

Appendix 1



This form should be completed and forwarded to:

London Borough of Tower Hamlets,
Licensing Section, Mulberry Place (AH), PO BOX 55739, 5 Clove Crescent, London E14 1BY

**Application for the review of a premises licence or club premises certificate
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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.

**I ... Pc Mark Perry 748HT Borough Licensing Officer apply for the review of a
premises licence under section 51 / apply for the review of a club premises certificate
under section 87 of the Licensing Act 2003 for the premises described in Part 1
below (delete as applicable)**

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description My Local, 12 A Grove Road	
Post town London	Post code (if known) E3 SAT

Name of premises licence holder or club holding
club premises certificate (if known)

Tariq Sheikh

Number of premises licence or club premises
certificate (if known)

12670

Part 2 - Applicant details

Please tick yes

- I am
- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
 - 2) a responsible authority (please complete (C) below) Y
 - 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname **First names**

Please tick yes

I am 18 years old or over

Current postal address if different from premises address

Post Town **Postcode**

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname	First names
<input type="text"/>	<input type="text"/>

I am 18 years old or over Please tick yes

Current postal address if different from premises address	<input type="text"/>
--	----------------------

Post Town	<input type="text"/>	Postcode	<input type="text"/>
------------------	----------------------	-----------------	----------------------

Daytime contact telephone number	<input type="text"/>
---	----------------------

E-mail address (optional)	<input type="text"/>
----------------------------------	----------------------

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Pc Mark Perry 748HT Licensing Officer Tower Hamlets Police Limehouse Police Station 27 West India Dock Road London E14
Telephone number (if any) <input type="text"/>
E-mail (optional) <input type="text"/>

This application to review relates to the following
licensing objective(s)

Please tick one or more boxes

- | | |
|---|---|
| 1) the prevention of crime and disorder | Y |
| 2) public safety | N |
| 3) the prevention of public nuisance | N |
| 4) the protection of children from harm | Y |

Please provide as much information as possible to support the application (please read guidance note 2)

Prior to the Lovebox Festival Tower Hamlets Police contacted off licenses in the vicinity of Victoria Park to warn them that during the festival there will be thousands of extra people in the area attending Lovebox and that they will be very busy with extra customers. These shops were asked to make sure that they were asking for ID for people they suspected to be under 18, and to make sure that they are not selling to people who are drunk.

Pc Cruickshank attended My Local at 12A Grove Road prior to the Love box festival and spoke to a member of staff, asking them to be vigilant during the festival with regards to checking the ages of customers who purchased alcohol and also about not selling alcohol to those who were drunk. While Pc Cruickshank was in the shop the member of staff phoned Mr Tariq Sheikh, the premises license holder, and designated premises supervisor. Pc Cruickshank spoke to Mr Sheikh and asked him to make sure his staff were checking the age of customers and not selling alcohol to people who were drunk, which Mr Sheikh agreed to do.

During the Lovebox weekend Tower Hamlets police carry out test purchase operations using Police Cadets to see if the licensed premises they visit sell them alcohol. The cadets are under 18 years old and in plain clothes, and the purchases are witnessed by police officers, who also supervise the cadets. These operations target the licensed premises around the Victoria Park area to make sure that they are complying with the Licensing Act and being vigilant with regards to checking customers ID.

On Friday the 19th July 2013 at about 3:10pm a Police Cadet aged 16 visited My Local at 12A Grove Road and purchased a can of Fosters Larger. This sale was witnessed by PC Wallis. Shortly after the sale Pc Heathcote entered the store and spoke to the assistant a Mr Seerha and informed him that he had sold alcohol to a person who was 16 years old. Mr Seera denied selling alcohol to a 16 year old, and then said "It was very busy and it was unfair he looked too old to ask for ID". Mr Seehra was issued with a Penalty Notice for £80 for selling alcohol to a person under 18, to which he replied "This is unfair".

On Saturday 20th July 2013 at about 12:45pm a Police Cadet aged 15 visited My Local at 12A Grove Road and purchased a can of Carlsberg Larger. This sale was witnessed by PC Austin. Shortly after the sale Pc Buckley entered the store and spoke to the assistant a Mr Rokybul Islam and informed him that he had sold alcohol to a 15 year old. Mr Islam initially denied selling the alcohol to a person under 18, and then when the young persons age was confirmed to him by PC Austin said "ok". Mr Islam was issued with a Penalty Notice for £80 for selling alcohol to a person under 18, to which he replied "ok".

This premises has sold to a 16 and 15 year old in two days, despite being warned by Police to be vigilant and reminded of their responsibilities under the Licensing Act 2003. Indeed having sold alcohol to a 16 year old on the Friday the management and staff at the shop did not increase the checks they did and sold to an even younger person the next day.

The guidance to the Licensing Act states in paragraph 68 states:

Amendments to the statutory guidance issued under section 182 of the 2003 Act (following revisions through the Police Reform and Social Responsibility Act 2011) recommend that where the offence of persistently selling alcohol to children has been committed at a premises that licensing authorities should review the premises licence with a view to considering revocation of the licence unless such a course is plainly not appropriate.

Persistently selling alcohol to people aged under 18 is classified as “two sales in a 3 month period.”

Given the facts outlined above and that the shop were warned shortly before the test purchases about selling alcohol to under 18’s we ask that the license of My Local 12A Grove Road be revoked.

Statements from the officers involved will be submitted as evidence prior to the hearing.

