

Summons to attend meeting of Full Council



Date: Tuesday, 16 July 2019

Time: 5.00 pm

Venue: The Council Chamber - City Hall, College Green,
Bristol, BS1 5TR

To: All Members of Council

Members of the public attending meetings or taking part in Public forum are advised that all Full Council are now filmed for live or subsequent broadcast via the council's [webcasting pages](#). The whole of the meeting is filmed (except where there are confidential or exempt items) and the footage will be available for two years. If you ask a question or make a representation, then you are likely to be filmed and will be deemed to have given your consent to this. If you do not wish to be filmed you need to make yourself known to the webcasting staff. However, the Openness of Local Government Bodies Regulations 2014 now means that persons attending meetings may take photographs, film and audio record the proceedings and report on the meeting (Oral commentary is not permitted during the meeting as it would be disruptive). Members of the public should therefore be aware that they may be filmed by others attending and that is not within the council's control.

City Hall has a water fountain available, near the Council Chamber, for your use. However, you should please bring your own reusable water bottle to fill up at the fountain, as we are not able to provide cups.

Issued by: Sam Wilcock, Democratic Services

City Hall, PO Box 3167, Bristol, BS3 9FS

Tel: 0117 92 23846

E-mail: democratic.services@bristol.gov.uk

Date: Friday, 5 July 2019



Agenda

1. Welcome, Introductions and Safety Information

Attention is drawn to the 'Public Information Sheet' attached to this agenda.

(Pages 11 - 12)

2. Apologies for Absence

3. Minutes of the Previous Meeting

To agree the minutes of the previous meeting as a correct record.

(Pages 13 - 20)

4. Declarations of Interest

To note any declarations of interest from the Councillors. They are asked to indicate the relevant agenda item, the nature of the interest and in particular whether it is a **disclosable pecuniary interest**.

Any declarations of interest made at the meeting which is not on the register of interests should be notified to the Monitoring Officer for inclusion.

5. Lord Mayor's Business

To note any announcements from the Lord Mayor

6. Public Forum (Public Petitions, Statements and Questions)

Please note: Up to 30 minutes is allowed for this item. Public forum items should be e-mailed to democratic.services@bristol.gov.uk

Public forum items can be about any matter the Council is responsible for or which directly affects the city.

Please note that the following deadlines apply to this meeting:

- a. Public petitions and statements: Petitions and written statements must be received by **12 noon on Monday 15 July 2019** at latest. One written statement per member of the public is permitted.



b. Public questions: Written public questions must be received by **5pm on Wednesday 10 July 2019** at latest.

A maximum of 2 questions per member of the public is permitted. Questions should be addressed to the Mayor or relevant Cabinet Member.

Please note: public forum submissions may be grouped according to the items that they relate to on the agenda.

7. Petitions Notified by Councillors

Please note: Up to 10 minutes is allowed for this item.

Petitions notified by Councillors can be about any matter the Council is responsible for or which directly affects the city. The deadline for the notification of petitions to this meeting is **12 noon on Monday 15 July 2019**.

8. Petition Debate - Take Control of Bristol's Buses

(Pages 21 - 22)

9. Climate Emergency - The Mayor's Response

Annex to follow

(Pages 23 - 54)

10. Mayor of Bristol's Annual Statement to Full Council plus response from Group Leaders

11. Update on External Auditor recommendations relating to senior executive remuneration

(Pages 55 - 60)

12. Corporate Parenting Annual Report

(Pages 61 - 96)

13. Statutory review of the Council's Statement of Licensing Policy

(Pages 97 - 284)

14. APR16 Special Urgency Items to Cabinet meetings

(Pages 285 -



286)

15. Motions

Note:

Under the Council's constitution, 30 minutes are available for the consideration of motions. In practice, this realistically means that there is usually only time for one, or possibly two motions to be considered. With the agreement of the Lord Mayor, motion 1 below will be considered at this meeting, and motion 2 is likely to be considered, subject to time. Details of other motions submitted, (which, due to time constraints, are very unlikely to be considered at this meeting) are also set out for information.

MOTIONS RECEIVED FOR FULL COUNCIL – 19 MARCH 2019 (deferred to 16th JULY 2019)

GOLDEN MOTION - Bus Franchising for Bristol

Motion to be moved by: Cllr Hopkins, Knowle Ward, Liberal Democrats

Date of submission: 7th March 2019

Council notes:

1. The distrust and disappointment among residents of Bristol with their bus services.
2. That large numbers of Bristol residents find themselves unable to access work opportunities due to the lacklustre service or find fares taking up a disproportionate amount of their income.
3. That Bristol City Council has no direct control over the routes, timetables or vehicles that bus operators use in the city, but must use its influence to help address these problems.
4. That in recent years congestion has worsened, increasing air pollution within the city leading to estimates of hundreds of deaths every year.
5. That First Bus currently operates an effective monopoly in Bristol which has led to disdain for the people who pay their fares.
6. That due to ill-advised past slashing of the railway network we are overwhelmingly reliant on our bus services as the main means of public transport.
7. That London currently operates a successful bus franchising scheme, with Cambridge and Greater Manchester and others currently developing schemes for the future.
8. That in the Bus Services Act 2017, bus franchising powers were devolved to the mayors of combined authorities.

Council believes:

1. That to address all of the above problems there needs to be a fundamental change with buses in Bristol to a system that recognises public transport as a vital service.



2. That a franchising model would allow greater competition within our public transport, making new operators available for local services.

Council resolves:

1. To request the Mayor to use his position on the West of England Combined Authority Committee to push for the establishment of a bus franchising system in Bristol, to gain control on behalf of the citizens of Bristol of routes, timetables, fares and emissions.
2. That under a franchising system, all buses operating within the city should run on ultra-low-emission or zero-emission fuels within five years.

SILVER MOTION

Avon Pension Fund – Divestment and Diversification

Motion to be moved by: Cllr Martin Fodor, Redland Ward, Green Group

Date of Submission: 7th March 2019

This council notes:

1. In 2015 the Full Council resolved that the Avon Pension Fund (APF) should consider divestment from fossil fuels and diversification into clean technologies like renewable energy, energy efficiency and energy storage;
2. Council agreed that the Mayor should contact Avon Pension Fund and ask for a report on the issue;
3. There is widespread concern from scientists that declared worldwide fossil fuel reserves, if exploited, constitute a threat to the stability of the global climate;
4. There is growing recognition that fossil fuel reserves are therefore a class of asset held by investors which have growing risks of being ‘stranded’ ie left with reducing value due to the fact not all claimed reserves now have the value being imputed to them, due to the need for them to remain in the ground;
5. An ever growing number of public and private sector funds, endowments and investment portfolios are choosing to divest from fossil fuels worldwide, including several local government pension funds. MPs have now called for their own funds to be divested.
6. The recent clarifications of the fiduciary duty of fund managers confirms that they should take into account a range of environmental, social and governance (ESG) issues and have a clear statement of investment policies;
7. The Avon Pension Fund now uses investment provided by the Brunel Pensions Partnership, which is a leading local government pension partnership offering low carbon investment opportunities.
8. Staff union Bristol Unison recently reaffirmed their clear support for divestment of the funds from fossil fuels, in a motion seconded



by the Branch Secretary.

This council believes

9. The long term future of the APF is as a fund that is divested from fossil fuels and one that ensures a wide range of investments in renewable energy, energy efficiency technologies, energy storage and smart energy technologies, and other types of investments that will benefit the city and its future residents;
10. Council recognises that a carbon neutral city will create substantial, valuable new jobs in the future sustainable economy.
11. That the investment strategy and policies of the APF should be brought into line with this vision of the future inclusive prosperity and sustainability of the city;
12. The APF should be leading this process of divestment and diversification, not waiting until the likelihood of stranded assets become more of a risk to the wealth of the fund;
13. The process of divestment and diversification is also important and should be managed in a way that ensures just transition to new employment, supporting skills development for new sectors and a range of opportunities - with backing from WECA.

This council therefore resolves to call on the Mayor

14. To meet with the head of the Avon Pension Fund to discuss the divestment of funds over the next 5 years and the review of the fund's ESG policies
15. To promote the diversification of the fund into clean technologies that support renewable energy, energy efficiency and energy storage among other investments that are in line with such policies and the city's goals for 2030;
16. To liaise with fund members in the city and council unions to explain how this secures future prosperity and pensions income while ensuring a just transition for workers in sectors that will change, and helps achieve a carbon neutral city by 2030.

3. Motion Supporting Local Shops

Motion to be moved by: Cllr Graham Morris, Conservative, Stockwood Ward

Date of submission: 3rd July 2019

“Council has growing concern over the future vibrancy of many of Bristol’s high streets.

Nationally, one study found that we are losing 16 shops per day through closure with an estimated 50,000 jobs lost between January and June in this year alone. Some of the latest casualties include such well-known retail chains as Toys-R-Us, Maplin and most recently Debenhams.



This is due to a ‘perfect storm’ of many interlaced factors including (i) spiralling rents; (ii) rising business rates; (iii) increased labour costs; (iv) declining foot-fall; and (v) the choice, convenience and competition provided by the internet.

With local authorities more dependent than ever before on retention of business rates to balance their budgets, Council believes it is essential that more is done to support struggling small businesses in secondary or satellite retail areas around the city.

The Chancellor’s cut in business rates by one third for two years for small businesses and the creation of a Future High Streets Fund and new High Streets Taskforce is a welcome step in the right direction.

A planned 2% tech-tax targeted at online retail giants should also help to level the playing field between digital shopping outlets and traditional bricks & mortar stores. The £10m ‘Love our High Streets’ pilot projects by the West of England Combined Authority (WECA) are also welcome.

However, even more needs to be done locally. To this end, Council calls on the Mayor to allocate resources from his capital budget to actually invest in these precincts to make them attractive places to visit. As one designer has put it, these destinations need to become ‘galleries of experience’ to draw people to them.

Consequently, consideration needs to be given to changing the city’s parking strategy/priorities, more free short-term parking provided at these locations, and improved CCTV coverage to increase public safety.

Council requests that a report be prepared for Scrutiny which outlines the existing options available for providing temporary business rate relief on particularly hard-pressed retailers. In addition, that this report forms the basis of a submission to the ‘High Streets Fund’ once the full details of the new scheme become available.

Finally, following the outcome of such a review, the Mayor is asked to lobby Ministers to consider a root-and-branch reform of the Business Rates system (which is based on rateable values and ignores important factors such as profit and turnover), to bring it up to date with current economic conditions and in order to save UK retailing.”

4. Motion on the funding crisis in local schools

Motion to be moved by: Cllr Anthony Negus

Date of Submission: 4th July 2019

This Council notes with concern:



That in spite of the introduction of the Conservative Government’s much-heralded National Funding Formula, Bristol’s schools remain seriously under-funded so risking a good educational start in life for all our children;

That there are reports from heads and others that many of our primary schools face going into the red unless urgent additional funding is allocated; and,

That special funds such as those from the Pupil Premium and SEND are being used to keep some schools functioning

That the funding crisis is already having a detrimental impact on our children’s education – with heads reporting that they have already cut teachers and teaching assistants in order to make ends meet.

Council therefore resolves:

To prepare a report consolidating the financial positions submitted by head teachers and governing bodies setting out the funding crisis in local schools; and,

To have this report put on the agenda and debated publicly in Full Council or within the appropriate scrutiny commission and,

To instruct the Executive Member for Education & Skills to submit this approved report to the Secretary of State for Education and to lobby for urgent additional funding to redress the crisis and to report back to Council on her progress.

5. Motion to improve decision-making and increase public engagement by developing forms of Deliberative Democracy

Motion to be moved by: Cllr Paula O’Rourke

Date of Submission: 4th July 2019

This Council notes:

- That the Administration has a genuine desire to engage with citizens, as demonstrated by continued support of the Citizens’ Panel and efforts made to promote engagement in consultations on important decisions for the City;
- That present actions do not go far enough to truly engage all Bristolians. We are not reaching, or actively engaging, the majority of citizens in deprived parts of the City and we respond to the loud voices of the few who fill in consultations or who use Full Council to express their views;
- That the forms of engagement used presently take citizens’ views



but do not allow for input into decision making which does not encourage engagement. Often, people are not given enough information to be fully informed, which undermines the consultation process;

- That the value of consultations has been undermined by past failures like the Library Consultation in 2017, where citizens were presented with three very limited options and they could not support any one of them;
- That the majority of the citizenry are not engaged in decision making and feel disenfranchised;
- That **Deliberative Democracy** is an umbrella term, of which **Citizens' Assembly** is the best known. Citizens' Assemblies have been used effectively in many countries to solve complex political or social issues and are truly representative, as selection is stratified (like jury service) and people who attend are paid a stipend which validates the action. **Citizens' Jury** is a scaled down version of an assembly. Another form of deliberative democracy, used quite extensively in the UK between 2002-2010, is **Participatory Budgeting** which was shown to improve accountability and allow for the redistribution of funds. **Deliberative Polling** is an effective way to develop an informed citizenry, as this process takes a stratified group, captures their understanding of a topic, then fully informs them of the issues and once again surveys their opinions. The benefit is that the administration gets the views of citizens who have an holistic understanding of complex problems;
- That although there is a cost in running deliberative actions, the value of high-quality decisions, based on informed, reasoned debate makes it good value for money and delivers a stronger mandate to the Administration.

This Council believes:

- We trust our citizens to make decisions;
- Deliberative democracy complements consultation and makes it more meaningful. The difference is that a stratified selection is made and this is truly representative of the people;
- Deliberative processes are not intended for everyday politics and are best used for complex issues which are divisive or where there might be political gridlock;
- Having been the first council in the country to sign up to be carbon neutral in 2030, we should now be the first council to embrace deliberative democracy;
- That types of deliberative democracy should be piloted in Bristol, with at least two projects within the next year. Examples could be: devolving some funds to the Area Committees through a Participatory Budget or a Citizens' Assembly on elements of the paper on Getting to Carbon Neutrality by 2030.



This Council proposes:

- That a cross-party group is set up to establish the terms of reference for Bristol’s adoption of Deliberative Democracy, which would come back to this Council for ratification within three months.
- That once the terms of reference are agreed, a sum of money (to be decided) will be set aside to fund the actions;
- That, once the terms are ratified, there will be a trial of at least two projects within the financial year 2020-2021 and I suggest the following:
 - Citizens’ Assembly on how Bristol should respond to the Climate Emergency
 - A participatory budget, using the Area Committees as a delivery method

Signed



Proper Officer
Friday, 5 July 2019



Public Information Sheet - Full Council

Public Forum – Full Council

You can find papers for all our meetings on our website at www.bristol.gov.uk.

Members of the public may present a petition, make a written statement or ask a question at Full Council meetings. Please submit it to democratic.services@bristol.gov.uk.

Petitions, Statements and Questions must be about a matter the Council has responsibility for or which directly affects the city.

For further information about procedure rules please refer to our Constitution <https://www.bristol.gov.uk/how-council-decisions-are-made/constitution>

Petitions from members of the public

- Petitions will be presented to the Council first.
- Petitions must include name, address and details for the wording of the petition.
- The person presenting a petition will be asked to read out the objectives of the petition with one minute allowed.
- A written reply will be provided to the lead petitioner within 10 working days of the Full Council meeting.

Statements

- Statements should be received no later than **12.00 noon on the working day before the meeting**.
- There can be one statement per person and subject to overall time constraints, a maximum of one minute is allocated for presentation.
- Any statement submitted should be no longer than one side of A4 paper.
- For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.

Questions

- Questions should be received no later than **three clear working days before the meeting**.
- A maximum of two written questions per person can be submitted.
- At the meeting, a maximum of one supplementary question may be asked, arising directly out of the original question or reply.

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated. This information will also be made available at the meeting to which it relates and placed in the official minute book as a public record.

We will try to remove personal information such as contact details. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement contains information that you would prefer not to be in the public domain. Public Forum statements will not be posted on the council's website.



Process during the meeting:

- The Chair will call each submission in turn. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- If there are a large number of submissions on one matter a representative may be requested to speak on the groups behalf.
- There will be no debate on statements or petitions.
- If you do not attend or speak at the meeting at which your public forum submission is being taken your statement will be noted by Members.

Other formats and languages and assistance for those with hearing impairment

You can get committee papers in other formats (e.g. large print, audio tape, braille etc) or in community languages by contacting the Democratic Services Officer. Please give as much notice as possible. We cannot guarantee re-formatting or translation of papers before the date of a particular meeting.

Committee rooms are fitted with induction loops to assist people with hearing impairment. If you require any assistance with this please speak to the Democratic Services Officer.

Security Arrangements for Full Council

The public gallery in the Council Chamber is available for members of the public to observe the Full Council meeting.

The Lord Mayor has determined:

- Attendees should please be quiet and not interrupt proceedings.
- Large bags will be left at reception.
- All loud hailers, banners, and placards must be left at the main entrance and will not be permitted to be brought into the building.
- The Council reserves the right to remove any person who disrupts the proceedings. In appropriate circumstances, the police may be called.

Under our security arrangements, all members of the public (and bags) will be searched. This applies to all members of the public attending the meeting in the interests of helping to ensure a safe meeting environment for all attending. Visitors' bags are liable to be searched prior to entry, and entry is conditional upon visitors consenting to be searched. Searches are carried out to ensure that no items which may interrupt proceedings are brought into the building. This includes weapons, loud hailers, banners, and placards. Small notices may be acceptable if they are not obstructive or offensive (no more than A4 size).

City Hall has a water fountain available, near the Council Chamber, for your use. However, you should please bring your own reusable water bottle to fill up at the fountain, as we are not able to provide cups.



