

Appendix 4

Glossary of Terms

Licensable Activities

- a) The sale by retail of alcohol
- b) The supply of alcohol by or on behalf of a club to, or to the Order of, a member of the club
- c) The provision of regulated entertainment
- d) The provision of late night refreshment

Qualifying Club Activities

- a) The supply of alcohol by or on behalf of a club to, or to the Order of, a member of the club
- b) 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, and
- c) The provision of regulated entertainment where that provision is by or on behalf of a club for members of the club or members of the club and their guests.

Regulated Entertainment

- a) A performance of a play
- b) An exhibition of a film
- c) An indoor sporting event
- d) A boxing or wrestling entertainment
- e) A performance of live music
- f) Any playing of recorded music
- g) A performance of dance
- h) Entertainment of a similar description to that falling within paragraph (e), (f) and (g), where the entertainment takes place in the presence of an audience and is provided for the purpose, or for purposes which include the purpose, of entertaining that audience.

Interested Party

- a) A person living in the vicinity of the premises
- b) A body representing persons in live in that vicinity

- c) A person involved in a business in that vicinity
- d) A body representing persons involved in such businesses.
- e) A member of the relevant licensing authority, ie elected councillors of the licensing authority for the area in which a premises is situated.

Responsible Authority

- a) The chief officer of police for any police area in which the premises are situated
- b) The fire authority for any area in which the premises are situated
- c) The enforcing authority within the meaning given by Section 18 of the Health and Safety at Work etc Act 1974 for any area in which the premises are situated
- d) The local planning authority within the meaning given by the Town and Country Planning Act 1990 (C8) for any area in which the premises are situated
- e) The local authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health.
- f) A body which
 - i) represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the protection of children from harm, and
 - ii) It is recognised by the licensing authority for that area for the purposes of this section as being competent to advise it or such matters.
- g) Any licensing authority (other than the relevant licensing authority) in whose area part of the premises is situated
- h) In relation to a vessel
 - i) A navigation authority (within the meaning of Section 221(1) of the Water Resources Act 1991 (C57) having functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is, or is proposed to be, navigated at a time when it is used for licensable activities.
 - ii) The Environment Agency
 - iii) The British Waterways Board or
 - iv) The Secretary of State
 - v) A person prescribed for the purposes of this subsection
- i) Any other bodies that are subsequently specified by regulations.

Temporary Event

The use of the premises for one or more of the licensable activities during a period not exceeding 96 hours usually where a premises licence covering the licensable activity is not in place.

Late Night Refreshment

A person “provides late night refreshment” if:

- a) At any time between the hours of 11:00 pm and 5:00 am, he supplies hot food or hot drink to members of the public, or a section of the public, on or from any premises, whether for consumption on or off the premises, or
- b) At any time between those hours when members of the public, or a section of the public, are admitted to any premises, he supplies, or holds himself out as willing to supply, hot food or drink to any persons, or to persons of a particular description, on or from those premises, whether for consumption on or off the premises.

Hot Food or Hot Drink

Food or drink supplied on or from any premises is “hot” for the purposes of this schedule if the food or drink, or any part of it:

- a) Before it is supplied, is heated on the premises or elsewhere for the purpose of enabling it to be consumed at a temperature above the ambient air temperature and, at the time of supply, is above that temperature, or
- b) After it is supplied, may be heated on the premises for the purpose of enabling it to be consumed at a temperature above the ambient air temperature.

Personal Licence

A licence which:

- a) Is granted by a licensing authority to an individual, and
- b) Authorises that individual to supply alcohol, or authorise the supply of alcohol, in accordance with a premises licence

Premises Licence

A licence which authorises the premises to be used for one or more licensable activities.

Representations

Relevant - if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives.

Frivolous – these representations would essentially be categorised by a lack of seriousness. A trivial complaint may not always be frivolous, but it would have to be pertinent in order to be relevant.

Vexatious – Vexation may arise because of disputes between rival businesses or persons.

Repetitious – This would be categorised by its similarity to a previous representation which has already been decided upon.