Have you made an application for review relating to this premises before

Please tick ? yes
N

If yes please state the date of that application

Day		Month		Year			

If you have made representations before relating to this premises please state what they were and when you made them

No

Please tick yes

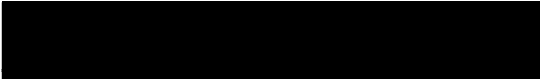
I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate Y

I understand that if I do not comply with the above requirements my application will be rejected Y

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature 
Date 6/9/18
Capacity Police Licensing Officer

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

- 1 1. The ground(s) for review must be based on one of the licensing objectives.
- 2 Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
- 3 The application form must be signed.
- 4 An applicant'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 application.

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Siobhan Heathcote

--	--	--	--

Age if under 18 Over 18 (if over 18 insert 'over 18') Occupation: Special Constable.....

This statement (consisting of: 2..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: [Redacted] Date: 19/07/2013

Tick if witness evidence is visually recorded (supply witness details on rear)

On Friday the 19th of July 2013 I was on duty at Bow police Station in full uniform.
At 14:00 hours PC AUSTIN 319HT briefed 3 Police Cadets who I shall refer to as Cadets A, B and C.
I instructed them that they were to attend shops in Tower Hamlets and attempt to purchase alcohol.
If challenged I informed them that they must tell the truth and must not try to persuade the shop keepers to sell them alcohol.
At 15:10 hours I was in t he a marked police van parked near My Local 12A GROVE ROAD, E3.
Cadet A returned to the van with a can of Foster Lager. I placed it into a exhibit bag number C107352 .
I then returned to the store. At the location I spoke to an asian male who I now know to be as Mr Amardeed Singh SEEHRA .
I said " I understand that you have just sold a can of Lager to a 16 year old boy" . He replied " Stating no I didn't". SC WALLIS 5083HT who was in plain clothes replied stating that 'I witnessed the sale been made' to which Mr Amardeed Singh SEEHRA replied "it is unfair that you have set me me up on such a busy day ". SC BUCKLEY 5247HT showed him a photo of Cadet A and informed him that he was 16 also that it was part of his Licence agreement that he can be subjected to test purchasing.. He replied "Stating that Cadet A looked older the 18". I pointed out to him that it was an offence and he replied "stating that it was very busy and we were been unfair because he looked too old to ask for ID" I told him that I intended to issue him with a PND for the offence and he replied "I always usually ID people but he looks older then 16".
At 1535pm I issued him with a PND for selling alcohol anywhere to a person under 18 years of age contrary To Sec 146(1) of the licensing act 2003 he stated "this is unfair"
I then left the venue.
I would describe the cashier as male , Asian , about f5, 7 , medium build aged approx 35 years old clean shaven.
He was wearing a blue t- shirt.

Signature: [Redacted] Signature witnessed by:

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Cadet A..... URN:

01			
----	--	--	--

Age if under 18 **Under 18** (if over 18 insert 'over 18') Occupation: **Student**

This statement (consisting of: ... 1..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:  Date: 27/04/2013.....

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Volunteer Police Cadet and I am aged 17 years old.

My date of birth is 29/03/1996.

On the 19th July 2013 I was on duty at Bow Police Station.

Pc Buckley informed me that I was taking part in a Test Purchase Operation for alcohol. He told me to enter stores and attempt to purchase alcohol.

If challenged I was to tell the truth and inform them that I was 17 Years old.

At 1526hrs hrs I attended My local convenience store 12a Grove Road.

I attended the cold cabinet and selected two (1) cans of Fosters Lager.

I went to the cash point and a man served me.

I gave him £2.00 for the can of beer and he gave it to me and 20p change.

I then left the store with the can of beer.



I returned to the Police Van and gave the cans to Pc Buckley.

He placed the item into an exhibit bag.

I would describe the man as male, asian aged aprox 30 to 40 years.

He was wearing a blue t shirt.

At no time did he challenge me or ask for identification.

Signature:  Signature witnessed by: 

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of James Wallis 5083HT

--	--	--	--

Age if under 18 (if over 18 insert 'over 18') Occupation: Police Constable.....

This statement (consisting of: 1..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: [Redacted] Date: 30/06/2012 19/07/2015

Tick if witness evidence is visually recorded (supply witness details on rear)

On Friday the 19th JULY 2013 I was on duty at Bow police Station in plain clothes
At 2pm PC Reece Buckley briefed 2 Police Cadets who I shall refer to as Cadets A and B.
I instructed them that they were to attend shops in Tower Hamlets and attempt to purchase alcohol.
If challenged he informed them that they must tell the truth and must not try to persuade the shop keepers to sell them alcohol.
At 15:10 I entered the store called My Local 12a Grove Road. I witnessed CADET A purchase a tin of Fosters Lager. From a male that I now know to be Mr A mareded SINGH I challenged about his age.
Cadet A returned to the van with a can of Fosters Lager . PC Buckley placed it into a exhibit bag number MPS C107352
I returned to the store with PC HEATHCOTE 5176HT who issued Mr SINGH with a PND.I then left the venue.
I would describe the cashier as male, Asian, f5,09, medium build approximately 24 years old. He was wearing a blue T shirt.

Signature: Signature witnessed by:

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Cadet A..... URN:

01			
----	--	--	--

Age if under 18 Under 18 (if over 18 insert 'over 18') Occupation: Student

This statement (consisting of: ... 1..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:  Date: 20/07/13.....

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Volunteer Police Cadet and I am aged 15 years old.

My date of birth is 26/01/1998.

On the 20/07/137/04/2013 I was on duty at Bow Police Station in plain clothes with PC Buckley ,PC Wallis and Pc Austin.

Pc Buckley informed me that I was taking part in a Test Purchase Operation for alcohol. He told me to enter stores and attempt to purchase alcohol.