Bristol City Council Minutes of the Full Council

21 May 2019 at 2.00 pm



Members Present:-

Lord Mayor (outgoing) Councillor Cleo Lake

Lord Mayor (incoming) Councillor Jos Clark

Mayor Rees

Councillors: Peter Abraham, Donald Alexander, Lesley Alexander, Nicola Beech, Nicola Bowden-Jones, Harriet Bradley, Mark Bradshaw, Mark Brain, Charlie Bolton, Tom Brook, Fabian Breckels, Tony Carey, Craig Cheney, Barry Clark, Stephen Clarke, Harriet Clough, Eleanor Combley, Asher Craig, Chris Davies, Mike Davies, Kye Dudd, Richard Eddy, Jude English, Martin Fodor, Helen Godwin, Paul Goggin, Geoff Gollop, John Goulandris, Fi Hance, Margaret Hickman, Helen Holland, Gary Hopkins, Chris Jackson, Carole Johnson, Anna Keen, Tim Kent, Sultan Khan, Gill Kirk, Mike Langley, Olly Mead, Graham Morris, Anthony Negus, Paula O'Rourke, Steve Pearce, Celia Phipps, Ruth Pickersgill, Jo Sergeant, Steve Smith, Clive Stevens, Jerome Thomas, Mhairi Threlfall, Estella Tincknell, Jon Wellington, Mark Weston, Lucy Whittle, Chris Windows and Mark Wright

Aldermen in Attendance:-

Jon McLaren, Mary Sykes, Colin Williams, Royston Griffey, John Kiely, Peter Main, Jackie Norman, Clare Champion-Smith, Stephen Williams, Mark Bailey, Derek Pickup, Brian Price, Rosalie Walker.

1. Welcome and Safety Information

The Lord Mayor welcomed all attendees to the meeting and made a safety announcement in relation to the fire/emergency evacuation procedure.

2. Apologies for Absence

Apologies were received from Councillors Denyer, Hiscott, Jones, Lovell, Massey, Melias, Quartley, Radford, Shah,

3. Election of Lord Mayor



Councillor Hopkins moved that Councillor Jos Clark be elected as Lord Mayor for the 2019-2020 municipal year.

Councillor Mead seconded the motion.

Upon being put to the vote, it was

RESOLVED:

That Councillor Jos Clark be elected as Lord Mayor of the City and County of Bristol for the 2019-20 municipal year.

Councillor Jos Clark then signed the declaration of acceptance of the office of Lord Mayor of the City and County of Bristol.

The Lord Mayor then made her inaugural speech to Full Council.

Vote of thanks to the retiring Lord Mayor and retiring Lady Mayoress:

On the motion of Councillor Combley, seconded by Councillor Weston, and upon being put to the vote, it was

RESOLVED:

That a vote of thanks be approved by the Full Council to the retiring Lord Mayor and retiring Lady Mayoress in recognition of their work and duties carried out during the last municipal year.

Councillor Cleo Lake, as retiring Lord Mayor, then addressed the Full Council

Vote of thanks to the retiring Deputy Lord Mayor and retiring Deputy Lord Mayor's Consort:

On the motion of Councillor Abraham, seconded by Councillor Kent, and upon being put to the vote, it was

RESOLVED:

That a vote of thanks be approved by the Full Council to the retiring Deputy Lord Mayor and retiring Deputy Lord Mayor's Consort in recognition of their work and duties carried out during the last municipal year.

4. Election of Deputy Lord Mayor

Councillor Combley moved that Councillor Cleo Lake be elected as Deputy Lord Mayor for the 2019-20 municipal year.



Councillor Pickersgill seconded the motion.

Upon being put to the vote, it was

RESOLVED:

That Councillor Cleo Lake be elected as Deputy Lord Mayor of the City and County of Bristol for the 2019-20 municipal year.

Councillor Lake then signed the declaration of acceptance of the office of Deputy Lord Mayor of the City and County of Bristol.

The Full Council then adjourned for refreshments, and reconvened at 3.15pm.

5. Minutes of the Previous Meeting

On the motion of the Lord Mayor, seconded by Councillor Kent, it was

RESOLVED:

That the minutes of the meeting of the Full Council held on 19th March 2019 be confirmed as a correct record and signed by the Lord Mayor.

6. Declarations of Interest

None received.

7. Lord Mayor's Business

Right Rev Prof William Peter Stephens

The Lord Mayor informed Full Council of the recent death of former Bristol City Councillor the Right Rev Prof William Peter Stephens. Condolences were sent to his family.

Lorraine Bush

The Lord Mayor also informed Full Council of the death of Lorraine Bush who had been part of the team who set up substance misuse charity Hawkspring in Hartcliffe.

Councillor Goggin then addressed the Full Council, paying tribute in remembrance of Lorraine Bush.

8. Written Public Statements



There were no public statements received pertaining to items on the agenda.

9. Establishment of Committees 2019-2020 and Human Resources Committee Terms of Reference

The Full Council considered a report on the establishment of committees for 2019-20.

The Lord Mayor moved the report and the recommendations contained therein.

Councillor Cleo Lake, Deputy Lord Mayor, seconded the motion.

It was then:

RESOLVED:

1. That the following committees be established;

a. Overview and Scrutiny bodies:

- **Overview and Scrutiny Management Board**
- **People Scrutiny Commission**
- **Growth and Regeneration Scrutiny Commission**
- **Communities Scrutiny Commission**
- **Resources Scrutiny Commission**

Joint bodies:

- **Joint Health Scrutiny Committee**
- **Joint Health Overview and Scrutiny Committee for the purpose of jointly scrutinising the Bristol, North Somerset and South Gloucestershire Sustainability and Transformation Partnerships (STP)**
- **West of England Combined Authority Overview and Scrutiny Committee (“The WECA Overview and Scrutiny Committee”)**
- **West of England Combined Authority Audit Committee (“The WECA Overview and Scrutiny Committee”)**
- **Joint Overview and Scrutiny Arrangement comprising of the Constituent Councils of the West of England Combined Authority, the Mayor and North Somerset Council (“The Joint Overview and Scrutiny Arrangement”)**

b. Regulatory Committees:

- **Development Control Committee A**
- **Development Control Committee B**
- **Public Safety and Protection Committee**
- **Public Rights of Way and Greens Committee**



c. Appeals Committee

d. Other (non-executive) Committees:

- **Audit Committee**
- **Human Resources Committee**
- **Selection Committee**
- **Area Committees 1 to 6**

e. Statutory Committees:

- **The position in relation to the Licensing Committee was noted.**
- **The position in relation to the Health and Wellbeing Board (which did not need to be formally re-established as it remains extant) was noted.**

2. That the terms of reference of the Human Resources Committee be approved.

10 Allocation of Committee seats

The Full Council considered a report seeking approval of the allocation of seats on committees in accordance with the statutory requirements concerning political balance.

The Lord Mayor moved the report and the recommendations contained therein.

Cllr Cleo Lake, Deputy Lord Mayor, seconded the motion.

It was then:

RESOLVED:

1. That approval be given to the allocation of committee seats as set out in the report.

2. That 15 members be appointed to the Licensing Committee as follows:

Councillor Abraham
Councillor B Clark
Councillor Clough
Councillor Combley
Councillor C Davies
Councillor Eddy
Councillor Goggin
Councillor Hance
Councillor Jama
Councillor Langley
Councillor Massey
Councillor O'Rourke



Councillor Shah
Councillor Windows
Councillor Whittle

In confirming appointments to the Committee, the Full Council is asked to take full account of equalities duties and considerations, and to note that the political balance rules do not apply.

- 3. That all members of Council be appointed to serve on an Appeals Committee comprising of any 3 Members of Council, subject to them having first received the necessary training and not having been involved in the original decision which is the subject of an appeal.**
- 4. That the Council be represented (as per paragraph 14) on the following joint bodies:**
 - **Joint Health Scrutiny Committee**
 - **Joint Health Overview and Scrutiny Committee for the purpose of jointly scrutinising the Bristol, North Somerset and South Gloucestershire Sustainability and Transformation Partnership**
 - **West of England Combined Authority Overview and Scrutiny Committee**
 - **Joint Overview and Scrutiny Arrangement comprising of the Constituent Councils of the West of England Combined Authority, the Mayor and North Somerset Council (“The Joint Overview and Scrutiny Arrangement”**
 - **West of England Combined Authority Audit**
- 5. That the position in relation to the membership of the Health and Wellbeing Board as per paragraph 15 of the report be noted.**
- 6. That named members will be provided for the Committee memberships by the party group whips (to be sent to the Monitoring Officer). If named substitutes are not also provided, then any councillor of the relevant group may attend a meeting as a substitute, other than in the case of:**
 - **a Development Control Committee, where the substitute must be a member of another Development Control Committee (and be appropriately trained).**
 - **any scrutiny commission, where the substitute may not be a member of the executive.**

11 Dates and Times of Full Council meetings 2019-2020

The Full Council considered a report on the dates and times of Full Council meetings for 2019-20.

The Lord Mayor moved the report and the recommendations contained therein.

Councillor Cleo Lake, Deputy Lord Mayor, seconded the motion.

It was then:

RESOLVED:

That the dates and times of Full Council meetings for 2019-20 be agreed, as set out in the report as



follows:

- 5pm, Tuesday 16 July 2019
- 6pm, Tuesday 10 September 2019
- 6pm, Tuesday 12 November 2019
- 2pm, Tuesday 10 December 2019
- 2pm, Tuesday 14 January 2020
- 2pm, Tuesday 25 February 2020 (budget Council meeting)
- 12pm, Wednesday 4 March 2020 (reserve, additional budget meeting, if required)
- 6pm, Tuesday 18th March 2020

12 Pay Policy Statement 2019-2020

The Full Council considered a report on an amended Pay Policy Statement for 2019-20.

Councillor Wellington moved the report and the recommendation contained therein.

Councillor O'Rourke seconded the motion.

Following debate, it was

RESOLVED:

That the amended Pay Policy Statement for 2019-20 be approved.

13 Information Report: Decisions Taken Under Special Urgency Provisions

The Full Council considered a report which outlined the use of special urgency provisions (APR16) in relation to decisions that were taken by Cabinet.

Councillor Cheney moved the report and the recommendations contained therein.

Following debate, it was:

RESOLVED:

Full Council noted the use of special urgency provisions (APR16) in relation to decisions that were taken by Cabinet in respect of P10 Finance report on the 2nd April 2019.

Meeting ended at 3.45 pm

CHAIR _____





Full Council 16 July 2019



Report of: Tim O’Gara, Director - Legal & Democratic Services

Title: **Petition debate** – Take Control of Bristol’s Buses

Recommendation

That Full Council debates the petition and refers it to the Mayor / relevant Cabinet member for a formal response.

Summary

Under the Council’s petitions scheme, where a petition has 3,500 or more signatures from people who live, work or study in Bristol, the petition organiser can request a Full Council debate.

The Council has received a petition in relation to bus franchising.

The petition organisers have requested that Full Council debates the petition.



Details of the petition

1. The wording of the petition is as follows:

Petition title / subject: Take Control of Bristol's Buses

Petition wording:

“We the undersigned call on Mayor Marvin Rees, Regional Mayor Tim Bowles, Bristol City Council and the West of England Combined Authority to work towards a bus franchising scheme for Bristol.”

2. The petition has been organised by Max Langer.
3. The petition has secured 3,793 signatures to date as verified from who live, work or study in Bristol.
4. The Full Council is asked to debate the petition.
5. Under the petition scheme, the petition organiser is permitted up to 5 minutes to present and speak to the petition. The petition scheme allows a further period of up to 15 minutes for discussion of the petition by councillors at the Full Council meeting.
6. The Full Council has agreed the following in relation to dealing with petitions with over 3500 signatures: The topic of the debate should be referred to the Mayor/Cabinet, or other relevant body with the petitioner's views and Full Council's views.

RECOMMENDATION

Following the debate, the Full Council is recommended to refer the petition to the Mayor, in order that the Mayor can consider his response, in liaison with the relevant Cabinet member.

Full Council

16th July 2019



Title

Climate Emergency – The Mayor's Response

Recommendation

To note the Mayor's response to the Climate Emergency and the actions he proposes.

Summary

In November 2018 Full Council passed a motion which declared a Climate Emergency and asked the Mayor to report back to Council describing the action he and the Council will take. It was agreed with all political parties that this report would be presented to the July Full Council as the May Council does not take business. This report provides the Mayor's response and provides background information.

The significant issues in the report are:

The Mayor reiterates his declaration that we are in a climate emergency and formally adopts the goal of Bristol becoming a Carbon Neutral City by 2030.

The Mayor has created new Governance structures to lead the city's response to the climate emergency including:

- * a new City Office Environmental Sustainability Board which he is chairing; and
- * an Advisory Committee on Climate Change to advise the city boards.

This will enable us to develop a One City Climate Strategy for Bristol.

The Mayor sets out the actions he is taking immediately to respond to the threat of climate change in a way which is hopeful, inclusive and ensures that everyone in the city benefits from the opportunities of creating a carbon neutral city.

The Mayor identifies some of the areas where additional Government action is needed and commits to working with Core Cities to put this case to Government.



Policy

1. The UK Climate Change Act 2008 sets a statutory target to reduce UK greenhouse gas emissions by 80% from 1990 by 2050. In May 2019 the UK Committee on Climate Change recommended that the UK Government increase the statutory target to Net-Zero greenhouse gas emissions by 2050. The Government has now adopted this target.
2. In parallel, the UK Climate Change Act established the National Adaptation Programme. The corresponding UK Climate Change Risk Assessment identifies 6 priority risk areas: flooding, high temperatures, water supply shortages, natural capital, food production; and pest and diseases.
3. Bristol City Council campaigned for the Climate Change Act and the targets there in and since then has been one step ahead of Government targets. In 2015 Bristol City Council adopted a target for the city to be Carbon Neutral for Direct Emissions¹ by 2050. This includes electricity and gas used in the city and road transport in the city.
4. The City Council has also been working to make the city more Climate Resilient to ensure that we are prepared and can adapt to changes in the climate which will occur in the coming decades, from emissions that have already taken place and future emissions.
5. In November 2018 Bristol City Council unanimously passed a motion calling on the Mayor to:
 1. *Declare a ‘Climate Emergency’;*
 2. *Pledge to make the city of Bristol carbon neutral by 2030, taking into account both production and consumption emissions [Nb. referred to in this paper as Direct and Indirect emissions];*
 3. *Call on Westminster to provide the powers and resources to make the 2030 target possible;*
 4. *Work with other governments (both within the UK and internationally) to determine and implement best practice methods to limit Global Warming to less than 1.5°C;*
 5. *Continue to work with partners across the city and region to deliver this new goal through all relevant strategies and plans;*
 6. *Report to Full Council within six months with the actions the Mayor/Council will take to address this emergency.*

The full text can be found on the Council’s website.

6. In July 2019 the Mayor led a motion at the Local Government Association conference to declare a Climate Emergency which was unanimously endorsed by 435 councils.
7. Please note that this document refers to emissions of “carbon” or “carbon dioxide”. This should be considered shorthand for all greenhouse gas emissions, not just carbon dioxide.

¹ Direct emissions refers to Scope 1 and 2 emissions in the Greenhouse Gas Emissions protocol and include the use of electricity and gas and local transport emissions.

Consultation

Internal

8. The Mayor welcomed the unanimous and cross party support for the motion. He therefore invited all parties to join a working group to generate ideas for how the council and city could become carbon neutral. This group has worked hard to generate a long list of ideas which all four parties agree on. This list of ideas has been studied by officers and compared with our existing activities and plans and the powers and resources which the city council has. The full list is included in Annex 1 to the Mayor’s report included in Appendix 1.
9. Some of the suggestions could be delivered by the city council in the short term and reference to these suggestions is included in the text of this report. A few of the ideas and are included in the Mayor’s action plan include:
 - Assessing all major projects for their impacts on carbon emissions
 - Implementing a Carbon Budget which sets out the projects which will be carried out over the next few years, learning from the experience of our fellow European Green Capital, Oslo.
 - Reducing the use of single-use plastic in the city, starting with the Council.
10. Many ideas were already underway to some extent but needed to be developed at a greater scale or pace to accelerate progress, however these require additional resources, or national action. The Mayor’s action plan is cross-referenced to these ideas and where appropriate are being used to inform the Ask of Government.
11. Other suggestions will be carried forward for consideration in the development of the Bristol One City Climate Strategy to be developed by the City Office Environmental Sustainability Board.
12. A full response to each of the suggestions is included in these papers and feedback has been provided to the Cross Party Working Group.

External

13. Regular meetings with other Core Cities to discuss approach and make a clear call for Government action.
14. The development of the climate strategy referred to in the action plan will be undertaken with partners and wider stakeholders.

