantly effect or delay his response in an emergency situation
 - (iii) A member of staff whose usual location when on duty is more than 60 metres from the location to which he is required to go on being alerted to an emergency situation.
- (c) Attendants shall, as far as reasonably practicable, be evenly distributed throughout all parts of the premises to which the public have access and keep under observations all parts of the premises to which the audience have access.
- (d) The staff alerting system shall be maintained in working order.

44 Minimum lighting

The level of lighting in the auditorium should be as great as possible consistent with the effective presentation of the film and the level of illumination maintained in the auditorium during the showing of films would normally be regarded as satisfactory if it complies with the stands specified in BS CP1007(maintained lighting for cinemas).

45 Flammable films

No flammable films should be allowed on the premises without the prior notification of the licensing authority/fire authority.

Conditions relating to prevention of public nuisance

46 Hours

- (a) Any appropriate restrictions on opening hours
- (b) Any appropriate restrictions when certain licensable activities can take place
- (c) Any appropriate restrictions on parts of the premises that might be used for certain licensable activities at certain times.

47 Noise

- (a) Noise impact assessment of the licensed activities at the premises must be carried out to the satisfaction of the licensing authority. Proposed steps to prevent noise must, if necessary, also be submitted for inclusion within the operating schedule.
- (b) The following licensed activities that have the potential to create public nuisance shall not be permitted unless they are done so in accordance with the controls below:

For example

Activity	Control
<i>Playing of amplified, pre-recorded music</i>	<i>Music shall only be played in the main function suite and shall go on no later than 23.30</i>

- (i) A noise limiting device shall be installed, fitted and maintained in such a manner as to control all sources of amplified music at the premises. Once set such a device should be inaccessible to the licensee or her staff.
- (ii) All [*external doors / windows*] must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place. Ventilation or air conditioning may be required in warm weather.
- (iii) The [*doors / windows*] at [*specify*] shall be fitted with [*double /secondary*] glazing in order to improve the sound attenuation of the premises.
- (iv) No music or speech shall be relayed via external speakers other than for events with the prior approval of the licensing authority.
- (vi) A [*sound trap lobby / acoustic door / automatic door closer*] shall be installed to [*describe the location*].
- (vii) A scheme of soundproofing the [*relevant parts*] of the premises must be agreed with the licensing authority and the work completed to the licensing authorities satisfaction.

(viii) [*Openings / specify*] in the external fabric of the premises must be acoustically sealed to the satisfaction of the licensing authority.

(ix) An alarm shall be fitted to [all external windows / fire doors] which alerts staff when [they / it] are opened without authorisation.

(x) The specification, location and orientation of all permanently fixed speakers shall be agreed with the licensing authority.

(xi) No fireworks or other pyrotechnics shall be used other than with the prior consent of the licensing authority.

(xii) Noise from the premises shall not result in exceedences of the following noise levels expressed as [*x minute Laeq*] at [*stated location*];

Frequency Range	From a hours to b hours	From y hours to z hours
[<i>Whole range</i>]	<i>x dBA</i>	<i>y dBA</i>
[<i>63Hz octave band</i>]	<i>x dBA</i>	<i>y dBA</i>
[<i>125 Hz octave band</i>]	<i>x dBA</i>	<i>y dBA</i>

(xiii) Prominent, clear notices shall be displayed at [*all exits / in the beer garden*] requesting customers to respect the needs of local residents and leave the premises and the area quietly.

(xiv) The [*garden / patio*] must not be used by customers after the hours of xx.xx.

(xv) The car park must be securely locked to prevent access to customers cars between xx.xx and yy.yy. Larger car parks to be managed to prevent disturbance particularly when they are adjacent to residential premises.

(xvi) Disposal of waste bottles into external receptacles where the noise will be audible to neighbouring properties must not occur between xx.xx and yy.yy

(xvii) Arrangements must be put in place to ensure that waste collection contractors do not collect refuse between xx.xx and yy.yy.

(xviii) Staff must be given adequate training to prevent them causing unnecessary noise when they leave the premises and prominent, clear notices displayed at all points where staff leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.

(xix) The licensee or a nominated representative shall receive and respond to complaints throughout the duration of all noisy events.