If challenged I was to tell the truth and inform them that I was 15 Years old.

At 1245hrs I went to My Local Convenience Store 14a Grove Road.

I attended the cold cabinet and selected one can of Carlsberg Lager from the chilled cabinet.

I went to the cash point and a man served me.


I gave him £2.00 and he gave me 20p in change.

I then left the store with the can of beer.

I returned to the Police Van and gave the cans to Pc Buckley.

I would describe the man as male, asian aged aprox 25 years of age wearing a blue / red shirt.

At no time did he challenge me or ask for identification.

Signature:  Signature witnessed by:

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Cadet A Steve Aurlia URN:

01			
----	--	--	--

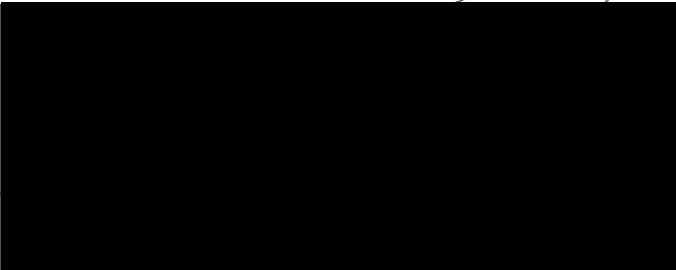
Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: Police Officer 192446.....

This statement (consisting of: ... 1..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:  Date: 24/04/2013 20-7-13

Tick if witness evidence is visually recorded (supply witness details on rear)

On Saturday the 20th July 2013 I was on duty in plain clothes at Bow Police Station .
At 12pm I spoke to Cadet A. His date of birth is 26/01/1998.
I informed him that he was taking part in a test purchase operation and that he must always tell the truth during the operation.
At 1245pm I attended My Local Convenience Store 14a Grove Road .
Cadet A followed me in a short time after.
I observed the Cadet as he selected a can of Carlsberg Lager from the chilled cabinet..
He attended the cash point and placed the item on the work top.
A male who I now know to be as Mr Roabul Islam served him and I observed him pay her with a £2 Coin.
Cadet A got 20p in change.
The Cadet left the store with the can and at no time was he challenged about his age.
The Cadet gave Reece Buckley the can and he placed it into exhibit bag MPSD 42376304.
I returned to the store with PC Buckley and he spoke to the same MALE that I observed selling alcohol to Cadet A .
Pc Buckley dealt with the matter by PND



Signature:  Signature witnessed by:

Appendix 2

(My Local)
12A Grove Road
London
E3 5AX

Licensable Activities authorised by the licence

The sale by retail of alcohol

See the attached licence for the licence conditions

Signed by

John Cruse _____
Team Leader Licensing

Date: 24 April 2008



Part A - Format of premises licence

Premises licence number

12670

Part 1 - Premises details

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

(My Local)
12A Grove Road

Post town
London

Post code
E3 5AX

Telephone number

██████████

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

Sale of alcohol

- Monday to Thursday, from 07:00 hours to 23:30 hours
- Friday and Saturday, from 07:00 hours to 01:00 hours the following day
- Sunday, from 10:00 hours to 22:30 hours

The opening hours of the premises

- Monday to Thursday, from 06:00 hours to 23:30 hours
- Friday and Saturday from 06:00 hours to 01:00 hours the following day
- Sunday from 06:00 hours to 22:30 hours

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

Off sales only

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Tariq Sheikh

[REDACTED]
[REDACTED]

Tel: [REDACTED]

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

Mr Tariq Sheikh
[REDACTED]
[REDACTED]

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

Issuing Authority: London Borough of Camden

Personal Licence Number: 1764

Annex 1 - Mandatory conditions

No supply of alcohol may be made under the premises licence-

- a) at a time where 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

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

Annex 2 - Conditions consistent with the operating Schedule

1. Alcohol to be kept securely behind the serving counter
2. The spare stock of alcohol to be kept in a secure storage area away from public view
3. Internal CCTV cameras shall monitor the premises and all sale transaction at all times
4. No nudity or semi nudity is permitted

Annex 3 - Conditions attached after a hearing by the licensing authority

N/A

Annex 4 - Plans

The plans are those submitted to the licensing authority on the following date:

28 February 2008



Part B - Premises licence summary

Premises licence number

12670

Premises details

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

(My Local)
12A Grove Road

Post town
London

Post code
E3 5AX

Telephone number

[REDACTED]

Where the licence is time limited
the dates

N/A

Licensable activities authorised by
the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

Sale of alcohol

- Monday to Thursday, from 07:00 hours to 23:30 hours
- Friday and Saturday, from 07:00 hours to 01:00 hours the following day
- Sunday, from 10:00 hours to 22:30 hours

The opening hours of the premises

- Monday to Thursday, from 06:00 hours to 23:30 hours
- Friday and Saturday from 06:00 hours to 01:00 hours the following day
- Sunday from 06:00 hours to 22:30 hours

Name, (registered) address of holder of premises licence

Mr Tariq Sheikh

[Redacted]
[Redacted]
[Redacted]