Context

15. In 2018, the Intergovernmental Panel on Climate Change (IPCC) published a report which advised that we must limit global warming to 1.5°C, as opposed to the previous target of 2°C. Their review of over 6,000 sources of evidence found that, with a rise of 1.5°C, there would be risks to health, livelihoods, food security, water supply, human security and economic growth. A rise to 2°C would be even more catastrophic. It warned that we have only 12 years left within which to take the serious action required to avert this crisis and avoid the worst impacts.
16. As well as being impacted by the global effects we will be directly affected by climate change impacts in Bristol. We are working with the Meteorological Office to produce headline predictions for Bristol using the latest climate information available (UKCP18). These changes are likely to have significant impacts:
 - An increase in extent, depth and frequency of flooding from surface water, rivers and the sea due to sea level rise, storm surges and increasing intensity of rainfall. Although the trend is for drier summers, intense storms will also increase.
 - Hotter summers will also lead to increased heat stress, particularly on vulnerable members of the community such as the elderly.
17. The Full Council motion (Paragraph 5) to declare a climate emergency was made in response to the findings of the IPCC report and other information. Following the lead of cities around the world, Bristol was the first UK Local Authority to declare such an emergency. Since then, a further 89 UK Local Authorities have followed suit, including most of the core cities and three of the West of England Authorities.
18. We have been actively trying to reduce the city’s carbon emissions since 2004 when we adopted our first climate strategy. Since 2005, Bristol has seen a 35% reduction in its carbon emissions from energy and transport in the city and is in line the adopted targets. These have been achieved mainly by the increasing supply of renewably generated electricity both locally and nationally and increases in energy efficiency in buildings. Emissions from transport did reduce initially but have not started to rise.
19. Since being elected, the Mayor, and his Cabinet colleagues, have been taking action across their portfolios to make progress and this will be accelerated and scaled up as we develop the Bristol One City Climate Strategy with partners. There are clear synergies between reducing emissions and building resilience which will be exploited through production of the Strategy.
20. **Councillor Dudd, Cabinet Member for Energy and Transport, has committed in the Council’s Business Plan to delivery of significant low carbon energy infrastructure in the city** including expansion of the District Heating Network to provide heat to buildings around central Bristol from low carbon sources, such as taking heat from the floating harbour with heat pump technology.
21. Housing is a key area of carbon emissions in Bristol (36% of direct emissions) but we need more housing. Councillor Paul Smith, Cabinet Member for Housing, brought proposals to Cabinet to provide supplementary grants of up to £10,000 for affordable rent or social rent homes to help

them meet the energy and sustainability standards in the current Local Plan. From the overall 19/20 Budget of £14m, it is expected that about £4.3m will be available to fund new schemes, including a proportion to meet energy and sustainability standards and in the next 4 years a proportion of the £38m Affordable Housing Fund Grant. This will ensure that future occupiers live in warm, energy efficient homes with affordable energy bills, as well as affordable rent or shared ownership mortgages.

22. Most of our carbon emissions from housing come from existing homes, many of which are inefficient. Cllr Dudd is therefore managing the Warm Up Bristol programme, which aims to make the private housing stock in Bristol more energy efficient, and the Energy efficiency programme in council homes.
23. Bristol is a rapidly growing city and alongside the housing we are planning for significant amounts of commercial development in our new Local Plan. Currently, non-domestic buildings account for 30% of the city’s direct carbon emissions. **Councillor Nicola Beech, Cabinet Member for Strategic Planning and City Design, has developed a suite of policies in the local plan to create sustainable, zero carbon new development** to ensure that we don’t move away from carbon neutrality as we grow our city. Consultation closed in May 2019 and officers are considering those responses which will inform the publication version in 2020.
24. Transport is the final sector which generates direct carbon emissions in the city. Currently local road transport accounts for 33% of direct local emissions. This has not reduced significantly since 2005 – only 7%. **Councillor Kye Dudd, Cabinet Member for Transport and Energy has developed sustainable transport proposals as part of the Bristol Transport Strategy.** This includes **expanding the public electric vehicle charging network** in Bristol to give more people confidence to make the switch to electric now, rather than wait for petrol and diesel cars to be phased out under government plans. As part of this the Mayor is asking all public sector organisations in Bristol to commit to at least 30% of their fleet using non-fossil fuel by 2026 as agreed in the One City Plan. In addition, the Mayor continues to progress towards a bus deal, to double public transport usage and to develop proposals for the city’s first mass transit system. The mass transit proposals will be ultra low emissions.
25. Much of the Council’s focus is on the direct emissions of carbon from energy and transport in the city, but the things which we purchase as citizens and organisations have a huge carbon footprint. Food is a significant part of this and so **Councillor Asher Craig has developed with Partners an ambitious programme for Bristol to become the UK’s first Gold rated city in the Sustainable Food Cities Award.** This will recognise the great work being done across the city by partners to create a food system that is good for people, places and the planet.
26. We have all become aware of the impact of plastics and **Cllr Steve Pearce, Cabinet Member for Waste, Commercialisation and Regulatory Services, is working to reduce this impact in the city and on our wider environment. This includes the Clean Streets campaign, creating a plan for reducing single use plastics/ polystyrene take-away containers in Bristol City Council premises and delivering a new recycling centre in Hartcliffe.**
27. The Mayor has also brought forward plans to tackle local air pollution from transport under the **Clean Air Plan.** Whilst the objective of this is to reduce pollution from the gas Nitrogen Dioxide and small particulates, which causes immediate harm to human health, the proposals are also

likely to reduce carbon emissions from transport.

- 28. The Mayor with partners is implementing a flood defence scheme to protect Avonmouth & Severnside and developing a proposal to protect the city centre from flooding. These schemes will address the increased flood risk as a result of climate change.**

Proposal

- 29.** The Mayor supported the Climate Emergency motion and this section summarises the actions he is proposing to take in response.

A climate emergency

- 30. Firstly the Mayor reiterates his declaration that we are in a climate emergency.**
- 31. The Mayor also calls on all city organisations to recognise the climate emergency and set themselves targets** to rapidly reduce emissions and prepare for the impacts of climate change. Already we have seen declarations from leading organisations including the University of Bristol and We the Curious.
- 32. The Mayor also adopts Carbon Neutrality by 2030 as a goal of the city council and asks that all Councillors support him in this.** The crucial part of this is how we accelerate our action to rapidly reduce emissions.
- 33.** Whilst rapidly reducing our contribution to climate change we also need to prepare for its impacts on the city. **The Mayor therefore also commits to the city council working with partners to increase the climate resilience of the city.**
- 34.** The Mayor recognises that this needs to be a whole city response and this report sets out some of the things that the Mayor is doing to help support that. He also recognises that it also needs to a whole council response and that Cabinet Members and all services must do everything they can within their existing powers and resources whilst we ask Government to provide the additional ones that we need.
- 35.** The Mayor’s Climate Emergency Action Plan is set out in Appendix 1 in more detail and the following section provides a brief summary.
- 36.** The Mayor’s Climate Emergency Action Plan;
- Provides an initial high level assessment of the city’s emissions, highlighting the main sources, such as energy, road transport, aviation, food and other goods and services we buy which may be made anywhere in the world.
 - Describes the recent trend in direct emissions from energy and transport, showing the good progress made since 2005 with the city on track to have achieved its target of a 40% reduction in emissions by 2020. It also notes some of the challenges such as rising emissions from road transport in the city in recent years.

- Explores likely future emission scenarios for the next decade. It concludes that committed plans of the UK and Bristol could deliver a 28% reduction in emissions by 2030, and that the more ambitious plans set out in local and national strategies could deliver 46% reduction in emissions by 2030. This provides a basis for developing a new strategy to accelerate action and close the gap to achieve carbon neutrality.
- Demonstrates how the Mayor and Council are leading by example in reducing the council’s emissions and sets a clear target for the City Council to be Carbon Neutral for its emissions by 2025 and to develop a plan to quantify and minimise its indirect emissions.
- Sets out the city leadership that the Mayor has demonstrated by creating and chairing the new Environment Sustainability Board as part of the City Office, bringing together key partners from around the to create a shared One City Climate Strategy for Bristol.
- Sets out how the city will benefit from the expertise in the Universities and other organisations by the creation of an Advisory Committee on Climate Change to advise on how we make the city carbon neutral and climate resilient.
- Describes the Mayor’s recognition of the level of concern across the whole city about climate change and a commitment to engaging the whole community in the response to the climate emergency. This includes allocation of funding for a new community engagement programme, to engage and empower citizens, understanding the barriers and enabling everyone to contribute.
- Sets out the existing and new action that the Mayor will take to:
 - Create low carbon jobs and businesses
 - Build and retrofit homes to make them energy efficient and affordable
 - Provide for clean and sustainable travel, including mass transit.
 - Generate clean, renewable energy in the city
 - Reducing the carbon footprint of our consumption
- Describes how the Mayor will work with other cities and partners to share learning, knowledge and to create a clear and compelling call on Government to respond to the Climate Emergency and enable us to create a carbon neutral and climate resilient city.

37. The Mayor will report annually to Full Council on the progress made with the implementation of the action plan.

Other Options Considered

38. The Mayor has considered all the suggestions made by the Cross Party Working Group on Carbon Neutrality and Appendix 2 shows the detailed response to each.

Risk Assessment

- 39.** The proposed Action plan sets out definitive action by the Mayor in regard to the issues which are within the Council’s control and which can be met within the existing resources and powers. It also sets out an approach to secure action by a wide range of partners within the city, giving us the best chance of delivering the scale of city change. Finally work is underway with the Core Cities group to present a clear case to government for them to undertake the national action necessary to achieve the goals.
- 40.** It is therefore considered an appropriate approach to address the risk of climate change for the city.

Public Sector Equality Duties

An Equalities Impact Assessment is not required.

(Equalities advice provided by Duncan Fleming, Equalities and Community Cohesion Officer)

Legal and Resource Implications

Legal

No legal issues arise out of the Mayor’s response to the Climate Emergency. Implementation may give rise to procurement and related considerations which can be advised on once further detail is available.

(Legal advice provided by Sinead Willis, Team Leader, Commercial and Governance Financial)

Financial

The report outlines various activities that BCC are currently committed to to address the climate emergency concerns amongst other things. BCC has spent or committed to spend over £60m to address some of the issues identified in this report. Table 1 below shows BCC existing financial commitment (some in partnership with others).

Table 1	
	£'000
<u>Capital Expenditure</u>	
Low Carbon energy infrastructure	17,237
Housing Grant	4,300
EV charging network	2,000
Avonmouth Severn Flood defence	33,000
	56,537
<u>Revenue Expenditure</u>	
Warm up Bristol	2,200
Clean Air Plan	2,000
Net expenditure	60,737

In addition to the above, the Mayor’s Climate Emergency Action Plan requires £250,000 of new funding currently being sought from an earmarked reserve for specific Mayoral initiatives to facilitate the public engagement programme, the production of a One City Climate Strategy, and the funding of a Climate change training course as outlined in section 5.2, 5.3 and 5.4.

(Financial advice provided by Kayode Olagundoye, Interim Finance Business Partner, Growth & Regeneration)

Personnel

The proposal includes provision for training for senior leaders, councillors and key staff on climate change matters, subject to additional funding (£50K) from the Mayor’s reserves. There are no other HR implications evident at this stage.

(Personnel advice provided by Celia Williams, HR Business Partner – Growth and Regeneration)

Appendices:

Mayor’s Report to Full Council on Carbon Neutrality

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

City of Bristol Carbon Neutrality, CO2 emission baseline and gap analysis
A report for Bristol City Council by Regen

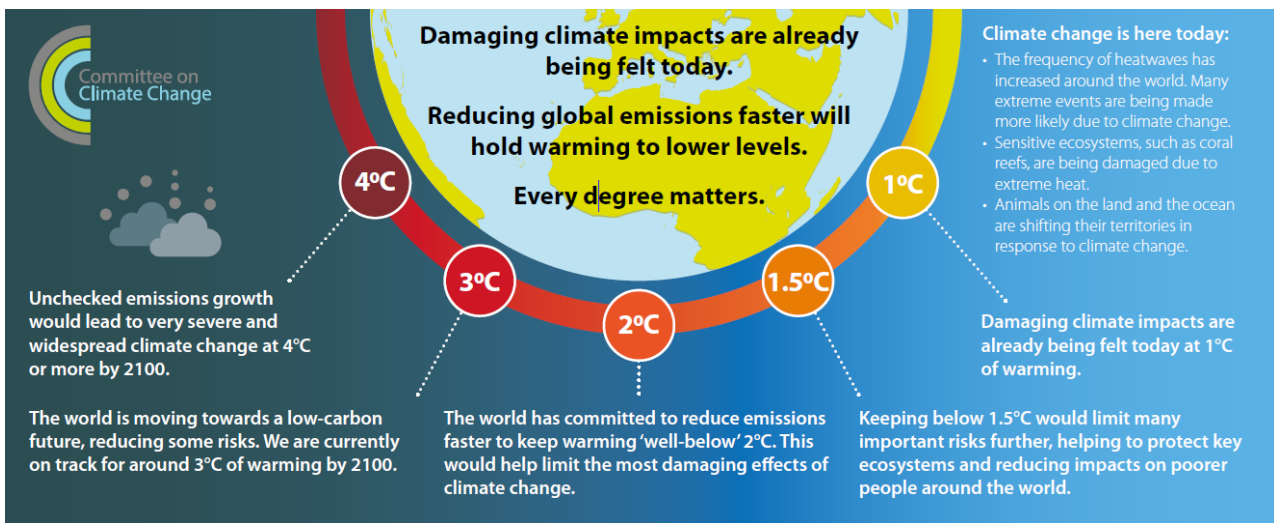
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1. Introduction

1. In 2018, the Intergovernmental Panel on Climate Change (IPCC) published a report which advised that we must limit global warming to 1.5°C, as opposed to the previous target of 2°C. Their review of over 6,000 sources of evidence found that, with a rise of 1.5°C, there would be risks to health, livelihoods, food security, water supply, human security and economic growth. A rise to 2°C would be even more catastrophic. It warned that we have only 12 years left within which to take the serious action required to avert this crisis and avoid the worst impacts.

Figure 1 CCC Infographic on the impacts of different scenarios



2. Bristol City Council’s Motion

2. In response to the IPPC report and other information, in November 2018 Bristol City Council Full Council and the Mayor unanimously passed a motion calling on the Mayor to:
 1. *Declare a ‘Climate Emergency’;*
 2. *Pledge to make the city of Bristol carbon neutral by 2030, taking into account both production and consumption emissions (scope 1, 2 and 3);*
 3. *Call on Westminster to provide the powers and resources to make the 2030 target possible;*
 4. *Work with other governments (both within the UK and internationally) to determine and implement best practice methods to limit Global Warming to less than 1.5°C;*
 5. *Continue to work with partners across the city and region to deliver this new goal through all relevant strategies and plans;*
 6. *Report to Full Council within six months with the actions the Mayor/Council will take to address this emergency.*

3. Where are we now ? Current emissions from Bristol

3. We have assembled a significant dataset to provide an evidence base for strategy making. This is published on the BCC website.
4. The dataset contains baseline sources of energy demand and supply to the city and the associated carbon emissions broken down by sector and sub-sectors and by technology types including emissions emanated from energy use for power, heat and road transport.
5. This is consistent with Scope 1 & 2 emissions as defined by the Greenhouse Gas Protocol but excludes land-use change. These “direct” emissions were chosen because they are the areas that Bristol Council and residents have more direct control. Indirect² emissions emanating from the supply chain and source of goods and services imported into the City (Scope 3) have not been included in that dataset however an estimate is made below based on a per capita allocation of UK data.
6. Bristol’s overall emissions are estimated in Table 1. These show that direct emissions account for approximately 1,600 tonnes of emissions whilst indirect emissions from shipping, aviation and imports are approximately 2,600 tonnes.

Table 1 Estimate of Bristol’s Emissions by source and scope

Scope	Total Emissions – 1,000s tonnes				Per Capita – tonnes			
	1	2	3	Total	1	2	3	Total
Elec, gas and transport in Bristol City Council area	1,034	512		1,546	2.3	1.1		3.4
Motorways in Bristol and other national unallocated energy use	87		12	99	0.2		0.03	0.2
Other UK Emissions, ³ inc shipping and aviation ⁴			142	142			0.3	0.3
Imported Consumption emissions			2,485	2,485			5.4	5.4
Total	1,121	512	2,639	4,272	2.5	1.1	5.7	9.4

² Indirect Carbon emissions refers to Scope 3 emissions in the Greenhouse Gas Emissions protocol <http://ghgprotocol.org/> and include the use of international transport and emissions from the production of goods consumed in the city and waste produced by the city but treated elsewhere.

