

LICENSING ACT 2003 - PREMISES LICENCES AND CLUB PREMISES CERTIFICATES

GUIDANCE FROM HAMPSHIRE CONSTABULARY, LICENSING UNIT

Introduction

The Police are keen to ensure that the application process runs as smoothly as possible. In doing so we have produced the guidelines below to assist applicants to appreciate the increased responsibilities placed upon them by the Act.

Matters to be Considered

When writing the operating schedule, all applicants should have due regard to the promotion of the four licensing objectives which are:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

The Police consider all four objectives to be of equal importance in ensuring the responsible running of any premises. We have a particular role in monitoring and advising on crime and disorder and will be working closely with applicants, their representatives, other responsible authorities, interested parties and the Licensing Authority to ensure this objective is properly promoted at all stages of the process.

Where the Police have concerns about an application, they will endeavour to resolve any issue with the applicant or their representative prior to any formal representations being made.

Applications for licences which are of the 'High Volume Vertical Drinking' or 'Night Club' type are expected to include very specific measures which demonstrate a clear commitment to preventing crime and disorder and public nuisance in and around licensed premises. This will be increasingly important where an application includes extended opening hours and where a premise is located near or within a residential area.

To help applicants upon first application we have produced the attached checklist which should be read with the Statement of Licensing Policy and the Pool of Model Conditions. They serve as a good general guide to what is expected by the Police when examining an application. The conditions which the Police may seek to have imposed on a premises licence or certificate depend upon the licensable activities that are proposed and if an applicant's operating schedule does not satisfactorily address specific issues.

The Police will be reviewing each application to ensure that the following matters have been considered:

- Operating hours. How will this impact on the community and how will the applicant demonstrate that the licensing objectives are being promoted, especially around the end of the period of licensable activity as people disperse? Will this cause an increase in crime, disorder and anti social behaviour? How will the increase in any hours of operation impact on the ability of any of the responsible authorities and emergency services to cope with later opening?
- Mixed use encourages a premise to be used for a reason other than excessive drinking. Will other activities or services be offered to reduce drunkenness and the potential for violent crime?
- What consideration has been given to drink promotions? Premises will be challenged should irresponsible drinks promotions or activities be offered. These lead to excessive drunkenness and unhealthy competition between venues. Types of promotions include "all in one" ticket, "two for one", free shots and drinking games.
- Staff training. This should be routinely conducted, monitored and recorded and include staff responsibility and liability.
- Premises should have well-sited and good quality CCTV and lighting to assist in security and investigation should offences come to light.
- Premises should maintain a proportionate level of security staff. Each application should be considered on its merits and will depend on factors such as licensable activity, operating hours, venue type and capacity.
- What impact does the premise have on the Protection of Children? What policies are in place to monitor entry and supervise children and young people? How are children being protected from harm?
- Operators of venues are responsible for the activities of people entering and leaving their premises and will be expected to contribute to their safe and orderly arrival and dispersal.