(xx) No inflatable play equipment shall be used without the agreement of the Licensing Authority with respect to its hours of use and other conditions as may be appropriate.

(xxi) The [*car park/ garden*] shall be managed to ensure that it is not used for [*ball games /skateboarding/ other noisy recreational activities*].

(xxii) Acoustic screens/enclosures to be used to prevent the spread of noise from equipment.

(xxiii) External plant to be properly maintained to prevent mechanical deterioration.

48 Litter and Waste

An adequate number of waste receptacles for use by patrons shall be provided in positions agreed with the licensing authority and it shall be the responsibility of the licensee to empty and dispose of the collected refuse at a frequency to be agreed with the licensing authority.

Such collections should also be carried out at reasonable hours of the day.

The licensee shall comply with the Voluntary Code of Practice For The Fast Food Industry (DEFRA 2003) or any document which supersedes this.

49 Lighting

Any artificial lighting on the premises must not cause nuisance due to glare unless it is considered necessary by the local Police force to prevent crime and disorder.

50 Noxious smells

The licensee shall endeavour to ensure that there are no noxious smells emitted from the licensed premise so as to cause a nuisance to nearby properties and that the licensed premise is properly vented.

Conditions relating to the protection of children from harm

Access for children to licensed premises – in general

51 Children under the age of 18 years shall not be permitted to licensed premises where there has been a known association (having been presented with evidence) with or likely to give rise to:

Heavy or binge or under age drinking
Drugs
Significant gambling

Any activity or entertainment (whether regulated entertainment or not) of a clearly adult or sexual nature

- 52 No child under the age of 12 shall be allowed in a premise unaccompanied by an adult after 11.00pm in the evening in cases where that premise, is not serving alcohol for consumption on the premises, but where the public are allowed on that premises after that time.

Age restrictions – specific

- 53 The hours of the day during which age restrictions should and should not apply.
- 54 Types of event or activity in respect of which no age restrictions may be needed
- 55 Types of event or activity which give rise to a more acute need for age restrictions than normal.

Age restrictions – cinemas

- 56 Films should be classified in the following way:

U – Universal. Suitable for audiences age 4 years and over.

PG – Parental Guidance. Some scenes may be unsuitable for young children.

12A – passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult.

15 – Passed only for viewing by persons aged 15 years and over.

18 – Passed only for viewing by persons aged 18 years and over.

- 57 The licensee must ensure that immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least 5 seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film.

Theatres – performances especially for children

- 58 An attendant to be stationed in the area(s) occupied by the children, in the vicinity of each exit, provided that on each level occupied by children the minimum number of attendants on duty should be one attendant per 50 children or part thereof.

In cases of an event involving a significant number of unaccompanied children, the licensee should have a child protection policy in place to carry out suitable checks on staff before they take up employment.

Children in performances

59 In addition to the requirements of the Children (Performances) Regulations 1968, as amended the licensee shall ensure that with regard to the:-

venue – the back stage facility should be large enough to accommodate safely the number of children taking part in any performance.

Fire safety – all chaperones and production crew on the show should receive instruction on the fire procedures applicable to the venue prior to the arrival of the children.

Special effects – it may be inappropriate to use certain special effects including smoke, dry ice, rapid pulsating or flashing lights which may trigger adverse reactions especially in the case of children

Care of children – theatres, concert halls and similar places are places of work and may contain a lot of potentially dangerous equipment, it is therefore important that children performing at such premises are kept under adult supervision at all times including transfer from stage to dressing room or anywhere else on the premises. It is also important that the children can be accounted for at all times in case of an evacuation or emergency.