³ “Other UK emissions” and “imported consumption emissions” are based on a simple per capita allocation of data from UK government estimates. From https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794557/Consumption_emissions_April19.pdf

⁴ “aviation” refers to the apportionment of the UK aviation footprint to Bristol on a per capita basis – it does not relate to the emissions from Bristol Airport directly

Figure 2 Emissions by Scope 1-3

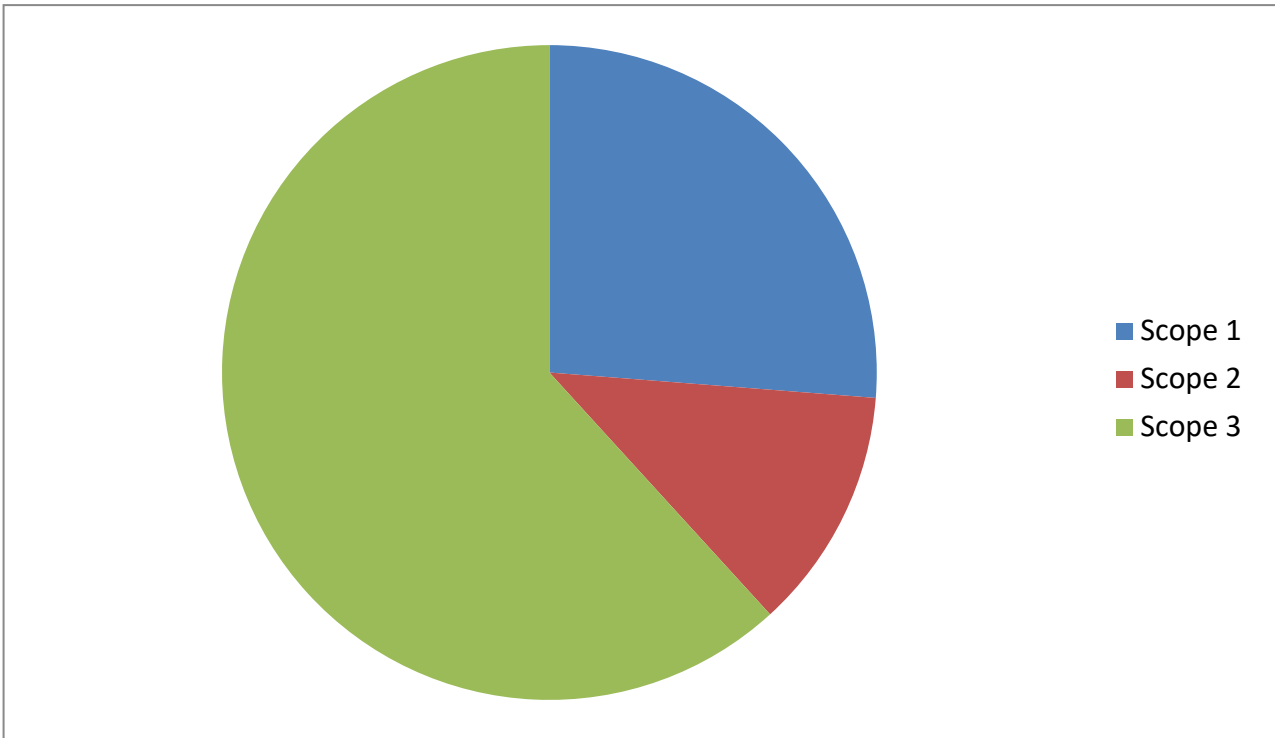
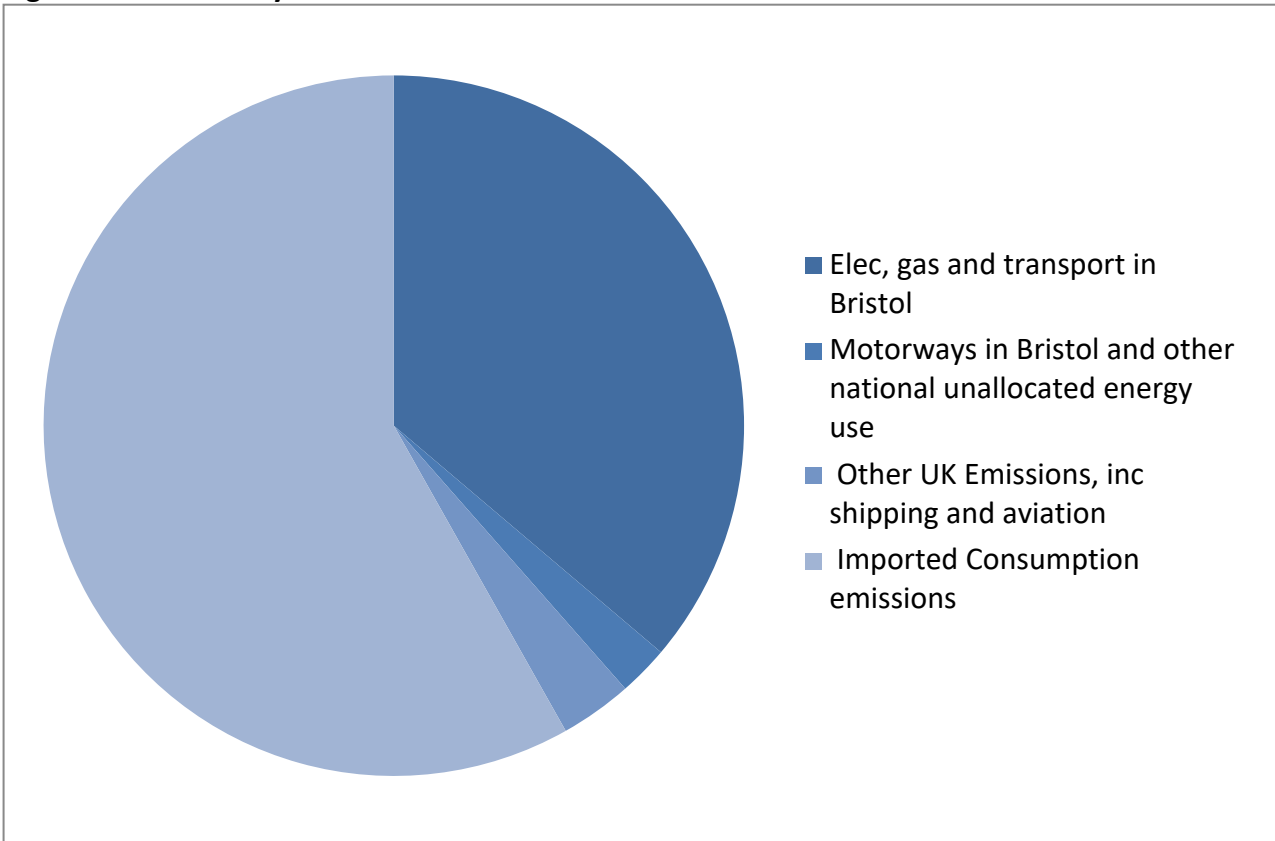
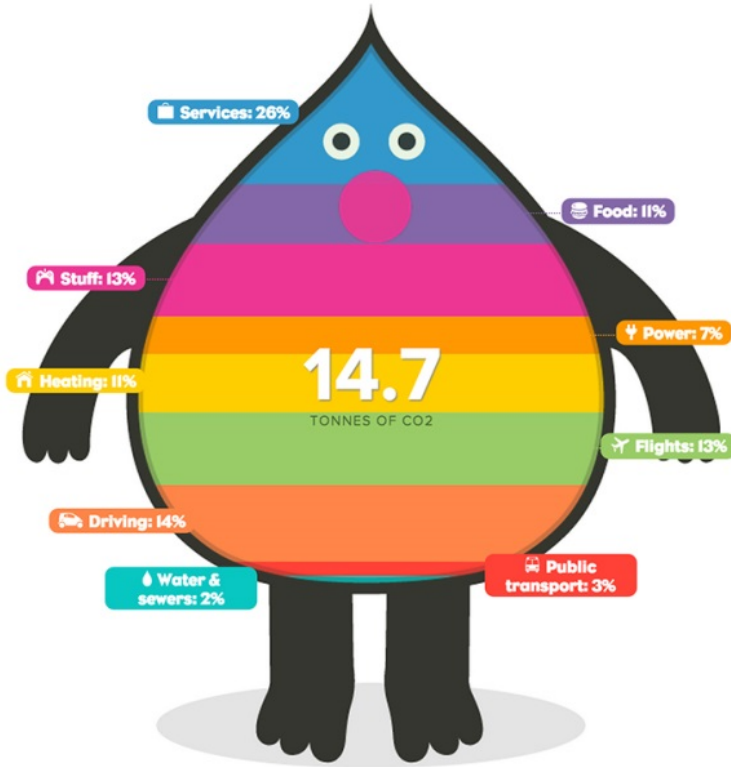


Figure 3 Emissions by Source

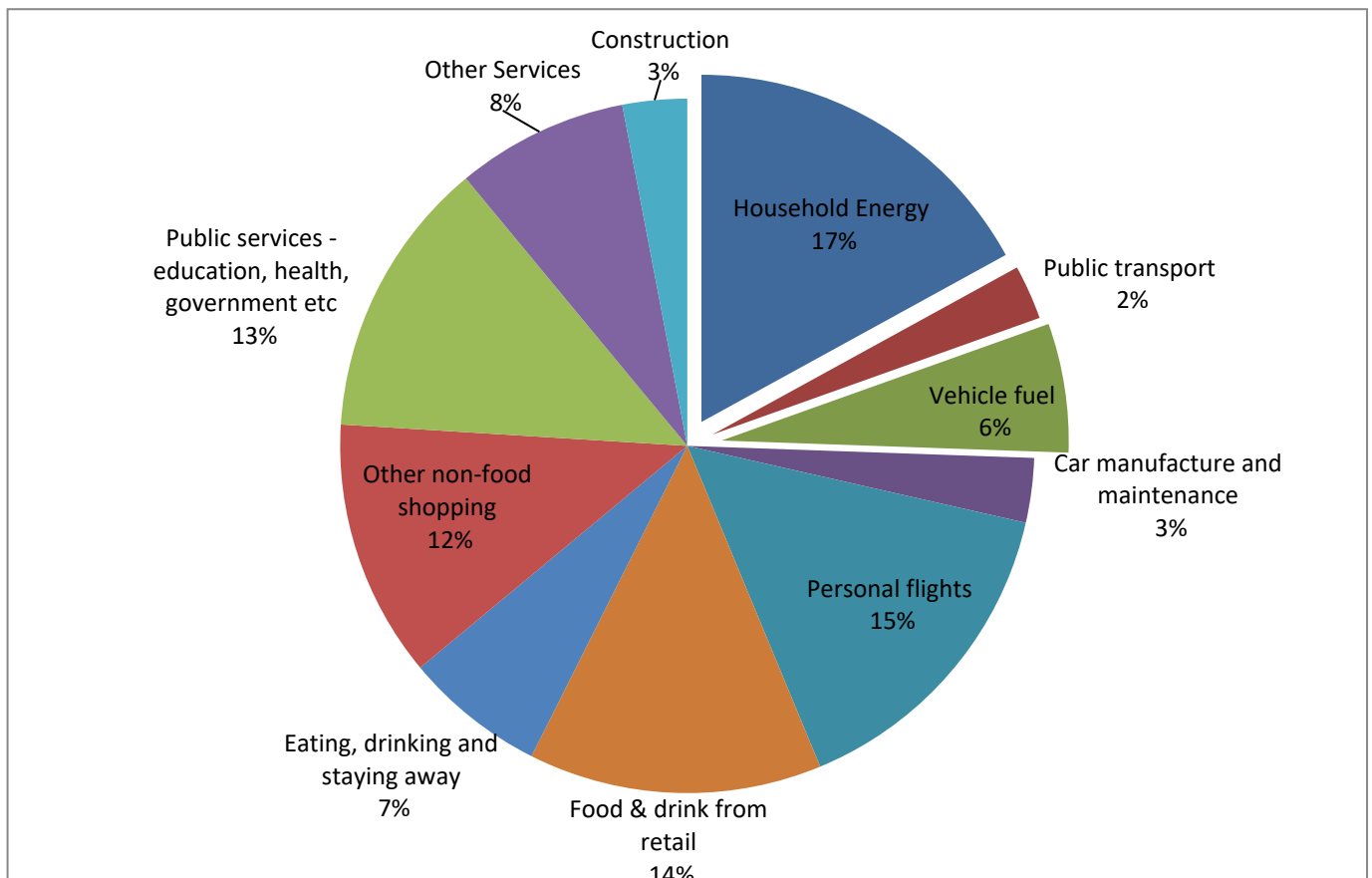


7. The campaign group 10:10 has produced this simple picture of an average UK person’s footprint. This indicates that about 2/3 of emissions are related to consumption rather than local transport and home energy. The details and scope of this assessment is not known and it is included here as an indicative



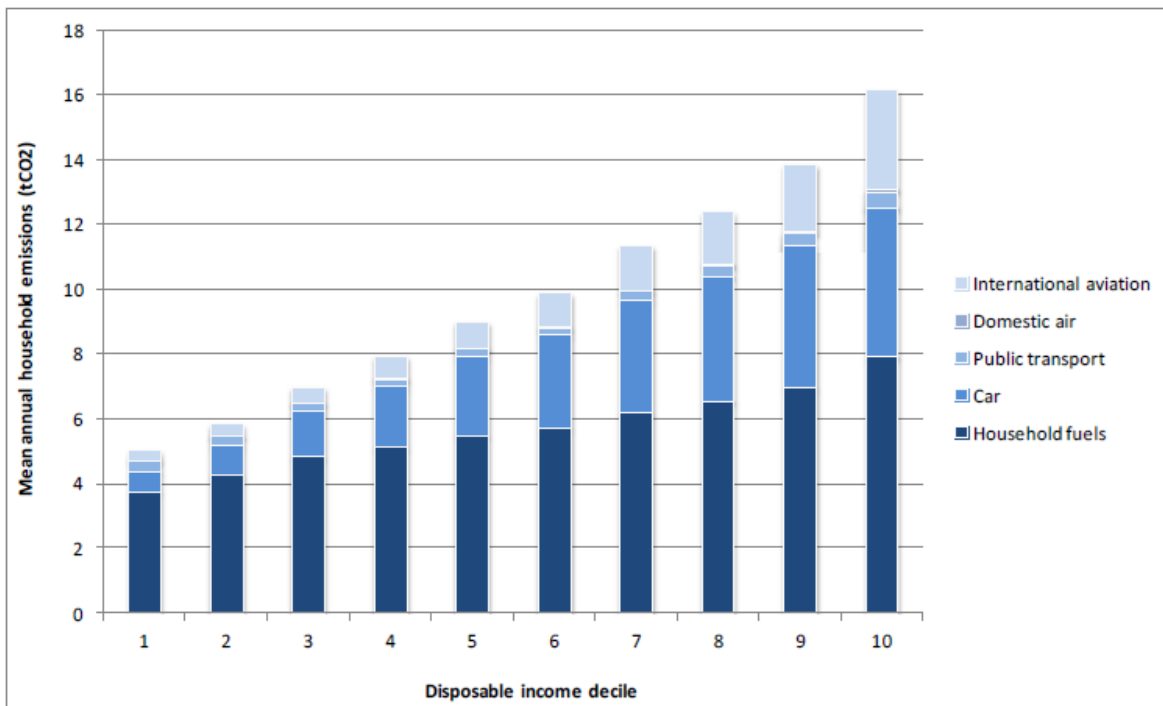
8. In the UK Greater Manchester and Greater London have assessed their whole footprint. There are significant differences between the two cities results and it is considered that data for the City of Manchester are more likely to be similar to Bristol than those of Greater London. The results for Manchester for residents are shown in Figure 4.
9. This shows that about 25% of the emissions are from the home and local transport. Other key areas of emissions are:
 - Food and drink – 14%
 - Non-food shopping - 12%
 - Personal flights – 15%

Figure 4 Manchester’s Residents Carbon Footprint



10. Different people have different sized carbon footprints and household income is a key factor in determining this. A study by the Bristol based Centre for Sustainable Energy shows that households with the highest disposable income (highest 10%) have footprints for energy use and transport three times the size of the households with the lowest disposable income (lowest 10%).
11. Emissions from private road travel and international aviation account for a high proportion of this differential: international aviation emissions of the highest income group are more than ten times that of the lowest income group, while emissions from private vehicle travel are around 7–8 times as high. A DfT survey of air travel in 2014 found that the 15% of adults in Great Britain who made 3 or more flights made 71% of flights in the preceding year. It is likely that these frequent travellers have higher levels of disposable income.

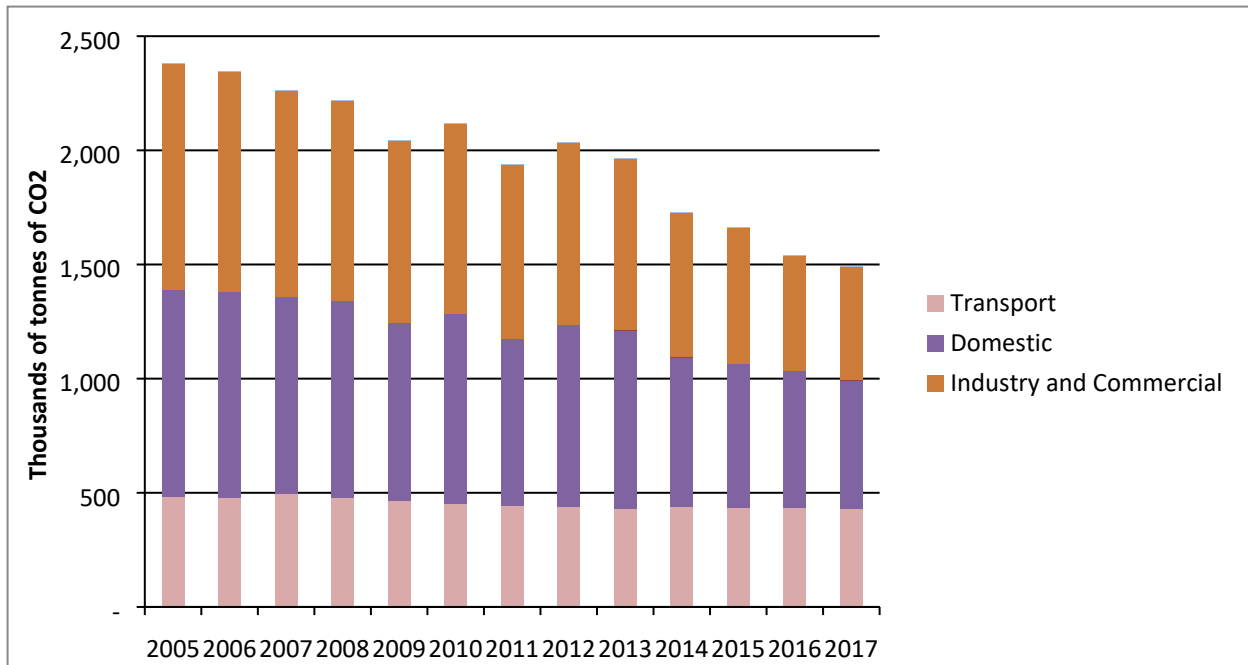
Figure 5 Carbon emissions related to disposable income - UK



4. Recent trend in direct emissions

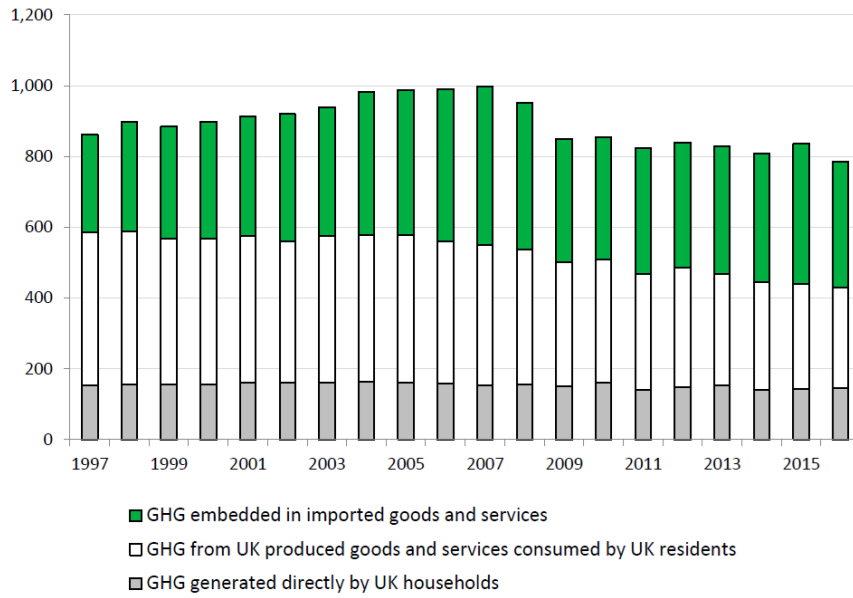
- 12. The city’s direct emissions (electricity, gas and local road transport) have been measured since 2005 and the most recent year of data is 2016. These emissions have been reduced by 37%.and this is shown in Figure 6. This is in line with other major cities of the UK and faster than the UK as a whole (33%). We anticipate that the City will achieve its current target (set with unanimous Full Council support in 2008) of a 40% reduction from 2005 by 2020.
- 13. Emissions have fallen due to increasing supply of renewably electricity locally and nationally combined with increases in energy efficiency in buildings. Unfortunately, after a few years of improvement CO2 emissions are now rising as the miles driven in the city grows faster than the fuel efficiency of vehicles.