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

Off sales supplies

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

N/a

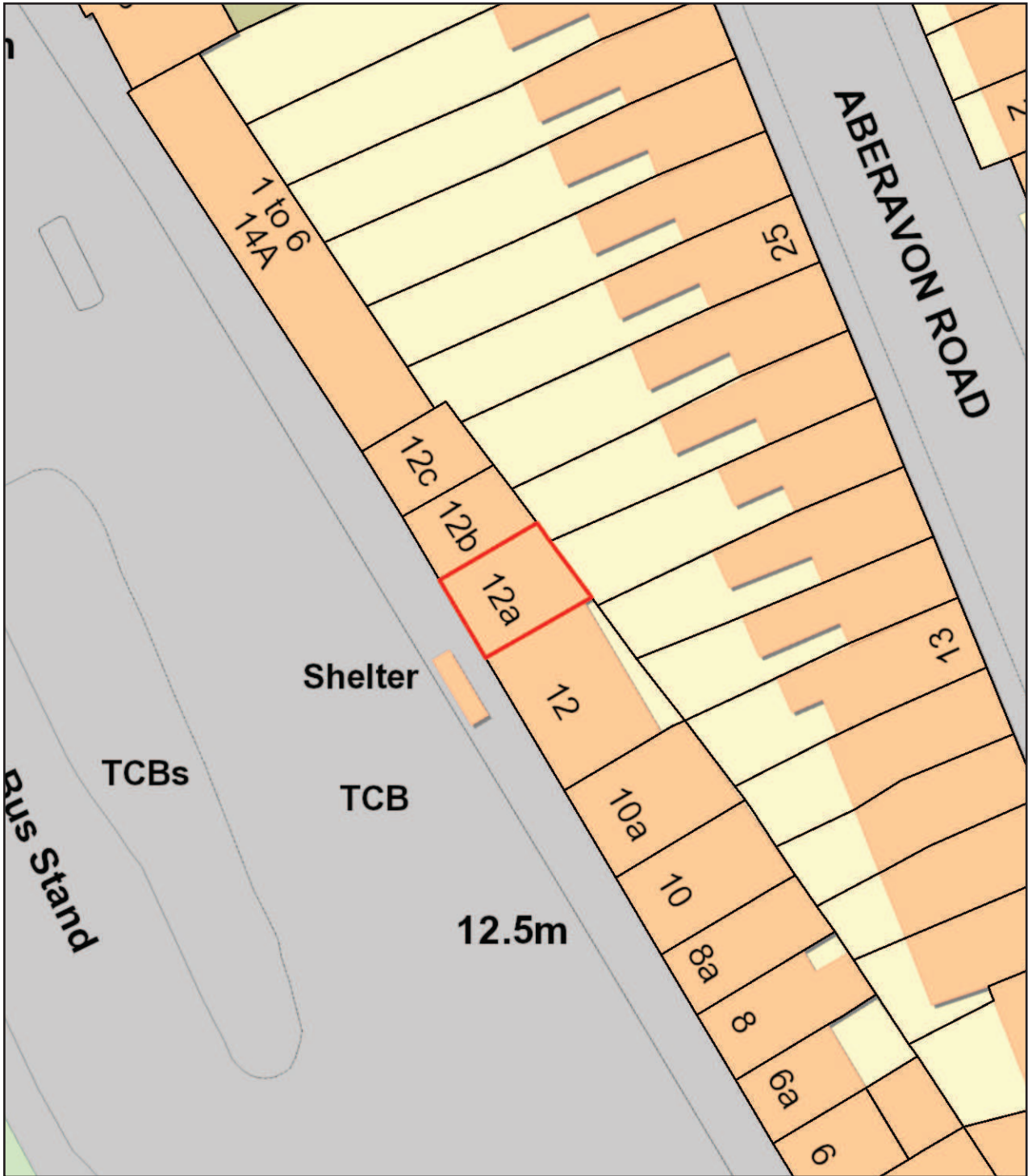
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Tariq Sheikh

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

No

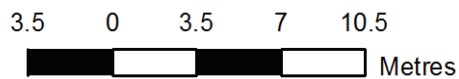
Appendix 3



12A Grove Road - Map 1



Scale 1:384

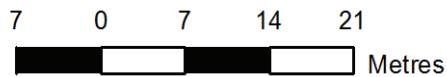




12A Grove Road - Map 2



Scale 1:769



Appendix 4

Guidance Issued by the Home Office under Section 182 of the Licensing Act 2003

POWERS OF A LICENSING AUTHORITY ON THE DETERMINATION OF A REVIEW

- 11.16 The 2003 Act provides a range of powers for the licensing authority on determining a review that it may exercise where it considers them necessary for the promotion of the licensing objectives.
- 11.17 The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach.
- 11.18 Where the licensing authority considers that action under its statutory powers are necessary, it may take any of the following steps:
- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
 - to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
 - to suspend the licence for a period not exceeding three months;
 - to revoke the licence.
- 11.19 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response.

- 11.20 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.
- 11.21 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems which impact upon the licensing objectives.
- 11.22 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives.

REVIEWS ARISING IN CONNECTION WITH CRIME

- 11.23 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises or money laundering by criminal gangs or the sale of contraband or stolen goods there or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts of law. The role of the licensing authority when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure that the crime prevention objective is promoted. Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. Some reviews will arise after the conviction in the criminal courts of certain individuals but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go behind any finding of the courts, which should be treated as a matter of undisputed evidence before them.

11.24 Where the licensing authority is conducting a review on the ground that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licensee and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any necessary steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual holder of the premises licence.

11.25 As explained above, it is not the role of a licensing authority to determine the guilt or innocence of individuals charged with licensing or other offences committed on licensed premises. There is therefore no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. As stated above, at the conclusion of a review, it will be for the licensing authority to determine on the basis of the application for the review and any relevant representations made, what action needs to be taken for the promotion of the licensing objectives in respect of the licence in question, regardless of any subsequent judgment in the courts about the behaviour of individuals.

11.26 There is certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected; for the purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for unlawful gaming and gambling; and
- for the sale of smuggled tobacco and alcohol.

11.27 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime

prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered. We would also encourage liaison with the local Crime and Disorder Reduction Partnership.