The Portman Group: practice on the naming, packaging and promotion of alcoholic drinks

The Portman Group was set up in 1989 by the UK's leading drinks producers and its purpose is

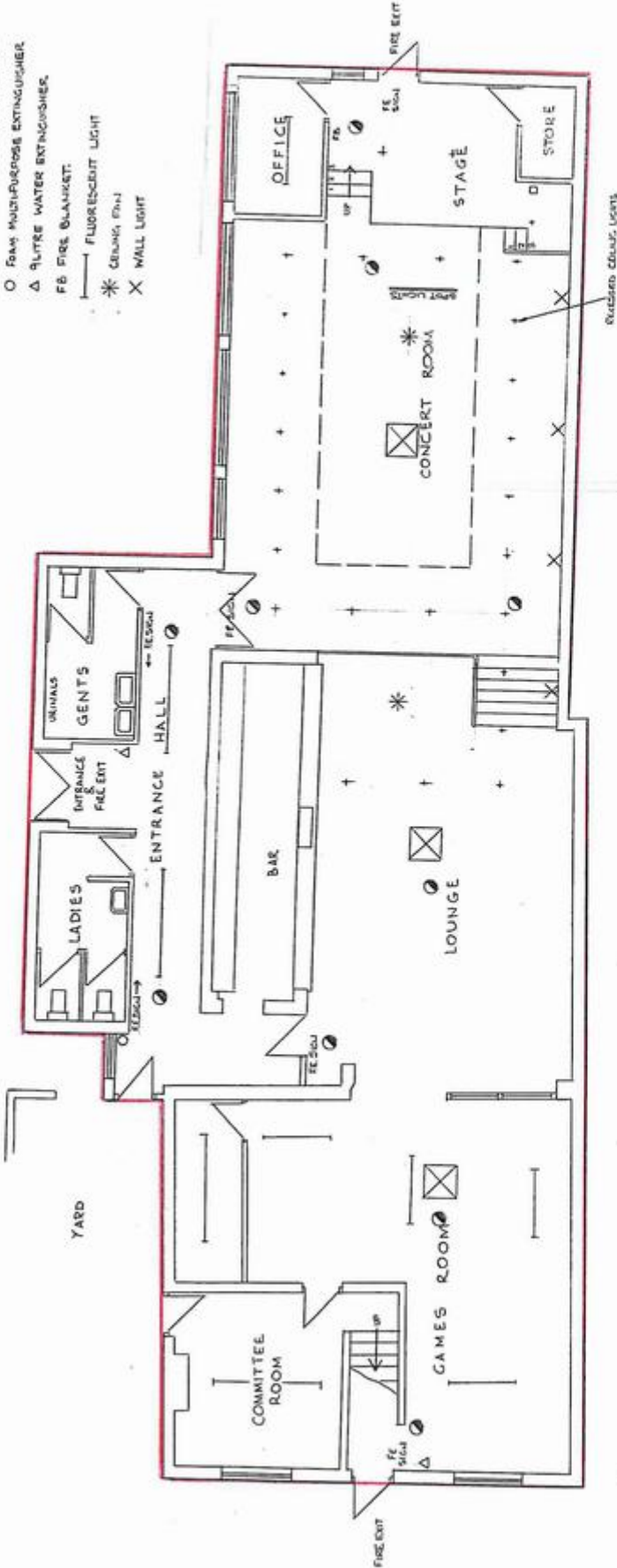
- To promote responsible drinking
- To help prevent misuse of alcohol
- To encourage responsible marketing
- To foster a balanced understanding of alcohol related issues.