Figure 6 Scope 1 and 2 emissions in Bristol area – Electricity, gas and local road transport



- 14. We do not have data on the Indirect or Consumption based emissions from the supply chain and source of goods and services imported into the City. The UK Government has estimated these emissions over recent years and this is shown in Figure 7. This shows that imported goods and services form a significant part of our footprint which is not declining in line with our locally produced emissions in the UK..

Figure 7 The UK’s Carbon Footprint including imported goods and services (mt CO2e)



5. Accelerating action – The Mayor’s Climate Emergency Action Plan

15. Tackling climate change requires action by every part of society – government, businesses and citizens. Section 3 of this report shows the importance of emissions generated by consumption of goods and services. As individuals we can influence the size of our carbon footprint by how much and what we buy, and those people on higher incomes have larger footprints and are therefore able to make the greatest contribution to reducing emissions – especially where these emissions arise from activity such as holidays rather than heating their homes.
16. We also need action by the companies and organisations which supply these goods and services to reduce their carbon footprint. For example, we all rely on information technology for everyday life and this sector now accounts for a significant amount of energy consumption in the production of the equipment and the transmission and storage of data. We need those companies to invest in renewable energy to supply their services, and this is happening – for example, Google now supplies all its electricity needs from renewable energy – but much more action is needed across the whole of business.
17. The Mayor is committed to playing his part and ensuring that he delivers actions now to accelerate the city’s progress towards carbon neutrality and resilience. Some of the actions create the governance, collaboration and management arrangements to deliver more tangible action in the coming years.

5.1 *Leading by Example – a Carbon Neutral and Resilient Council*

18. The motion asked that the Mayor to *“Report to Full Council within six months with the actions the Mayor/Council will take to address this emergency”*
19. The Mayor was clear that he and Bristol City Council can, and are already, showing leadership in the city to reduce carbon emissions. The City Council’s direct emissions from energy and transport account for approximately 0.8% of the City’s direct emissions. Thanks to the work of this, and previous administrations, the Council has already reduced its direct carbon emissions by 71% since 2005, twice the rate of the city as a whole (35%).
20. **In response to the Climate Emergency declaration the Mayor is committing to a new target for the Council’s direct emissions to be carbon neutral by 2025.** A plan is already being developed to achieve this by improving the energy efficiency of our buildings, electrifying our vehicle fleet, generating more renewable energy on our own land and replacing fossil fuel “natural” gas with bio-gas, generated from food waste and sewage. (The use of biogas was suggested by the Cross Party Working Group)
21. **The Mayor will also quantify the emissions generated indirectly⁵ on behalf of the Council for example by organisations providing services and goods and by tenants who occupy our residential and commercial properties.**
22. Whilst undertaking this assessment and developing the plans the **Mayor has tackled one obvious area –single use plastic. He has begun with City Hall** – for example, removing

disposable cups and replacing plastic water coolers and cups in meeting rooms with publicly accessible refill points. A waste audit of City Hall is underway to further reduce waste and improve recycling. The Mayor will now:

- Develop a BCC guidance document on how to minimise single use plastics.
- Develop an action plan to phase out single use plastics as quickly as possible across council activities, for example in parks, markets and events
- Work with partners to champion and drive forward reuse initiatives and help raise awareness to the issues around single-use plastics and disposables.
- Improve recycling facilities in council offices, in particular, City Hall and 100 Temple Street.

23. Whilst the Mayor’s commitment to Carbon Neutrality by 2025 will only reduce the city’s emissions by a small percentage it will send a clear leadership message. The Mayor has invited partners in the city to also declare climate emergencies and to set out a timetable for their own organisations to become carbon neutral and climate resilient. A growing number of these have made such commitments (see Paragraph **Error! Reference source not found.**) and collectively these organisations will make a substantial contribution to the goal of city carbon neutral climate resilient city.
24. Achieving these targets will be a challenge and the Council will need to be able to quantify its carbon emissions and **understand the impacts of all new major plans, policies and projects** on the Council’s and city’s emissions and climate resilience whilst also reviewing key existing plans. **The Mayor will therefore create a Carbon Impact “Budget” which will set out the carbon impacts of all major projects.** This budget and a report on performance against last year’s budget will be considered alongside the Council’s financial budget recognising how important this is to the Council. ***Note this is not a new allocation of funding for climate projects but a way of ensuring that the Council knows the cumulative climate consequences of its decisions and its progress towards its carbon neutrality goal. This idea was suggested by the Cross Party Working Group.***
25. The Mayor is encouraging every organisation in the City to do similar – putting in place mechanisms in their business planning processes to identify the actions that they can take now and in the next few years to deliver significant reductions in their emissions.
26. Tracking the progress of the Council and the City towards carbon neutrality is complex but necessary to ensure that we are making progress quickly enough. **The Mayor will ensure that the council accounts for its own emissions and the City’s emissions to internationally recognised standards. The Council will also assess vulnerability to climate change. This information will be published openly through the Carbon Disclosure Project.** He will encourage all major organisations in the city to do the same for their own emissions.

5.2 Involving citizens

27. In every part of the city, citizens of every age, race and gender are concerned about climate change, and the 2018 Quality of Life Survey showed that 86% of respondents were very

concerned or concerned about the impacts of climate change. They are concerned about how this will affect their families, their livelihoods, their neighbourhoods and the interconnected world that they are part of. The Mayor wants to engage citizens and help them to have the opportunity to be a part of creating a safe and secure climate for them and their families. Turning their concern and fear for the future into hope and successful action.

- 28. The Mayor will deliver a climate change public engagement programme** to be able to engage and empower citizens, understanding the barriers and enabling everyone to contribute. (CPWG suggestion) The Mayor has allocated £100k of funding to this activity.
- 29.** Some young people have very clearly shown their concern about climate change in the Youth Strikes for Climate Change and more widely, through the Youth Council who have identified it as one of their priorities. As part of the engagement programme the Mayor will work with the Youth Council to involve young people in creating the future plans for the city, providing opportunity to contribute their concerns, ideas and enthusiasm. A key challenge in this area is engaging a wider demographic of young people, from all schools and colleges across the city, particularly recognising the urgent need to listen to the voices of the lowest income families.

5.3 Taking a One City Approach

- 30.** Emergencies need careful management and governance structures. For emergencies like fires or floods the UK has an established model for multi-agency action. The Mayor has used this model to lead the creation of new city structures to manage the climate emergency as part of the City Office governance arrangements.
- 31.** The motion called on the Mayor to *“Work with partners across the city and region to deliver this new goal through all relevant strategies and plans”*. Achieving a carbon neutral and climate resilient city cannot be achieved by any one organisation – it will require transformative action by many organisations, locally and nationally. This requires a new form of Governance and therefore the Mayor’s first action on the day of the Motion was to commission the Bristol Green Capital Partnership to **create a new Environmental Sustainability Board** to bring city organisations together under the City Office. **The Mayor will chair this board and it held its first meeting on 10th July 2019.** The Environmental Sustainability Board will lead the environmental and climate change aspects of the One City Plan.
- 32.** To manage the transition to a climate neutral and resilient city decision makers will need new knowledge and skills. **The Mayor has already invited other leaders in the city to join him in a climate change training course, and will roll this out to senior managers and key staff within the city. The Mayor is also offering this to all Councillors and has allocated £50k of funding.**

5.4 Developing a shared One City Climate Strategy for Bristol

- 33. The Environmental Sustainability Board, working with the other boards of the City Office, will lead the creation of a One City Climate Strategy for Bristol.** This strategy will address how we rapidly reduce the city’s carbon emissions to achieve carbon neutrality but also how we improve the resilience of the city to the impacts of climate change. The Mayor has allocated £100k of funding towards this.

34. The Mayor asked the Bristol Green Capital Partnership to develop the Environmental Sustainability Board. Following an open and transparent recruitment process they have built a diverse and inclusive board which met for the first time last week. The Mayor invites all Councillors to support this Board in its work to lead the environmental and climate change work city wide, working across the city office structures.
35. However, drawing up the climate strategy will not be the sole responsibility of the Environmental Sustainability Board but rather will need all the City Office Boards to contribute. The Mayor wants to ensure that these boards have access to the best advice and the **Mayor has asked the universities of Bristol and UWE to create an Advisory Committee on Climate Change to provide this to the Boards, City Office and Council.**
36. To help inform the development of the climate strategy the Mayor has commissioned a 2 stage technical assessment of how Bristol can become a carbon neutral city. The first part assesses the current plans and scenarios locally and nationally to understand how close they will bring us to achieving carbon neutrality for our direct emissions as a city. This includes the electricity and gas we use in our buildings and the fuel that we use in vehicles within the city. The second part will consider what additional action is needed to close the gap between these existing scenarios and carbon neutrality. The first stage is complete and the second part is being commissioned and will report in the Autumn.
37. To help us understand the action that we need to take, we have produced a forward looking analysis of the likely trajectory of carbon emissions under the current policy environment. We developed two possible projections for the City of Bristol’s carbon emissions by 2030:
- The ‘Committed’ trajectory. This is a projection based on the historic emissions trajectory for the City of Bristol which assumes a continuation of existing investment in carbon mitigation policies and measures that have already been committed or budgeted to 2030. This has been aligned to a national trajectory for a ‘Steady Progression’ scenario within the framework of the National Grid Future Energy Scenario (FES) 6. This outcome would be short of what would be needed to meet the UK’s carbon reduction targets⁷.
 - The ‘Target 2050’ trajectory. This scenario assumes that Bristol delivers a broader and more ambitious set of policy and other measures to achieve the existing commitment to be a net zero carbon city by 2050. In the scenario it is assumed that Bristol continues to proactively decarbonise its energy usage, building on a range of measures and future investments such as those identified in the City Leap and the Joint Local Transport Plan. At a national level the UK would meet the commitments of the 4th and 5th carbon budgets and would be on track to meet its 2050 UK carbon targets of an 80% reduction in carbon emissions.
38. The technical study concluded that the likely emissions reduction between 2016 (the most recent year of available data) and 2030 would be between 28% and 46%.
39. The study helps to identify some of the actions which we need to accelerate and scale up. It also

⁶ <http://fes.nationalgrid.com/fes-document/>

⁷ For example, see 5th Carbon Budget Committee on Climate Change

points to the gap between existing potential trajectories and achieving carbon neutrality. This will be used to inform the development of a Climate Strategy for Bristol.

Figure 8 The “Committed” Scenario

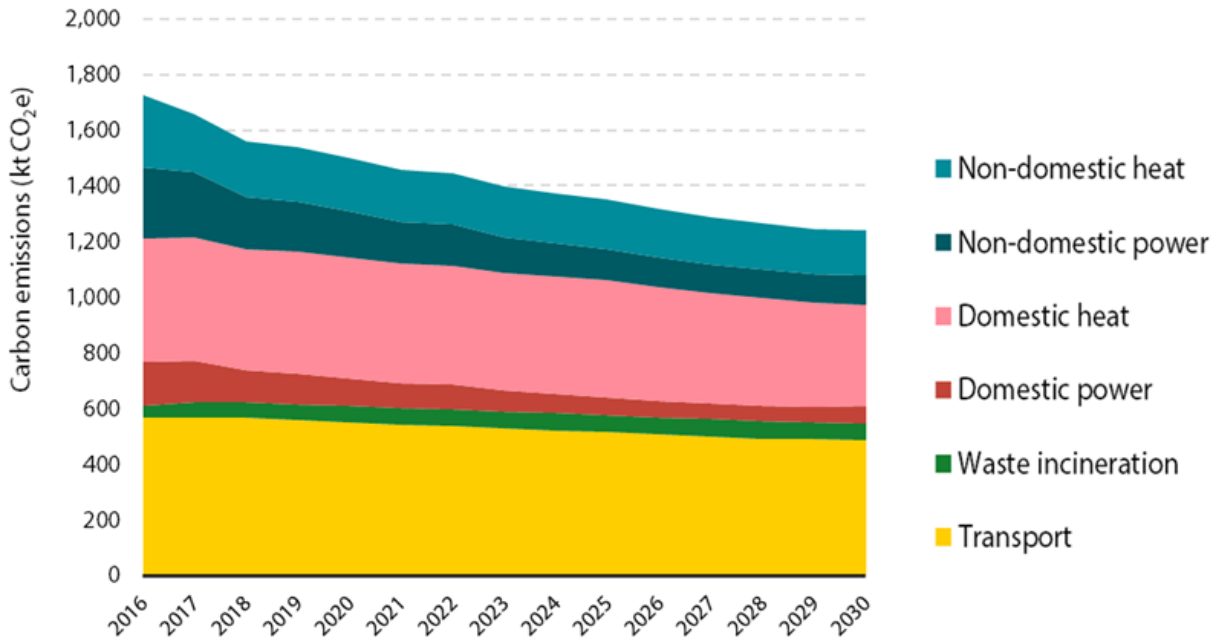
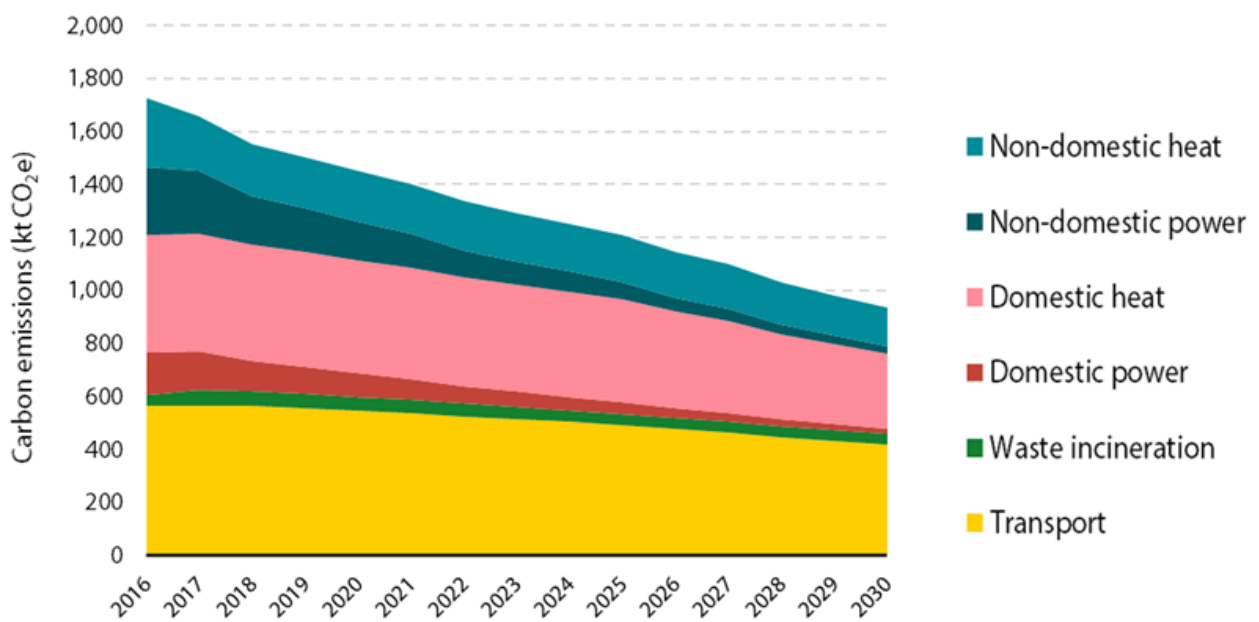


Figure 9 Target 2050 Scenario



Investment requirements

40. We have undertaken some simple analysis of level of investment needed in achieving Carbon Neutrality for direct emissions. What is clear is that substantial investment will be needed, and that much of this investment would generate good value returns and create thousands of jobs.
41. The UK Climate Change Committee’s Advisory Group’s report On Costs And Benefits Of Net Zero by 2050 reported that:

“The precise investment needs of getting to net zero by the middle of the century are unknowable, because they will depend on the cost dynamics of the different technologies involved and, as has been seen in section 4, these could change dramatically over the timescale concerned.

However, two things are clear: that very large investments will be required in low-carbon technologies and infrastructure; and that current levels of such investment are much too low.