11.28 It should be noted that it is unlawful to discriminate or to refuse service on grounds of race or by displaying racially discriminatory signs on the premises. Representations made about such activity from responsible authorities or interested parties would be relevant to the promotion of the crime prevention objective and justifiably give rise to a review.

Appendix 5

Guidance Issued by the Home Office under Section 182 of the Licensing Act 2003

Crime and Disorder Act 1998

- 1.28 All local authorities must fulfil their obligations under section 17 of the Crime and Disorder Act 1998 when carrying out their functions as licensing authorities under the 2003 Act.
- 1.29 Section 17 is aimed at giving the vital work of crime and disorder reduction a focus across the wide range of local services and putting it at the heart of local decision-making. It places a duty on certain key authorities, including local authorities and police and fire and rescue authorities to do all they reasonably can to prevent crime and disorder in their area.
- 1.30 The Government believes that licensing authorities should, as a matter of good practice, involve Crime and Disorder Reduction Partnerships (CDRPs) in decision-making in order to ensure that statements of licensing policy include effective strategies that take full account of crime and disorder implications.

Pool Conditions

Annex D

Conditions relating to the prevention of crime and disorder

It should be noted in particular that it is unlawful under the 2003 Act:

- knowingly to sell or supply or attempt to sell or supply alcohol to a person who is drunk
- knowingly to allow disorderly conduct on licensed premises
- for the holder of a premises licence or a designated premises supervisor knowingly to keep or to allow to be kept on licensed premises any goods that have been imported without payment of duty or which have otherwise been unlawfully imported
- to allow the presence of children under 16 who are not accompanied by an adult between midnight and 5am at any premises licensed for the sale of alcohol for consumption on the premises, and at any time in premises used exclusively or primarily for the sale and consumption of alcohol.

Conditions enforcing these arrangements are therefore unnecessary.

CORE PRINCIPLES

1. Licensing authorities and other responsible authorities (in considering applications) and applicants for premises licences and clubs premises certificates (in preparing their operating schedules) should consider whether the measures set out below are appropriate to promote the licensing objectives.
2. Any risk assessment to identify appropriate measures should consider the individual circumstances of the premises and the nature of the local area, and take into account a range of factors including:
 - the nature, type and location of the venue;

- the activities being conducted there and the potential risk which these activities could pose to the local area;
- the location (including the locality in which the premises are situated and knowledge of any local initiatives); and
- the anticipated clientele.

Under no circumstances should licensing authorities regard these conditions as standard conditions to be automatically imposed in all cases.

3. Any individual preparing an operating schedule or club operating schedule is at liberty to volunteer any measure, such as those below, as a step they intend to take to promote the licensing objectives. When measures are incorporated into the licence or certificate, they become enforceable under the law and breach could give rise to prosecution.
4. Licensing authorities should carefully consider conditions to ensure that they are not only appropriate but realistic, practical and achievable, so that they are capable of being met. Failure to comply with conditions attached to a licence or certificate could give rise to a prosecution, in particular, as the provision of unauthorised licensable activities under the 2003 Act, which, on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both. As such, it would be wholly inappropriate to impose conditions outside the control of those responsible for the running of the premises. It is also important that conditions which are imprecise or difficult to enforce must be excluded.⁵ It should be borne in mind that club premises operate under codes of discipline to ensure the good order and behaviour of members and that conditions enforcing offences under the Act are unnecessary.

CONDITIONS RELATING TO THE PREVENTION OF CRIME AND DISORDER

RADIO LINKS AND TELEPHONE COMMUNICATIONS

Two-way radio links and telephone communications connecting staff of premises and clubs to local police and other premises can enable rapid responses to situations that may endanger the customers and staff on and around licensed premises. It is recommended that radio links or telephone communications systems should be considered for licensed premises in city and town centre leisure areas with a high density of premises selling alcohol. These conditions may also be appropriate in other areas. It is recommended that a condition requiring a radio or telephone link to the police should include the following requirements:

- the equipment is kept in working order (when licensable activities are taking place);
- the link is 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;
- relevant police instructions/directions are complied with where possible; and
- instances of crime or disorder are reported via the radio link by the designated premises supervisor or a responsible member of staff to an agreed police contact point.

DOOR SUPERVISORS

Conditions relating to the provision of door supervisors and security teams may be valuable in relation to:

- keeping out individuals excluded by court bans or by the licence holder;
- searching those suspected of carrying illegal drugs, or carrying offensive weapons;
- assisting in the implementing of the premises' age verification policy; and
- ensuring that queues outside premises and departure of customers from premises do not undermine the licensing objectives.

Where the presence of door supervisors conducting security activities is to be a condition of a licence, which means that they would have to be registered with the Security Industry Authority, it may also be appropriate for conditions to stipulate:

- That a sufficient number of supervisors be available (possibly requiring both male and female supervisors);
- the displaying of name badges;
- the carrying of proof of registration; and
- where, and at what times, they should be in operation.

Door supervisors also have a role to play in ensuring public safety (see Part 2) and the prevention of public nuisance (see Part 4).

RESTRICTING ACCESS TO GLASSWARE

Traditional glassware and bottles may be used as weapons or result in accidents and can cause very serious injuries. Conditions can prevent sales of drinks in glass for consumption on the premises. This should be expressed in clear terms and can include the following elements:

- no glassware, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff service away from the bar; or
- no customers carrying glassware shall be admitted to the premises at any time that the premises are open to the public (note: this needs to be carefully worded where off-sales also take place).

In appropriate circumstances, the condition could include exceptions, for example, as follows:

- but bottles containing wine may be given to customers 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.