60 The licensee shall comply with the Portman Group's retailer alert bulletins.

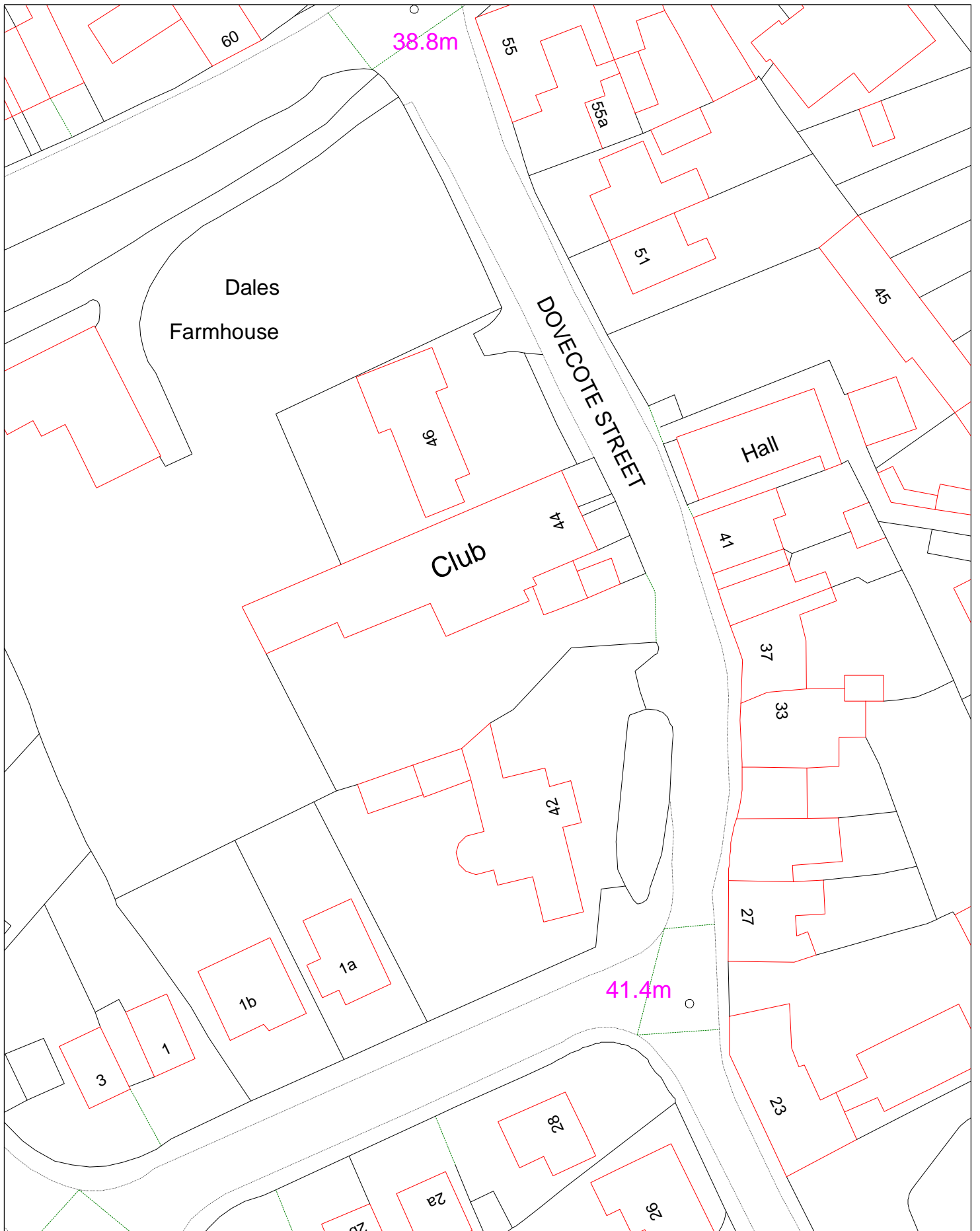
For more information of such Bulletins access the Portman Group's website on www.portman-group.org.uk/codeofpractice/63.asp or contact the Group on 020 7907 3700 or by writing to the Portman Group, 7-10 Chandos Street, London, W16 9DG.

CP/ HATHERN CLUB/CLUBS 4.25/25.07.2005

- EMERGENCY LIGHTS
- ☒ SMOKE EXTRACTORS
- 2KG CARBON DIOXIDE EXTINGUISHERS
- FOAM MULTIPURPOSE EXTINGUISHER
- △ 9LITRE WATER EXTINGUISHER
- FB FIRE BLANKET
- FLOOR ESCENT LIGHT
- * GROUND FLOOR
- X WALL LIGHT

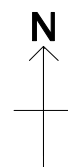


GROUND FLOOR PLAN AT HATHERN CLUB, 44 DOVECOTE STREET, HATHERN	
SCALE	DATE
1:100	13TH JULY 2005
DRAWN	DRAWING NUMBER
TERRY BREWIN	TB 0793
TELEPHONE 01959 846873	



Charnwood Borough Council
 Council Offices
 Southfield Road
 Loughborough
 Leicestershire
 LE11 2TX

www.charnwood.gov.uk



Scale: 1:565

Date: 22-06-2022 Time: 08:10:19

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