

Ashford Borough Council guidance on completion of Premises Licence Application form Part 3: Section M

Describing the steps you intend to take to promote the four licensing objectives

In completing this section, the applicant should state what measures they are willing to commit to as part of the running of the premises.

These steps will assist in demonstrating to everyone how the applicant has thought about dealing with the potential risks linked to the licensable activities being proposed.

These steps may prevent objections to the application being raised in the first place, and may help the applicant in showing that they are a responsible retailer with an understanding of how their business may affect the local community.

Once submitted, the steps you have offered will be converted into conditions and applied to the premises licence if granted. The applicant should make sure the steps they are offering, are matters that they are able to commit to before licensable activities start. A breach of licence conditions is a criminal offence, and therefore it is essential that they are appropriate to your premises.

The steps you provide should be concise and their meaning clear to any reader, whether they know the premises or not, or have an understanding of licensing law or not.

You should avoid phrases that offer little detail of the steps being offered. Such as ‘we will be a responsible retailer’ and also unclear commitments such as ‘if necessary’ and ‘where appropriate’.

To avoid misunderstanding, and to make it clear what you intend it may be useful to write the steps in a manner similar to licence conditions. Those steps would normally start with phrases such as ‘the licence holder shall...’ or similar.

Some example wordings for common steps/conditions are included overleaf, as examples to give you an idea of what suitable steps/conditions could look like.

Example conditions

Prevention of Crime and Disorder – CCTV

A CCTV system shall be designed, installed and maintained in proper working order. Such system shall be:

- i. Operated by properly trained staff.*
- ii. Be in operation at all times that the premises are being used for a licensable activity*
- iii. Ensure suitable coverage of public areas*
- iv. Provide continuous recording facilities for each camera to a good standard of clarity.*
- v. Retain recordings (on disc, hard drive or other immediately retrievable facility) for a period of 30 days, and shall be supplied to the licensing authority or a police officer on request.*
- vi. Checked and maintained to ensure it is in good working order*

Protection of Children from Harm – ID Scheme

The Licence Holder will, through the operation of a challenge 21 ‘proof of age’ scheme, ensure that anyone who appears to be under 21 and is attempting to buy alcohol or is consuming alcohol on the premises will be asked to provide adequate and accepted proof of age.

Prevention of Public Nuisance – Customer Signage

The Licence Holder will ensure adequate signage is in place advising customers to leave the premises in a quiet and orderly manner.

Extract from Revised Guidance issued under section 182 of the Licensing Act 2003

Revised April 2018

The below extract is provided in addition to our guidance to give you an idea of what matters to consider when proposing the steps you intend to take to promote the licensing objectives

Steps to promote the licensing objectives

8.41 *In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.*

8.42 *Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:*

the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;

- any risk posed to the local area by the applicants' proposed licensable activities; and*
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.*

8.43 *Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.*

8.44 *It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.*

8.45 *The majority of information which applicants will require should be available in the licensing policy statement in the area. Other publicly available sources which may be of use to applicants include:*

- the Crime Mapping website;*
- Neighbourhood Statistics websites;*
- websites or publications by local responsible authorities;*
- websites or publications by local voluntary schemes and initiatives; and*

- *on-line mapping tools.*

8.46 *While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. Licensing authorities may wish to encourage co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.*

8.47 *Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.*

8.48 *All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached to premises licences with the minimum of fuss.*

8.49 *For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.*