The banning of glass may also be a relevant and appropriate measure to promote public safety (see Part 2).

ALTERNATIVES TO TRADITIONAL GLASSWARE

Where appropriate, consideration should therefore be given to conditions requiring the use of safer alternatives to prevent crime and disorder, and in the interests of public safety. Location and style of the venue and the activities carried on there are particularly important in assessing whether a condition is appropriate. For example, the use of glass containers on the terraces of some outdoor sports grounds may obviously be of concern, and similar concerns may also apply to indoor sports events such as boxing matches. Similarly, the use of alternatives to traditional glassware may be an appropriate condition during the showing of televised live sporting events, such as international football matches, when there may be high states of excitement and emotion.

OPEN CONTAINERS NOT TO BE TAKEN FROM THE PREMISES

Drinks purchased in licensed premises or clubs may be taken from those premises for consumption elsewhere. This is lawful where premises are licensed for the sale of alcohol for consumption off the premises. However, consideration should be

given to a condition preventing customers from taking alcoholic and other drinks from the premises in open containers (e.g. glasses and opened bottles) for example, by requiring the use of bottle bins on the premises. This may again be appropriate to prevent the use of these containers as offensive weapons, or to prevent consumption of alcohol, in surrounding streets after individuals have left the premises. Restrictions on taking open containers from the premises may also be appropriate measures to prevent public nuisance (see Part 4).

CCTV

The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises. Conditions should not just consider a requirement to have CCTV on the premises, but also the precise location of each camera, the requirement to maintain cameras in working order, to retain recordings for an appropriate period of time and produce images from the system in a required format immediately to the police and local authority. The police should provide individuals conducting risk assessments as part of preparing their operating schedules with advice on the use of CCTV to prevent crime.

RESTRICTIONS ON DRINKING AREAS

It may be appropriate to restrict the areas of the premises where alcoholic drinks may be consumed after they have been purchased. An example would be at a sports ground where it is appropriate to prevent the consumption of alcohol on the terracing during particular sports events. Conditions should not only specify these areas, but indicate the circumstances and times during which the ban would apply. Restrictions on drinking areas may also be relevant and appropriate measures to prevent public nuisance (see Part 4).

CAPACITY LIMITS

Capacity limits are most commonly made a condition of a licence on public safety grounds (see Part 2), but can also be considered for licensed premises or clubs where overcrowding may lead to disorder and violence. If such a condition is appropriate, door supervisors may be required to ensure that the numbers are appropriately controlled (see above).

PROOF OF AGE CARDS

It is unlawful for persons aged under 18 years to buy or attempt to buy alcohol just as it is unlawful to sell or supply alcohol to them. To prevent the commission of these criminal offences, the mandatory conditions require licensed premises to ensure that they have in place an age verification policy. This requires the production of age verification (which must meet defined criteria) before alcohol is served to persons who appear to staff at the premises to be under 18 (or other minimum age set by premises).

Such verification must include the individual's photograph, date of birth and a holographic mark e.g. driving licence, passport, military ID. Given the value and importance of such personal documents, and because not everyone aged 18 years or over necessarily has such documents, the Government endorses the use of ID cards which bear the PASS (Proof of Age Standards Scheme) hologram. PASS is the UK's national proof of age accreditation scheme which sets and maintains minimum criteria for proof of age card issuers to meet. The inclusion of the PASS hologram on accredited cards, together with the verification made by card issuers regarding the personal details

of an applicant, gives the retailer the assurance that the holder is of relevant age to buy or be served age-restricted goods. PASS cards are available to people under the age of 18 for other purposes such as access to 15 rated films at cinema theatres so care must be taken to check that the individual is over 18 when attempting to purchase or being served alcohol.

CRIME PREVENTION NOTICES

It may be appropriate at some premises for notices to be displayed which warn customers of the prevalence of crime which may target them. Some premises may be reluctant to voluntarily display such notices for commercial reasons. For example, in certain areas, a condition attached to a premises licence or club premises certificate might require the display of notices at the premises which warn customers about the need to be aware of pickpockets or bag snatchers, and to guard their property. Similarly, it may be appropriate for notices to be displayed which advise customers not to leave bags unattended because of concerns about terrorism. Consideration could be given to a condition requiring a notice to display the name of a contact for customers if they wish to report concerns.

DRINKS PROMOTIONS

Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area. This may be unlawful under current law. It is also likely to be unlawful for licensing authorities or the police to promote generalised voluntary schemes or codes of practice in relation to price discounts on alcoholic drinks, 'happy hours' or drinks promotions. The mandatory licensing conditions (see chapter 10 of the statutory guidance) ban defined types of behaviour referred to as 'irresponsible promotions'.

SIGNAGE

It may be appropriate that the hours at which licensable activities are permitted to take place are displayed on or immediately outside the premises so that it is clear if breaches of these terms are taking place. Similarly, it may be appropriate for any restrictions on the admission of children to be displayed on or immediately outside the premises to deter those who might seek admission in breach of those conditions. **LARGE CAPACITY VENUES USED EXCLUSIVELY OR PRIMARILY FOR THE "VERTICAL" CONSUMPTION OF ALCOHOL (HVVDs)**

Large capacity "vertical drinking" premises, sometimes called High Volume Vertical Drinking establishments (HVVDs), are premises that have exceptionally high capacities, are used primarily or exclusively for the sale and consumption of alcohol, and provide little or no seating for their customers.

Where appropriate, conditions can be attached to licences for these premises which require adherence to:

- a prescribed capacity;
- an appropriate ratio of tables and chairs to customers based on the capacity; and

the presence of security staff holding the appropriate SIA licence or exemption (see Chapter 10 to control entry for the purpose of compliance with the capacity limit.