There are estimates of the required order of magnitude of such investments. The Green Finance Task Force has totalled the Committee on Climate Change’s estimates of the necessary investments in infrastructure to meet the fifth carbon budget (spanning 2028-32) as being approximately 1% of GDP (£22 billion) per year, of which public investment would be about £2.2 billion. Much of this would be a redirection of, rather than additional, investment. It includes investments in: electricity generation (renewables, nuclear and carbon capture and storage), transmission and distribution networks, and smart grids, including storage; heat delivery (electric heat pumps, district heating networks or possibly hydrogen-fuelled boilers) to energy-efficient buildings; electric vehicles, using batteries or hydrogen fuel cells, with the associated recharging and refuelling infrastructure, and active and public transport infrastructure; and carbon capture and storage (CCS).”.

42. If we were to scale this to Bristol, which is 0.7% of the UK population, we could estimate that some £154m per year needs to be invested in or on behalf of Bristol citizens and businesses to achieve the existing UK 2032 target. The 2032 target is roughly equivalent to Figure 5 Target 2050 Scenario and is approximately halving our emissions. The Committee suggested that approximately 10% of the investment needed to be from public funds.
43. In 2015 the University of Bristol and University of Leeds undertook an analysis of the economics of creating a low carbon Bristol and achieving the city’s previous targets. This concluded that there were substantial cost-effective measures which would reduce emissions and generate financial savings. They estimated that there was £2.8Bn of good investments opportunities, which would equate to £280m per year. The UoB report assessed the jobs that would be created from this scale of investment and concluded that this would create approximately 12,000 jobs.
44. The UoB report also identified that many of these investments would pay for themselves in few years and go on to generate savings or profits. They estimated that they would cut the energy bills of Bristol households and business by 35% saving over £300m per year.
45. So we can conclude that substantial redirection of investment is needed to be able to achieve the transition to a carbon neutral city. But if we are able to do that we can create sound

financial returns and create jobs for local people.

5.5 *Taking action now*

46. The baseline scenarios in Figure 8 and Figure 9 show that achieving zero carbon emissions from direct emissions will require very significant additional action. The scale of the changes required in the higher scenario are significant and include:
- Energy efficiency retrofitting to 7,000 homes every year, which is a substantial increase from the hundreds currently being improved for energy efficiency
 - 50% of commercial and public buildings having energy efficiency measures installed in the next decade
 - 50,000 electric vehicles in the city, compared to a few hundred today
 - A 200% increase in the renewable electricity generated in the city
 - All new buildings approved after 2020 being Zero Carbon in line with the proposed Local Plan Policy.
47. Clearly this scale of action and acceleration is not within the current capability of the city council and will require significant action by national government. **The Mayor will continue to work closely with other major cities in the UK.** Within the Core Cities group of UK cities he holds the portfolio for climate change and is ensuring that the cities share knowledge, collaborate and use their combined voice **to call on Government to create the right conditions for cities, businesses and citizens to act.** Bristol will also join the Place Based Climate Action Network including Leeds, Belfast and Edinburgh to share best practice in managing climate change at a city level.
48. Within the constraints the Mayor has developed an ambitious programme to help make Bristol a Carbon Neutral and Resilient City.
49. **The Mayor and Councillor Kye Dudd, Cabinet Member for Transport and Energy, have already initiated the largest council led energy investment programme in the UK – the City Leap Energy Partnership.** This will procure Strategic Partner(s) to help the City Council accelerate Bristol’s transition to a decentralised low carbon energy system whilst delivering social, environmental and economic benefits for the people of Bristol.
50. This pioneering partnership is expected to bring £800m to £1000m of investment into low carbon energy projects such as district heating, renewable energy, smart energy, electric vehicles and energy efficiency refurbishments into the city, rapidly accelerating the city’s progress. This partnership will be a central part of BCC’s action to deliver a future climate strategy for Bristol but much more will also need to be achieved in other areas of the council and the city economy.

5.5.1 *Creating low carbon jobs and businesses*

51. The transition to a carbon neutral economy will be a big challenge for our businesses but an even bigger opportunity. The UK Committee on Climate Change has set out the opportunities that this creates for the UK economy as a whole and notes that the low carbon sector is growing much more quickly than the wider economy. This is especially true in Bristol which has a large low carbon sector. Independent analysis by the University of Bristol in 2015 identified that reducing our emissions by 40% would generate 12,000 jobs in the city.
52. As part of the development of the Climate Strategy for Bristol we will assess in more detail the job creation potential of achieving carbon neutrality and resilience and how we ensure that everyone in the city can benefit from these opportunities, ensuring that we have a just transition.
53. **The Mayor will:**
- **Continue with the City Leap Project** to attract £1bn of investment in the City’s energy system and contribute to creating new jobs in the city, insulating homes, installing new renewable energy and much more.
 - **Work with Business West and the Economy Board** to help businesses to develop in low carbon business models and to secure investment to enable them to reduce their own carbon footprints and build climate resilience.
 - **Work with the West of England Combined Authority** and neighbouring councils to align the existing funding we have for employment training and skills to ensure that we enable everyone to benefit from the opportunities this creates.
 - **Work with Bristol Energy Co-operative and others** as part of the City Leap Partnership to investigate options to enable more local people to invest in carbon neutrality solutions through mechanisms such as Green Bonds. (CPWG suggestions)
 - **Ask Government to create a Create a Sustainable Energy Investment Fund** which cities and local authorities can use to stimulate investment by the private sector and communities, ensuring that good projects can be delivered more quickly.
 - **Ask Government to rapidly review the impacts** which achieving net-zero will have across society and put in place effective measures to ensure that we have a fair transition to a net-zero country

5.5.2 *Efficient and affordable homes*

54. Bristolians spend nearly £300,000,000 on energy for their homes. Not only does this result in millions of pounds leaving our economy, and leave many households in fuel poverty, it also leads to about 40% of the direct carbon emissions of the city.
55. Over the past decade there has been a large reduction in the emissions from the use of electricity – partly because of improved efficiency but mainly because of renewable sources of

energy, such as wind and solar, replacing coal and gas in the energy system. There has also been a 25% reduction in gas use due to improved energy efficiency of homes.

56. We need to accelerate the improvement in energy efficiency and generate heat from low and zero carbon sources. Therefore the **Mayor will**:
- **Continue with home energy efficiency projects** in council owned homes and private homes, this includes: Warm Up Bristol and REPLICATE Projects providing subsidised energy efficiency refurbishment to homes, the Wessex Loan fund providing low or zero interest rate loans for energy efficiency, and grants for private sector landlords.
 - **Scale up the home energy efficiency programme** through the City Leap Energy Partnership delivering energy efficiency measures to inefficient homes, particular those of people living in fuel poverty. (Cllr XPWG suggestion 48 and 49).
 - **Call on Government to put this in place a comprehensive national building refurbishment programme** for homes; eliminating fuel poverty, improving comfort and reducing costs.
57. In addition we need to see much more renewable energy used in homes and most of this will be achieved by solar panels. Thousands of solar panels have been installed on homes in Bristol, our assessment is that there could be many more. Unfortunately the Government has changed the finance system for solar panels and this has severely reduced the rate of installations nationally. The Mayor will:
- **Continue with the REPLICATE project** which is testing smart energy systems in homes to maximise the opportunity and value of solar panels.
 - **Run a small trial in BCC social housing this year with Bristol Energy** to better understand the financial business case for solar panels following the Government cuts to the feed-in-tariff which paid for solar electricity generation.
 - **Aim to install solar panels on 10,000 council owned homes** through the City Leap Energy Partnership. (CPWG suggestion).
 - **Call on the Government to put in place an effective financial regime** to enable the UK to fully exploit the solar resource we have in cities, utilising the “unused” roof space.
58. Bristol is a rapidly growing city and we expect that 20,000 new homes will be built in the city by 2030. Some of these already have planning permission and thanks to our existing planning policies the homes have lower carbon footprints than national standards require. But we need to ensure that new homes are as close to Zero-Carbon as soon as possible and therefore the Council has already proposed that all new development (including homes) are zero carbon and has recently concluded a consultation on this policy as part of the Local Plan review.

59. The Mayor will:

- **Ensure that all new homes built by the City Council directly or through grant funding** of registered providers of affordable homes meet current planning policy to reduce carbon emissions by 20% through the provision of on-site renewable energy generation and meet the more ambitious future planning policy (see below). (CPWG suggestion)
- **Demonstrate innovative technology in new developments** such as heat pumps which extract heat from the boreholes in the Alderman Moores site enabling the homes to have low carbon, affordable heating. (CPWG suggestion)
- **Provide additional grants of up to £10,000 per home for non-profit making housing** organisations to provide sustainable energy systems for their homes.
- **Carefully consider the responses to the Local Plan** and to propose Local Plan policies which take us towards zero carbon development as quickly as possible. (CPWG suggestion)
- **Call on the Government to set net-zero standards for all New Development** in the UK from 2025. (CPWG suggestion)

60. As well as the energy used by homes when occupied, we need to consider the materials that they are made of (as part of our indirect emissions) and whether they are able to adapt to a changing climate. The proposed Local Plan policy CCS3, on adaptation to a changing climate promotes green/blue infrastructure, green or living roofs and other measures to prevent overheating, flooding and conservation of water supplies. **The Mayor will ensure that the consultation responses are carefully considered and that the emerging local plan adequately addresses these issues.** (CPWG suggestion)

5.5.3 Clean and Sustainable Travel

- 61.** Vehicles on the roads of Bristol drive 1.5 billion miles per year and generate 30% of the city’s direct emissions of CO₂ as well as the majority of the gases and particles which cause local air pollution. Unfortunately after a few years of improvement CO₂ emissions are now rising as the miles driven in the city grows faster than the fuel efficiency of vehicles. Transport infrastructure is also vulnerable to disruption and damage from extreme weather events, whilst also presenting opportunities for building localised and city-level adaptation through blue-green infrastructure.
- 62.** To achieve carbon neutrality and improve air quality we need to reduce the miles driven by private cars, lorries and vans in the city by enabling more people to travel more often by walking, cycling and public transport. Where powered transport is needed we need to rapidly switch these to electric or other power generated from renewable sources, ensuring that there is sufficient infrastructure to provide the power.
- 63.** **The Mayor has developed the Bristol Transport Strategy.** Through the public consultation process there was substantial support the strategies goals and it was adopted at Cabinet in July 2019. This Strategy addresses many of the suggestions made by the Cross Party Working Group.
- 64.** In addition, in June 2019 the Mayor brought forward proposals to improve air quality in the city

and these are being consulted upon at present.

65. In addition, the Mayor will continue to progress towards a bus deal, with improved bus prioritisation and park and rides, and a mass transit system.

5.5.4 Generating clean, renewable energy in the city

66. The UK’s plans to reduce carbon emissions have relied heavily on ensuring that we generate our electricity and heat from low or zero carbon sources instead of the coal and gas currently used. Good progress is being made nationally and Bristol is able to benefit from this by ensuring that we maximise our renewable energy resources. The City Council, Bristol Port and Wessex Water have all developed wind turbines at Avonmouth and these are contributing to the city’s needs. Combined with Solar and biogas the city generates about 7% of its electricity needs.
67. Initial studies suggest that this local renewable electricity could be doubled or trebled. Clearly, however, Bristol will need to rely on surrounding areas and the wider UK energy supply system to generate its clean, renewable electricity.
68. Whilst we want buildings to be as energy efficient as possible we will still need to provide low and zero carbon heat for homes and businesses. In central areas of the city the Council is already operating and developing district heating networks where heat is supplied to buildings from central generating systems – akin to a central heating system for the city. The council is providing heat from gas and biomass and is developing a project to take heat from the water in the harbour. There is a potential to link district heating to industrial plants and waste incinerators in Avonmouth.
69. The Mayor will:
- **Continue developing the City Leap Energy Partnership** to develop district heating and to exploit the renewable energy sources in the city, ensuring that we get local benefit from these resources.
 - **Continue exploring a wide range of technologies**, for example the Council is currently undertaking a feasibility study of heat from the earth, extracted from old mine workings in the Bedminster and Easton areas of the city. (XPWG 26 and 31)
 - **Work with local community energy co-operatives** and similar groups to enable local people to invest in renewable energy in the city and beyond.
 - **Call on Government to create a Sustainable Energy Investment Fund** which cities and local authorities can use to stimulate investment by the private sector and communities, ensuring that good projects can be delivered more quickly.
 - **Call on Government to urgently provide long term certainty about incentives for low and zero carbon projects**, many of which are currently due to end in 18 months’ time. Currently this uncertainty is leading to the cancelling and weakening of good projects.
 - **Call on Government to change the tax system to favour low and zero carbon solutions**, and avoiding perverse disincentives such as the increase in business rates if you install solar panels.

5.5.5 Reducing the carbon footprint of our consumption

70. The information in **Table 1** shows that the indirect emissions from materials we consume as a city are greater than the direct emissions. Our influence over these emissions is also indirect.
71. The Mayor and council are helping the city to reduce the impact of the city, for example by:
- Improving recycling and collecting waste materials which reduces the mining, processing and transporting of new materials – for example, making recycled Aluminium produces less than 10% of the carbon emissions produced when making aluminium from new materials.⁸
 - Building a new household waste and recycling centre in South Bristol.
 - Working with partners to create a more sustainable food system in the city through the Going for Gold project, encouraging local production and reducing food waste.
72. As part of developing the Climate Strategy for Bristol we will explore the consumption emissions of the city in more detail and develop specific actions to address them.

5.6 Taking action through all Council services and companies

73. Increasingly the City Council is using council owned companies to achieve its objectives, currently Bristol Waste, Bristol Energy, Bristol is Open and Goram Homes. They are already helping to reduce carbon emissions, for example, Bristol Energy already supplies 75% of its electricity from renewable sources, and nearly half of this is generated locally. With the adoption of carbon neutrality by 2030 as a goal of the city council, the **Mayor has asked that all the companies consider how they can contribute to this goal as they update their business plans and ensure that Climate resilience is built into their forward plans.**

5.7 Inter City collaboration and innovation

74. The motion called upon the Mayor to *Work with other governments (both within the UK and internationally) to determine and implement best practice methods to limit Global Warming to less than 1.5°C;*
75. Already the West of England has reduced emissions faster than the national average and the strategic approach enabled by the combined authority gives us an opportunity to boost the regional economy by accelerating our progress towards carbon neutrality. **The Mayor will work closely with the West of England Combined Authority and our neighbouring local authorities to ensure that the Joint Spatial Plan, Joint Transport Plan and investment in skills fully contribute to decarbonising the region and building resilience.** (XPWG Suggestion 80)
76. Through the Carbon Disclosure Project and the international network for sustainability, ICLEI, **the Mayor will ensure that we learn from the good practice in other countries** and share our

⁸ https://www.carbontrust.com/media/38366/ctc790-international-carbon-flows_-aluminium.pdf

experience and successes as we did when we were European Green Capital in 2015. (XPWG Suggestion 81)

77. As well as learning from others, Bristol is blessed with many innovative people and businesses as well as the universities, colleges and schools. **The Mayor will encourage a culture of innovation and new ideas, applying these in the city council where possible.**

Full Council

16 July 2019



Report of: Head of Paid Service

Title: Update on External Auditor recommendations relating to senior executive remuneration

Ward: Citywide

Member Presenting Report: N/A

Recommendation

That Full Council notes the actions taken to implement the recommendations of the Council's External Auditors, BDO, relating to senior executive remuneration.

Summary

This report provides an update on the actions taken to implement the recommendations from the Council's External Auditors, BDO, which were considered by Full Council on 19 March 2019.

The significant issues in the report are:

This report confirms that the recommendations from the Council's External Auditors, BDO have been implemented. It updates Full Council on the actions that have been taken since the Full Council meeting on 19 March 2019 and summarises the observations and input received in respect of those recommendations from the Audit and HR Committees.



Policy

1. This report provides an update on the actions taken to implement the recommendations from the Council's External Auditors, BDO, which were accepted by Full Council on 19 March 2019.

Consultation

2. **Internal**
The observations and input of the Audit Committee on 26 March 2019 and the HR Committee on 9 May 2019.
3. **External**
The Council has implemented the recommendations of the External Auditor.

Context

4. At its meeting on 19 March 2019, Full Council considered a report from the external auditors BDO and an action plan to address BDO's recommendations. Full Council resolved as follows:
 - i) Full Council accepts the recommendations from the Council's external auditors, BDO;
 - ii) Full Council approves the action plan in response to the recommendations from the Council's external auditors, BDO; and
 - iii) Full Council requests that the Head of Paid Service provides a written update to be debated at the next Ordinary Meeting of Full Council after Annual Council having first been considered by the Council's Audit and HR Committees with their input provided as part of the written update.
5. This report confirms that the recommendations from the Council's External Auditors, BDO have been implemented. It updates Full Council on the actions that have been taken since the Full Council meeting on 19 March 2019 and summarises the observations and input received in respect of those recommendations from the Audit and HR Committees.

Proposal

6. The report to Full Council on 19 March 2019 identified 4 recommendations (3 statutory) from the External Auditors, BDO, together with an action plan to deal with each of those recommendations. The detail of those recommendations, as well as the action plan to address the recommendations, is set out in Appendix 1 of this report.
7. The recommendations from the External Auditor were reported to and debated at the Audit Committee on 26 March 2019 and comment provided for the Head of Paid Service to consider.
8. At its meeting on 9 May 2019, the HR Committee also considered and debated the recommendations from the External Auditors and provided comment for the Head of Paid Service to consider. The HR Committee considered the specific actions to implement the recommendations from the External Auditors. These were the amendment to the Council's Pay Policy Statement as well as revised terms of reference for the HR Committee. These changes

addressed the recommendations in the External Auditor’s report and were subsequently approved by Full Council at its annual meeting on 21 May 2019.

