

Extract from Licensing Policy

**Variations of Licences**

- 86. Applications to vary a Premises Licence, other than a minor variation, will be dealt with in a similar manner to applications for a new Premises Licence. If relevant representations are not received, the application for variation will be granted.
- 87. If relevant representations are made and not withdrawn, the Licensing Committee will hold a hearing and at that hearing may:
  - a) Modify the conditions of the Licence; or
  - b) Reject the whole or part of the application.
- 88. The Licence will not be varied so as to:
  - a) Extend the period for which the Licence has effect; or
  - b) To vary substantially the premises to which it relates.
- 89. The Council may vary a Premises Licence so that it has effect subject to different conditions in respect of:
  - a) Different parts of the premises concerned; and
  - b) Different licensable activities.

**Trading Hours**

- 150. This Policy recognises that longer and more flexible licensing hours can contribute to easing crime and disorder problems by ensuring that concentrations of customers leaving premises simultaneously are avoided thus helping to reduce friction at taxi ranks and private hire offices, fast food outlets etc.
- 151. The Policy will not set fixed trading hours within any designated area though the Policy recognises that stricter conditions with regard to noise control will be necessary in more densely populated residential areas. Additional security measures may need to be considered on premises which remain open to the public after 3:00am. Each application will be judged on its merits with the discharging of the licensing objectives being paramount in every case.
- 152. Unless there are good reasons to the contrary on the grounds of public disorder or crime prevention, shops, stores and supermarkets that sell alcohol will be permitted to do during the times that they would ordinarily sell other goods. It would be for interested persons or the responsible authorities to prove why this should not be so in any particular case.
- 153. As a general presumption, applications for licences to sell alcohol for consumption on the premises (including club premises) who wish to open between 10 am and midnight Sunday to Thursday and 10 am to 1 am Friday and Saturday will have their licence granted - subject to the rights of other persons to object and thereby require a hearing.

154. Any premises wishing to open for longer hours, or where amplified music is to be a feature of the entertainment which is provided, will need to demonstrate specifically within their operating schedule, how they will discharge the Licensing Objectives.
155. Applicants should be aware that there is no automatic presumption in favour of longer hours and all cases which are referred to the Licensing Committee the Committee will consider if the hours requested by the applicant undermine the licensing objective. Where the Committee concludes that they do, the Committee may reject the application, or impose conditions and/or grant the licence with permitted hours which are different to those requested.
156. In the interests of reducing crime, disorder and anti-social behaviour, the Council will prefer applications for public houses, nightclubs and registered clubs that demonstrate in their operating schedules a responsible approach to alcohol sales by ending such sales some time before the premises themselves are closed ('drinking-up time'). There is no obligation on the holder of a premises licence or club premises certificate to remain open for the entire period permitted by his licence or certificate.

## **Conditions**

166. The Licensing Authority will not impose standard conditions other than the statutory mandatory conditions. The licensing Authority may only attach conditions to a licence if relevant representations are received (except for conditions drawn from the applicants operating schedule since these are voluntary proposals).
167. Any condition that is imposed on licensed premises will be tailored to the specific needs of the premises to which the condition relates and will be linked to one of the licensing objectives e.g. crime and disorder prevention strategies and a condition requiring premises to install CCTV.
168. Conditions attached to permissions will be focussed on matters that are within the control of individual licence holders and others possessing authorisations. The Licensing Authority will focus on the direct impact of activities taking place on the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.
169. This policy is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the licensee or away from the vicinity of the licensed premises.
170. The government has produced a 'pool' of 'model conditions' with guidance as to their intended use. These model conditions are reproduced within appendix two. Licensing Authorities may add specific conditions to a licence to address particular issues.
171. Conditions will not be imposed in relation to the nature or content of plays to be performed or the manner of performing plays. The absence of any such condition does not imply any exemption from any other statutory prohibition such as the Obscene Publications Act or common law.
172. Stricter conditions in relation to noise control can be expected in areas which have residential accommodation