Appendix 6

Appendix 6

Licensing Policy Adopted by the London Borough of Tower Hamlets

- 5.1 Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems.
- 5.4 In addition to the requirements for the Licensing Authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonable can to prevent crime and disorder in the Borough.

Appendix 7

Guidance Issued by the Home Office under Section 182 of the Licensing Act 2003

CONDITIONS RELATING TO THE PROTECTION OF CHILDREN FROM HARM

An operating schedule or club operating schedule should indicate any decision for the premises to exclude children completely. This would mean there would be no need to detail in the operating schedule steps that the applicant proposes to take to promote the protection of children from harm. Otherwise, where entry is to be permitted, the operating schedule should outline the steps to be taken to promote the protection of children from harm while on the premises.

Access for children to licensed premises – in general

Restrictions on the access of children under 18 to premises where licensable activities are being carried on should be made where it is necessary to protect children from harm. Precise policy and details will be a matter for individual licensing authorities.

The Secretary of State recommends (unless there are circumstances justifying the contrary) that:

- for any premises with known associations (having been presented with evidence) with or likely to give rise to:
 - heavy or binge or underage drinking;
 - drugs;
 - significant gambling; or
 - any activity or entertainment (whether regulated entertainment or not) of a clearly adult or sexual nature,there should be a strong presumption against permitting any access at all for children under 18 years.

- for any premises, not serving alcohol for consumption on the premises, but where the public are allowed on the premises after 11.00pm in the evening, there should be a presumption against the presence of children under the age of 12 unaccompanied by adults after that time.

Applicants wishing to allow access under the above circumstances, should when preparing new operating schedules or club operating schedules or variations of those schedules:

- explain their reasons; and

- outline in detail the steps that they intend to take to protect children from harm on such premises.

In any other case the Secretary of State recommends that, subject to the premises licence holder's or club's discretion, the expectation would be for unrestricted access for children subject to the terms of the 2003 Act

Age Restrictions – specific

Whilst it may be appropriate to allow children unrestricted access at particular times and when certain activities are not taking place, licensing authorities will need to consider:

- the hours of day during which age restrictions should and should not apply. For example, the fact that adult entertainment may be presented at premises after 8.00pm does not mean that it would be necessary to impose age restrictions for earlier parts of the day;
- types of event or activity that are unlikely to require age restrictions, for example:
 - family entertainment; or
 - non-alcohol events for young age groups, such as under 18s dances,
- types of event or activity which give rise to a more acute need for age restrictions than normal, for example:
 - during “Happy Hours” or on drinks promotion nights;
 - during activities outlined in the first bullet point in the first paragraph above.

Age restrictions – cinemas

The British Board of Film Classification classifies films in accordance with its published Guidelines which are based on extensive research into public opinion and professional advice. The Secretary of State therefore recommends that licensing authorities should not duplicate this effort by choosing to classify films themselves. The classifications recommended by the Board should be those normally applied unless there are very good local reasons for a licensing authority to adopt this role. Licensing authorities should note that the provisions of the 2003 Act enable them to specify the Board in the licence or certificate and, in relation to individual films, to notify the holder or club that it will make a recommendation for that particular film.

Licensing authorities should be aware that the BBFC currently classifies films in the following way:

- U Universal – suitable for audiences aged four 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.

Licensing authorities should note that these classifications may be subject to occasional change and consult the BBFC's website at www.bbfc.co.uk before applying relevant conditions.

The Secretary of State considers that, in addition to the mandatory condition imposed by section 20, conditions restricting the admission of children to film exhibitions should include that:

- where the licensing authority itself is to make recommendations on the admission of children to films, the cinema or venue operator must submit any film to the authority that it intends to exhibit 28 days before it is proposed to show it. This is to allow the authority time to classify it so that the premises licence holder is able to adhere to any age restrictions then imposed;
- 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 five 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;
- when a licensing authority has made a recommendation on the restriction of admission of children to a film, notices are required to be displayed both inside and outside the premises so that persons entering can readily be made aware of the classification attached to any film or trailer. Such a condition might be expressed in the following terms:

“Where a programme includes a film recommended by the licensing authority as falling into an age restrictive category no person appearing to be under the age specified shall be admitted to any part of the programme; where a programme includes a film recommended by the licensing authority as falling into a category requiring any persons under a specified age to be accompanied by an adult no person appearing to be under the age specified shall be admitted to any part of the programme unaccompanied by an adult, and the licence holder shall display in a conspicuous position a notice clearly stating the relevant age restrictions and requirements. For example:

**PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE]
CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME**

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

This condition does not apply to members of staff under the relevant age while on-duty provided that the prior written consent of the person's parent or legal guardian has first been obtained."

Theatres

The admission of children to theatres, as with other licensed premises, is not expected to be restricted normally unless it is necessary to promote the protection of children from harm. However, theatres may be the venue for a wide range of activities. The admission of children to the performance of a play should normally be left to the discretion of the licence holder and no condition restricting the access of children to plays should be attached.

However, theatres may also present entertainment including, for example, variety shows, incorporating adult entertainment. A condition restricting the admission of children in such circumstances may be necessary. Entertainment may also be presented at theatres specifically for children (see below).

Licensing authorities are also expected to consider whether a condition should be attached to a premises licence which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of children during any emergency (See Part 3).

Performances especially for children

Where performances are presented especially for unaccompanied children in theatres and cinemas, licensing authorities will also wish to consider conditions to specify that:

- 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.