9. In preparing this report, the comments and observations from the Audit Committee and the HR Committee have been considered and the principal matters that have been raised are addressed below.
10. The Audit Committee agreed four specific observations as follows:
 - i) Should similar circumstances take place again officers involved would be subject to disciplinary action and Members/Mayor involved would be subject to a referral to the Monitoring Officer under the Member Complaints process;
 - ii) All decision making in relation to the employment of senior officers to have a proper documented trail for audit purposes;
 - iii) Internal Audit to carry out inspections of future decision making for assurances that processes were being followed and report back to the Audit Committee; and
 - iv) A timeline for implementation of recommendations be drafted.
11. These are important points relating to conduct, decision-making and transparency. Maintaining high standards of conduct is vital to maintaining the reputation of the Council. It is important that the Council is accountable for payments that it makes and that there is appropriate oversight and transparency of such payments through the Audit Committee.
12. The HR Committee made a number of observations which can be summarised as follows:
 - i) The External Auditors had not considered all of the matters that the Audit Committee had raised;
 - ii) The audit trail and documentation relating to decision-making should be improved;
 - iii) The control of documents (version control, draft documents) needs to be improved;
 - iv) The legal service should have greater oversight of any future arrangements, including the commissioning of external legal advice; and
 - v) A request for further investigation by the External Auditors.
13. The scope of the review focused on four key areas, final payment arrangements, recruitment processes, probation arrangements and performance management arrangements. The recommendations made by the External Auditors relate only to those matters that were still considered to be of concern arising from their audit of the 2017/18 Annual Accounts and those were reported to Full Council on 19 March 2019. Whilst other matters may have been raised, to which a full public response was not provided, we are assured that the review undertaken was comprehensive and there is no further scope for the External Auditors to review those matters further.

- 14.** The control of and documentation of decision-making is an important part of the Council’s internal processes and appropriate document management and storage is essential to maintain good governance, ensure a clear audit trail and to enable the provision of accurate advice by internal, and where appropriate, external legal advisers.

Observations of the Head of Paid Service

- 15.** With regard to matters raised by the Audit and HR Committees and addressed in the preceding paragraphs, the following points should be noted by Full Council.

i) The Council now has in place clear and robust arrangements for the approval of severance payments to senior officers and full details have now been incorporated into the Council’s Pay Policy Statement, as approved by Full Council at its annual meeting.

ii) The HR Committee’s role in relation to senior executive severance payments is very clearly defined and revised terms of reference were approved by Full Council at its annual meeting for and the Audit Committee will be able to obtain assurance that appropriate procedures have been followed.

iii) Democratic oversight of severance arrangements will need to be based on accurate information and procedures around record management will be strengthened to ensure that the committees are provided with accurate and complete information to inform decision-making.

iv) The legal service has put in place procedures to ensure appropriate oversight of legal instructions and in particular the commissioning of external legal advice.

v) The format of the Council’s statement of accounts includes explanations about severance payments for senior officers. The details contained within the report to the HR Committee will inform the final treatment in the accounts. The total amount of any compensation for loss of office’ paid to senior staff in connection with the ending of their employment will be set out in the notes and any discretionary payments made as part of the payment will be separately outlined.

vi) The Council must comply with its duties and obligations as an employer in line with employment law and practice. The Council has in place procedures to deal with disciplinary matters relating to staff, as set out in the Officer Employment Procedure Rules and the Council’s HR policies, which will be followed where disciplinary action is being contemplated in relation to any officer.

vii) The Monitoring Officer oversees procedures relating to complaints against Members of the Council.

Risk Assessment

- 16.** There are no specific risks arising from this report.

Public Sector Equality Duties

- 17a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
 - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
 - iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
 - tackle prejudice; and
 - promote understanding.
- 17b) There are no specific equalities implications arising from this Report.

Legal and Resource Implications

Legal

The matters raised in this report address the recommendations of the Council's External Auditors. This report confirms that those recommendations have been implemented in accordance with the Action Plan approved by Full Council on 19 March 2019.

Legal advice provided by Tim O’Gara, Director: Legal and Democratic Services

Financial

(a) Revenue

The financial disclosure notes which form the Options Appraisals in the report to the HR Committee will be prepared in line with the requirements of the Accounts and Audit Regulations 2015 and as such the extract from this report will seamlessly flow to the Statement of Accounts.

(b) Capital

N/A

Financial advice provided by Denise Murray: Director of Finance.

Land

Not applicable

Personnel

The senior executive severance payments arrangements apply to Executive Directors and Directors (the Head of Paid Service and JNC Chief and Deputy Chief Officers).

Personnel advice provided by Mark Williams: Head of Human Resources – 14 June 2019

Appendices:

External Auditors recommendations and action plan – Full Council 19 March 2019

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

None

Full Council



Report of: Ann James – Director for Children and Families Services, People Directorate

Title: Corporate Parenting Panel Annual Report 2018

Ward: Citywide

Member Presenting Report: Councillor Helen Godwin, Cabinet Member for Women, Children and Young People, and Lead Member for Children and Families Services. Chair of the Corporate Parenting Panel.

Recommendation

That Council

1. Note the progress, summarised in the annual report at Appendix A, on the delivery of Bristol's Corporate Parenting Strategy overseen by the Corporate Parenting Panel.
2. Agree the Priorities for 2019

Summary

In July 2018 Bristol launched a refreshed Corporate Parenting Strategy and Pledge to Children in Care and Care Leavers. Informed by children and young people, it sets out an ambitious agenda for achieving our aspiration to be an excellent corporate parent and to engage the city in being the best extended family to children and young people in and leaving care.

The Corporate Parenting Strategy identified 7 priority areas of work required to deliver on our vision for children in care and care leavers. This annual report outlines progress being made against these and includes examples of steps being taken to ensure continued improvement.

This work is overseen by the Corporate Parenting Panel which is chaired by Councillor Helen Godwin, Cabinet Member for Women, Children and Young People, and Lead Member for Children and Families Services and comprises of councillors, senior council officers and partner agencies.



Policy

The Corporate Parenting Strategy is supported by the Council's overarching Corporate Strategy 2018-23, in particular, the 'Wellbeing' and 'Empowering and Caring' themes and the key commitment to be 'great corporate parents and safeguard children and vulnerable adults, protecting them from exploitation or harm'.

Consultation

The Strategy was consulted on when it was developed in 2018. The report includes examples of ongoing involvement of children and young people in our work.

Wider consultation is not relevant for the Corporate Parenting Annual Report.

Context

In July 2018 Bristol launched a refreshed Corporate Parenting Strategy and Pledge to Children in Care and Care Leavers. Informed by children and young people, it sets out an ambitious agenda for achieving our aspiration to be an excellent corporate parent and to engage the city in being the best extended family to children and young people in and leaving care.

Corporate Parenting Strategy vision:

Bristol is committed to being an effective, caring, and ambitious corporate parent. Children and young people are at the heart of everything we do. We will do everything we can to make sure that children in our care and care leavers are set up for life.

We will care about children in care and care leavers and not just for them and will ensure the same standard of care as any good parent. This means we have high aspirations for our children and will be strong advocates for them. We will do everything we can to equip the children and young people in our care and care leavers with the skills needed to live a fulfilling, successful, and rewarding life.

The Strengthening Families programme has also been driving significant system-wide transformation of children's services in Bristol. The Programme was intended to make cost savings whilst holding our ambition of improving outcomes, commissioning and delivering quality services, and keeping children and families at the heart of what we do. The aims of the programme have been closely linked to our Corporate Parenting Strategy objectives.

The Corporate Parenting Strategy identified 7 priority areas of work required to deliver on our vision for children in care and care leavers. This report outlines progress being made against these and includes examples of steps being taken to ensure continued improvement.

Governance

The Corporate Parenting panel has been appointed by Full Council to oversee and scrutinise how the Council is discharging its Corporate Parenting duties and reports back to Full Council.

The Terms of Reference of the People Scrutiny Commission include Scrutiny of corporate plans and other major plan priorities within its remit and works collaboratively with the Panel to do this and also with the Executive Director of the People Directorate.

The Corporate Parenting Panel works closely with other strategic partnerships in the city to deliver good outcomes for children in care and care leavers. Local partnership arrangements for safeguarding and community safety have been undergoing transformation work in the past year. Soon, work previously covered by both Safeguarding Boards (Children's and Adult's), our Community Safety Partnership (Safer Bristol) and the Children and Families Partnership Board will be encompassed delivered by the Keeping Bristol Safe Partnership (KBSP) Board. The Police, Clinical Commissioning Group and Bristol City Council have statutory duties to deliver and are joint and equal partners in these arrangements.

In addition to the three partners the KBSP has representation from a number of other key organisations including from education and voluntary sectors. The Local Arrangements for Bristol will be published in July 2019.

Proposal

1. That Council note the progress, summarised in the annual report at Appendix A, on the delivery of Bristol's Corporate Parenting Strategy overseen by the Corporate Parenting Panel.
2. Agree the Corporate Parenting Panel Priorities 2019 as follows:

Corporate Parenting Strategic Priority	Within 12 months Corporate Parenting Panel will have	Outcome
Children are supported to live safely within their families or with people who know them best. When this is not possible, children move to a permanent family or care placement without delay.	Initiated a project to support children in our care and care leavers to build life-long links with family and friends	Tackle isolation and loneliness and support emotional health and well-being (our young people have asked us to make this our top priority) Our goal is to enable young people to live successful, happy home and family lives.
Children and young people tell us what's important to them and this influences what we do and the way we design and develop our services.	Built on the success of Corporate Parenting twilight sessions with young people we will: - take steps to widen participation - ensure children and young people set the agenda and are supported to hold us to account	Young people's voices shape our services, get to know us and build trusted, confident relationships with their corporate parents
Being in care is an enriching experience that equips children for a successful life.	Corporate Parenting Panel will track and champion all our year 10-11s, ensuring they each have opportunities for work experience, mentoring and access to high quality education, training and apprenticeships.	All our young people are enabled to achieve their potential.
Being in care is an enriching experience that equips children for a successful life.	Delivered a shared event between corporate parenting panel and the HOPE Governors to set out how we will achieve our shared goals and aspirations for young people and demolishes reference to 'minimum standards'	Young people are supported to succeed and reach their full academic potential.
Deliver good quality care placements and move on accommodation for care leavers locally.	Promoted fostering in our communities and through the media. Our foster carers will know they are the city's VIPs.	Bristol is the fostering agency of choice locally. Our children have a choice of excellent fostering families that reflects the diversity and vibrancy of the city in which we live.

Other Options Considered

Not applicable

Risk Assessment

Not applicable

Public Sector Equality Duties

- 8a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
 - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
 - iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
 - tackle prejudice; and
 - promote understanding.
- 8b) An Equality Impact Assessment (EQIA) was undertaken on the Corporate Parenting Strategy in 2018. The Strategy and Action Plan include a broad range of work including distinct projects and commissioning processes. Whenever relevant an EQIA is undertaken on these proposals and mitigating or proactive actions are taken in response to findings.

Legal and Resource Implications

Legal

The report sets out how the Council is meeting the Statutory requirement under S1 of the Children and Social Work act 2017 and associated statutory guidance in relation to looked after children and care leavers, to have regard to the Corporate parenting principles set out in that act:-

- (a) to act in the best interests, and promote the physical and mental health and well-being, of those children and young people;
- (b) to encourage those children and young people to express their views, wishes and feelings;

- (c) to take into account the views, wishes and feelings of those children and young people;
- (d) to help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners;
- (e) to promote high aspirations, and seek to secure the best outcomes, for those children and young people;
- (f) for those children and young people to be safe, and for stability in their home lives, relationships and education or work;
- (g) to prepare those children and young people for adulthood and independent living.

The report also outlines how the Council is complying with other statutory duties in relation to children in care and care leavers including provision of sufficient local placements (Sufficiency Duty, Children Act 1989), and the requirement to publish a local offer to care leavers (Children and Social Work Act 2017)

Nancy Rollason

Head of Legal Services

3rd July 2019

Financial

(a) Revenue

The recommendations within this report would be implemented within resources available to the Children and Families Service. The Corporate Parenting Panel has had regular updates during the year on the financial context of the service changes arising from the Strengthening Families programme. In both 2017/18 and 2018/19, the Children and Families Division operated within their budget provision.

(b) Capital

No financial implications noted.

David Tully, Finance Business Partner People.

Land

Not applicable

Personnel

Not applicable

Appendices:

Corporate Parenting Panel Annual Report 2018

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

Bristol's Corporate Parenting Strategy and Pledge to Children in Care and Care Leavers is accessible here:


<https://www.bristol.gov.uk/policies-plans-strategies/plans-and-policy-for-children-in-or-leaving-care>

Bristol City Council Corporate Parenting Report 2018



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CHILDREN IN CARE & CARE LEAVERS

BRISTOL CORPORATE

PARENTING STRATEGY

1. Introduction

In July 2018 Bristol launched a refreshed Corporate Parenting Strategy and Pledge to Children in Care and Care Leavers. Informed by children and young people, it sets out an ambitious agenda for achieving our aspiration to be an excellent corporate parent and to engage the city in being the best extended family to children and young people in and leaving care.

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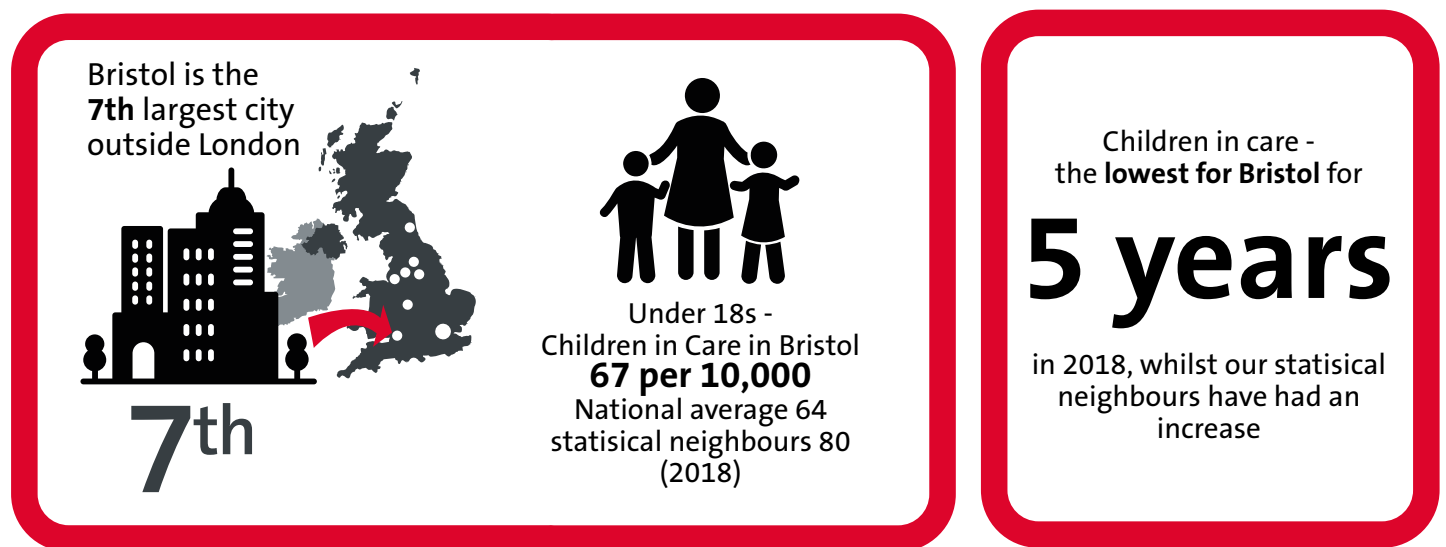
We will care about children in care and care leavers and not just for them and will ensure the same standard of care as any good parent. This means we have high aspirations for our children and will be strong advocates for them.

We will do everything we can to equip the children and young people in our care and care leavers with the skills needed to live a fulfilling, successful, and rewarding life.

The Strengthening Families programme has also been driving significant system-wide transformation of children's services in Bristol. The Programme was intended to make cost savings whilst holding our ambition of improving outcomes, commissioning and delivering quality services, and keeping children and families at the heart of what we do. The aims of the programme have been closely linked to our Corporate Parenting Strategy objectives.

The Corporate Parenting Strategy identified 7 priority areas of work required to deliver on our vision for children in care and care leavers. This report outlines progress being made against these and includes examples of steps being taken to ensure continued improvement.

2. Summary Data Profile: Children in Care and Care Leavers in Bristol¹



68% of children in care in Bristol are aged 10 or above, compared with 62% for England and statistical neighbours.

There has been an increase of 1% in the number of children in care aged 10 to 15 but there is a 3% reduction in children aged 16 and over.

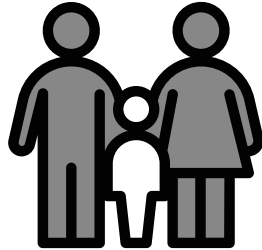
Bristol's children in care aged 1 to 4 is 8% (same as the last two years) compared with 13% for both England and statistical neighbours. Bristol has similar figures to England and statistical neighbours relating to children aged under one and children aged 5 to 9 and these figures have remained static.

The ratio of male to female children in care is now 55% to 45% and similar to England and statistical neighbours. An even gender split was present for five consecutive years prior to this.

The legal status of children in care in Bristol is similar to the England average with 72% having a Care Order or Interim Care Order (compared to 58% in 2017). 21% of Bristol's children in care are accommodated by voluntary agreement under S20 of the Children Act 1989 (this is compared with 28% in 2017), the England average is 19%. 7% of children are in care with a Placement Order, the same as the England average.

In 2014, 10 unaccompanied asylum seeking children (UASC) were cared for in Bristol making up 1% of the children in care population; in 2016 this had increased to 30, making up 4% of the children in care population. In 2018 Bristol had 43 UASC making up 7% of the children in care population, 1% higher than England and statistical neighbours.

A quarter of the children who ceased to be looked after returned home to live with parents or relatives, mostly as part of their care plan.