Licensing authorities should also consider whether or not standing should be allowed. For example, there may be reduced risk for children in the stalls than at other levels or areas in the building.

Children in performances

There are many productions each year that are one-off shows where the cast is made up almost entirely of children. They may be taking part as individuals or as part of a drama club, stage school or school group. The age of those involved may range from 5 to 18. The Children (Performances) Regulations 1968 as amended set out requirements for children performing in a show. Licensing authorities should familiarise themselves with these Regulations and not duplicate any of these requirements. However, if it is necessary to consider imposing conditions, in addition to these requirements, for the promotion of the protection of children from harm then the licensing authority should consider the matters outlined below.

- **Venue** – the backstage facilities should be large enough to accommodate safely the number of children taking part in any performance.
- **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 with regard to 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 and 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 Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks

The Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older. Complaints about products under the Code are considered by an Independent Complaints Panel and the Panel's decisions are published on the Portman Group's website, in the trade press and in an annual report. If a product's packaging or point-of-sale advertising is found to be in breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point-of-sale material, until the decision has been complied with. The Code is an important mechanism in protecting children from harm because it addresses the naming, marketing and promotion of alcohol products sold in licensed premises in a manner which may appeal to or attract minors.

Consideration can be given to attaching conditions to premises licences and club premises certificates that require compliance with the Portman Group's Retailer Alert Bulletins.

Proof of Age cards

Proof of age cards are discussed under Part 1 in connection with the prevention of crime and disorder. However, a requirement for the production of proof of age cards before any sale or supply of alcohol is made could be attached to any premises licence or club premises certificate for the protection of children from harm.

Proof of age cards can also ensure that appropriate checks are made where the presence of children is restricted by age at certain times, such as 16.

Since many adults in England and Wales do not currently carry any proof of age, the wording of any condition will require careful thought. For example, many premises have adopted the “Challenge 21” or other similar initiatives. Under the “Challenge 21” initiative those premises selling or supplying alcohol require sight of evidence of age from any person appearing to be under the age of 21 and who is attempting to buy alcohol. Making this a licensing condition would ensure that most minors – even those looking older – would need to produce appropriate proof of age before making such a purchase.

Appendix 8

Appendix 8

London Borough of Tower Hamlets Policy in relation to the Protection of Children from Harm

Licensing Policy

The Policy recognises the wide range of premises that require licensing means that children can be expected to visit many of these, often on their own, for food and/or Entertainment. The Act does not prohibit children from having access to any licensed premises, the Council recognises that limitations may have to be considered where it appears necessary to protect children from harm. (**See Section 9 of the Licensing Policy**).

The Licensing Authority will judge the merits of each separate application before deciding whether to impose conditions limiting the access of children to individual premises (**See Section 9.4 of Licensing Policy**).

The Licensing Authority recommends applicants to consult with the Area Child Protection Committee or such other body, as they consider appropriate. (**See Section 9.3 of the Licensing Policy**).

The Licensing Authority will consider attaching conditions to protect children from harm and these may include Conditions drawn from the Model Poll of Conditions relating to the Protection of Children from Harm. (**See Appendix 2 Annex H of the Licensing Policy**). In particular Members may wish to consider a range of conditions that are to be tailored to the particular premises and their activities (this list is not exhaustive):

- Limiting access of children to premises
- Limitations on the hours when children maybe present
- Limitations or exclusions when certain activities are taking place
- for any premises with known associations (having been presented with evidence) with or likely to give rise to heavy or binge or underage drinking, drugs, significant gambling, or any activity or entertainment (whether regulated entertainment or not) of a clearly adult or sexual nature, there should be a strong presumption against permitting any access at all for children under 18 years.
- for any premises, not serving alcohol for consumption on the premises, but where the public are allowed on the premises after 23:00, there should be a presumption against the presence of children under the age of 12 unaccompanied by adults after that time
- Notices on premises displaying age restrictions
- Conditions requiring sufficient number of adult staff on the premises to ensure the wellbeing of children present on the premises during any emergency
- Requirements of staff supervision in areas occupied by children
- Whether conditions appropriate for restricting use of special effects around children
- Adequate chaperones for children

- Requirement for production of proof of age cards

Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24hrs when there is, or is likely imminently to be, disorder on, or in the vicinity of and related to, the premises and their closure is necessary in the interests of public safety.

Section 169A(2) of the Licensing Act 2003 enables a senior police officer (or inspector of weights and measures) to close premises for maximum of 48 hours to prohibit the sale of alcohol for repeatedly selling alcohol to underage persons.

Guidance Issued under Section 182 of the Licensing Act 2003

The Licensing Policy has adopted the recommended Pool of Conditions as permitted (13.20 and Annex D).

The protection of children from harm includes the protection of children from moral, psychological and physical harm (2.41)

In the context of many licensed premises such as pubs, restaurants, café bars and hotels, it should be noted that the Secretary of State recommends that the development of family-friendly environments should not be frustrated by overly restrictive conditions in relation to children. (2.42)

Licence conditions should not duplicate other legislation (1.16).

Conditions, where they are necessary, should reflect the licensable activities taking place on the premises (2.47)

The Secretary of State considers that representations made by the child protection bodies and the police in respect of individual applications should be given considerable weight when they address necessary issues regarding the admission of children. (2.48)

Other Legislation

Violent Crime Reduction Act 2006

The Act introduces new measures to ensure that police and local communities have the powers they need to tackle guns, knives and alcohol-related violence.

Confiscation of Alcohol (Young Persons) Act 1997

Alcohol Confiscation – any person in a public place or trespassing **if any under 18** have drunk or likely to drink. Dispose on the spot unless local instructions direct otherwise.