2%



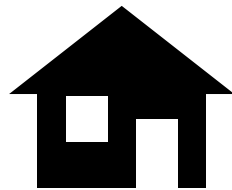
of children in care were subject to a caution or conviction during the 2018 (seven in total) reduced from 8% in 2017 - compared to 5% for England and statistical neighbours.

81% of children in care in Bristol live in a foster family compared to 74% nationally and 73% for statistical neighbours.



2% are placed with their parent compared to 6% average for England and 5% for statistical neighbours.

12% of children live in a children's home, residential school or semi-independent living, compared with 11% nationally (a decrease from 2017).

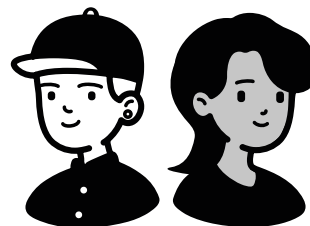


75% of Bristol's children in care live within 20 miles of their home address, similar to England and statistical neighbours.

Bristol is in touch with **98%** of care leavers aged 17 to 21. This is higher than statistical neighbours (90%) and the England average (93%).



55% of Bristol's 19 & 21 year olds are in education, employment or training, higher than statistical neighbours (47%) and England average (51%).



3. Overview of Progress Against Strategy Priorities:

Priority 1: Families receive the help they need when they need it - right response, right assessment, right help, right time.

In June 2016, the specialist long term services for children in care and care leavers remodelled into smaller 'through care' teams comprising of social workers, personal advisers, a support worker, administrator and practice lead. The new service is designed to support long term relationships with children and young people where all their support comes from the team to which they are allocated. This reduces handovers, better enables joint working and helps ensure that children and young people are in contact with people who they know and trust.

In 2018 the service grew from 7 teams to 8 and saw an increase from the original 21 social workers to 32 to support a reduction in caseloads and create space for more meaningful work with children. Similarly there has been an increase personal advisers and a reduction in their caseloads.

A new Exit from Care Team and the Edge of Care Services have also been embedded through the Strengthening Families Programme. This has been led by ensuring children who can be brought up in their own families have that opportunity. Both services have been successful and there is an evident reduction in the number of children in care.

Additionally we have had a commitment to ensuring that children who can live within their families are supported to do so, through reunification, appropriate court orders and kinship placements, and that early help options to prevent children entering the care system unnecessarily are used.

In September 2018 Bristol had ILACS Standard Inspection of children's social care services. Inspectors found:

When, after a prolonged period in care, the decision is made to reunite children with their birth families, the reunification process is carefully planned and well managed. Comprehensive parenting assessments help to ensure that such decisions are made safely and in the best interests of the child.



Contextual Safeguarding

Partners have made concerted efforts in 2018 /19 to strengthen our local response and prevention work in relation to contextual safeguarding and young people at risk of involvement in gangs and street conflict.

Bristol has been successful in securing a bid for Contextual Safeguarding Scale-Up with The University of Bedfordshire (<https://www.contextualsafeguarding.org.uk/scale-up/en>). This will provide helpful consultation and support over the next three years looking at approaches that Bristol can put into practice to safeguard children.

The term and thinking behind Contextual Safeguarding was developed by the University of Bedfordshire. Contextual Safeguarding is an approach to understanding and responding to young people's experiences of significant harm beyond their families. It recognises that the different relationships that young people form in their neighbourhoods, schools and online can feature violence and abuse. Parents and carers have little influence over these contexts, and young people's experiences of extra-familial abuse can undermine parent-child relationships.

Therefore children's social care practitioners need to engage with individuals and sectors who do have influence over/within extra-familial contexts, and recognise that assessment of, and intervention with, these spaces are a critical part of safeguarding practices. Contextual Safeguarding, therefore, expands the objectives of child protection systems in recognition that young people are vulnerable to abuse in a range of social contexts.

Bristol's Contextual Safeguarding Panel

The panel was created June 2018 and sits, on average, three monthly. The panel is designed to have oversight of the children open to Children's Services, including children in care, where there are concerns about the child being involved or at risk of:

- Going missing/absent from home or care
- Gangs or street conflict
- Sexual exploitation.
- Criminal exploitation
- Significant involvement in offending

The focus of the panel is to ensure that there is a consistent and clear process for managing risk through a shared multiagency planning for the child where there are worries. The primary aim of the panel is to share information and intelligence, ensure joined up working between the different areas of risk and to reflect and contribute to the child's existing plan. This panel does not replace risk management meetings but is a forum for discussing complex situations often where there is more than one child involved. This is achieved by:

- Having oversight of the risk management plan for a child referred to the panel.
- Holding oversight of networks and connections between children, young people and adults.
- Where there are links between children, they are discussed as a group at panel.

Bristol City Council and Avon and Somerset Police also hold monthly Gang Strategy meetings to discuss gang members and children at risk of being groomed into a gang. Bristol City Council also works with Barnardo's Against Sexual Exploitation (BASE) and attends fortnightly Topaz (police) intelligence meetings. Topaz Child Exploitation Team actively investigates allegations of CSE and CCE and supports the children and young people affected (Child Sexual Exploitation and Child Criminal Exploitation). In the past year, much has been done to better understand the prevalence of CSE across agencies and, through use of improved screening and predictive analysis, to better identify those most at risk.

Children in Care and the Youth Justice System

The Legal Aid Sentencing and Punishment of Offenders Act 2012 established that children remanded in custody should become looked after children. They previously would not necessarily have entered the care system.

A refreshed project group has been developing an action plan to reduce unnecessary criminalisation of children in care, using diversion and restorative approaches. It includes plans to map existing resources and identify gaps, roll out training in restorative approaches, developing a city-wide strategy including a new procedure for police call outs to children's homes and foster homes and establishing a review process for children in care who offend or regularly go missing, for example. This work has been informed by the [National Protocol on reducing unnecessary criminalisation of looked-after children and care leavers](#) and will help to create a consistent approach for children placed within Bristol and beyond.

There has been a significant reduction in cautions/convictions for children who have been in care for 12 months or more during 2018, dropping to 3.1% from 8% in 2017. This reflects the renewed multiagency approach to reducing criminalisation. This reduction in convictions is reflected in the numbers of children in care who received a custodial sentence: of the 16 children and young people who received a custodial sentence in 2018, 19% were children who had been looked after for 12 months or more, compared with 33% in 2017. Bristol's Youth Offending Team and the local partnership and governance arrangements were inspected by Her Majesty's Inspectorate of Probation in July 2018.

An overall rating of 'Requires improvement' was given. The inspection highlighted a committed and skilled workforce across the Youth Offending Team, who are working hard to delivering a high-quality service to support the desistance of children and young people from offending, address their safety and wellbeing needs, and protect others.

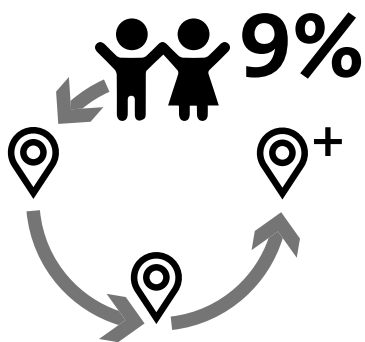
Reducing offending and the criminalisation of children in care remains a priority lead by our Reducing Offending of Children in care Practitioner. A multi-agency task and finish has been developing the Bristol local Protocol for Reducing Offending of Children in Care and Care leavers and this will be launched in 2019.

Priority 2: Children are supported to live safely within their families or with people who know them best. When this is not possible, children move to a permanent family or care placement without delay.

One of the most important factors in keeping children safe is the quality and stability of the relationships they hold with others; whether that's with a carer, social worker, personal adviser or with another trusted adult, relationships that last, and offer stability, matter. All children need a permanent family arrangement wherever possible, provided in a timely way. When children enter care we are focussed on determining the right plan for either their return home or their exit from care to a permanent family arrangement.

Having the same carers and a stable place to live throughout a child's time in care and until they are ready to leave are important indicators of future success. Three key performance measures help us to monitor how well we are doing in this regard:

1. The number of moves a child experiences¹: this year 9% of children had three or more placements, this is lower than the national and statistical neighbour figures.



2. The length of placement²: 74% of children in long term care lived with the same carers for at least two years, although this is a reduction on last year it remains above the comparators' averages.



3. The percentage of young people who are supported to continue to live with their foster carers beyond the age of 18 in Staying Put arrangements: there has been a reduction in the number of care leavers aged 19 and 20 continuing 'staying put' with their foster carers from 40% to 31%. This is less than its statistical neighbours (39%) but more than the England average (26%)



The number, range and quality of placements are important factors in enabling us to find the right placement at the right time and in the right area for a child. Bristol City Council commissions foster care, residential care and post-16 supported accommodation placements from a mixed market of internal and external providers. Such placements are costly and it is important that Bristol manages the market to ensure that placements are cost effective and of the highest quality. Effective commissioning will improve placement choice, reduce placement breakdown, support integration between children in care services, universal and specialist services and may reduce numbers of children coming into care whilst delivering value for money.

¹ NI62 PAF A1 measure: percentage of children who have experienced two or more moves in the previous twelve month period

² NI63 PAFD78 measure: The percentage of children looked after aged under 16 at year end who had been looked after continuously for at least 2.5 years who were living in the same placement for at least 2 years, or are placed for adoption and their adoptive placement together with their previous placement together last for at least 2 years.

The Sufficiency Duty, under Section 22G of The Children Act, requires the council to take steps to ensure, as far as practicable, we can provide children in care with homes that meet their needs, within the area. This involves making sure there is a sufficient range and number of providers capable of meeting the differing needs of our children in care. Bristol's Sufficiency Strategy for Placements for Children in Care and Care Leavers is currently being refreshed for 2019-2022 and is expected to be published later this year.

The Sufficiency Strategy will set out the needs of our children in care and care leavers and consider what is required by Bristol in order to deliver sufficient provision to provide the right placement, at the right time, in the right place. Data is being collected and analysed to help understand the local dynamics which affect sufficiency; and the ten most expensive placements have also been reviewed to provide further intelligence about local needs and requirements.

The regionalisation of adoption ³ – Adoption West

In line with Government policy, Bristol is one of six local authorities working together with voluntary aided adoption agencies to form a single adoption agency for the northern region of the South West that will be called 'Adoption West'. The five other local authorities are: South Gloucestershire, Bath and North East Somerset, North Somerset, Gloucester and Wiltshire and the voluntary adoption organisations and support agencies are CCS, Action for Children, Barnardo's, After Adoption, PAC and Adoption UK.

Adoption West is the first Adoption Service in the country to be established as a public company guaranteed by six local authorities. The work to establish the legal basis of the organisation, as

a corporate entity and an operational adoption service, which has a commissioning arrangement with all the authorities, has proven to be complex. However, the service now has a full Director's Board appointed and a permanent Service Director in post to lead the regional agency.

Independent Reviewing Service

Having a clear and accessible care plan or pathway plan, influenced by the child or young person's wishes and feelings is crucial to ensuring that individual needs are met and that leaving care happens at a time that's right for them.

All children in care have an allocated Independent Reviewing Officer (IRO) whose primary focus is to quality assure the care planning and review process for the child and to ensure that their wishes and feelings are given full consideration. The role is an important one as it should enable the local authority to achieve improved outcomes for children. An annual report is written by the IRO manager and presented at Corporate Parenting Panel.

The recent ILACS Inspection found:

'Children are actively encouraged to, and do, attend their reviews. Advocacy is used appropriately. The quality of reviews is good. Minutes are written directly to the child, giving the feeling of a personalised letter. These minutes acknowledge the child's wishes and explain in child-friendly language the outcomes and decisions of their review. The workloads of independent reviewing officers (IROs) are now manageable and the level of oversight of practice and challenge they provide has improved significantly since the last inspection.'

³ Regionalising Adoption. DfE. June 2015.
Adoption: A vision for change. DfE. March 2016.

Over 96% of children take part in their review in Bristol, contributing in a variety of ways, sometimes chairing their meeting with support from their IRO.

This year's annual report highlighted the following strengths:

- Increased oversight and monitoring between reviews.
- Information being provided to young people about their IRO before their first review.
- Regular feedback being sought from children, parents and carers.
- IRO manager meeting regularly with Head of Service and Service Manager for Through Care to maintain and develop positive working relationships.
- Children's participation in their reviews improved and by the end of the reporting period was above target at just over 96%.
- Evidence of challenge has improved as evidenced on young people's individual LCS record.
- There was also evidence of successful group challenge around life story work and unallocated cases.

The service also identified the following priorities for future work:

- Improve timeliness of reviews
- Ensuring every child has an up to date Care Plan before their review, written by social care and shared with the child.
- Ensure child has permanency plan by the second review.
- Promote high quality plans which include and are informed by the child's wishes and feelings and are based on an up to date assessment of their needs.
- Help ensure entitlements of Children in Care pledge are met and understood.
- Develop systems so the continuous learning from feedback for children is embedded in the IRO service.
- Ensure that life story work continues to develop and be offered to all children in care.
- Work with foster carers to create information for foster carers about the role of the IRO, the child's review and how they can support and prepare the child for their review.
- Jointly review the consultation forms

Priority 3: Children and young people tell us what's important to them and this influences what we do and the way we design and develop our services.

Listening and responding to the voice of children and young people is central to our Pledge and Corporate Parenting Strategy. Children and young people influence all aspects of their care plan and are supported to play a full and positive role in their community, the city and nationally.

Over the past year, the voice of children and young people in service development and delivery has been strengthened in the following ways:

- The Children in Care Council (CICC) meet regularly and have worked on a number of priority areas which they have presented to Councillors and senior managers at Corporate Parenting Panel. This year, the CICC completed art and a film projects to improve understanding and challenge stereotypes around body image and self-esteem. A launch event was held at City Hall, which the Mayor and other senior managers and Councillors attended. The children presented and discussed their work and the art is currently displayed in the foyer of City Hall.
- A CICC representative and Care Leavers' representative sit on Corporate Parenting Panel and have a standing agenda item allowing them dedicated space to raise and discuss their work and priorities. They hold their own meetings monthly and work on a chosen topic each year as well as producing the RVoice magazine. They engage with consultation activity and work on stakeholder projects.

Examples of work undertaken by the Children in Care Council (CICC) include:

- Working with the NHS and Barnardo's to pilot a mental health project allocating personal health care budgets to children in care and care leavers to improve their mental health.
- Working with The University of the West of England on a project to help student social workers engage and gain feedback from children in care.
- Delivering training to volunteers interested in becoming Independent Visitors.
- Working with the placements team to help train people interested in becoming foster carers.
- Attending Full Council in 2018 to re-launch the updated Pledge and the Councils Corporate Parenting Strategy. They spoke in front of both Mayors and all the elected councillors.
- Helping to organise the Children in Care Talent Contest.
- Meeting with Independent Reviewing Officers and team managers through the year and have been consulted on a range of issues, including improving children in care reviews.
- Taking part in two twilight Corporate Parenting Panel Meetings; one to work on Improving Outcomes for Care Leavers and the other on Improving Placements.
- Enabling some of the newest CICC members to meet with senior managers and the chair of Corporate Parenting Panel as an icebreaking event and to help the children choose their new work project topic for 2019.
- Working with Care Leavers United Bristol on a project to improve information for young people who are preparing to leave care.

Care Leavers United Bristol (CLUB) is a participation group for care leavers convened by Barnardos, which continues to be a success. The group have run a number of fun activities, offering different opportunities to different groups of young people. Barnardo's employs two care leavers within their service. Barnardo's works closely with the Through Care Service so that together care leavers can be fully aware of the support, opportunities and activities available and are supported to access these.

A focus this year has been on isolation and loneliness that care leavers highlighted as a worry for them. Following a bid Barnardo's CLUB have secured a DfE grant towards tackling isolation and loneliness with care leavers in Bristol.

Personal health care budgets 'you're in control, I'm in control' have helped a number of young people throughout the year. Young people have been able to express how their personal budget impacted their emotional health and the Corporate Parenting Panel saw a film made with some of these young people. The offer has been secured for another year with a hope that it will be ongoing.

Bristol City Council has two Care Leaver Ambassadors employed as apprentices in the 'family firm' to support work with their care leaver peers.

Priority 4: Being in care is an enriching experience that equips children for a successful life.

The work around equal access to 'learn, play and grow' for children in care has made a strong start in 2018 with some providers in the city offering free swimming and leisure activities and other offering free and discounted events for foster carers. In 2009 we will establish the Epic Card and the Epic Fund for additional support to help our children and young people make the most of the City and the rich experiences on offer

We celebrated our children's achievements at the EPIC awards ceremony attended by their peers, carers and included a special award from the Mayor. Children received awards across a range of different aspects of their lives including Education, Sports, Arts, Helping others and being a good brother or sister.

The Corporate Parenting Strategy included a commitment to bring forward proposals to alleviate the burden of council tax for care leavers. A Council Tax Discretionary Relief Policy was put in place by Bristol City Council, with effect from 1st April 2018. This grants up to 100% discretionary relief from council tax to support our care leavers from the age of 18 until their 25th birthday. This provides practical help and financial assistance to care leavers whilst they are developing their independence.

The Department of Work and Pensions (DWP) has worked closely with the Through Care Service to develop a protocol around Universal Credit which details arrangements to jointly support our young people who the perhaps don't have support around them to navigate the claims process and manage their finances.

Bristol's Local Offer to care leavers which includes the new duty to 25, has been published. This was developed with Care Leavers and a wide range of partners. It details care leaver's entitlements and the support and opportunities available to them. We continue to develop this offer with our children in care and care leavers.

The Through Care Service and Care Leavers United Bristol (CLUB) have delivered an annual programme of engagement events and activities including the talent show 'Our Kids Got Talent' event at the Colston Hall, summer and Christmas parties and a number of events in care leavers' week. In 2018 the care leavers' awards became the STARS awards (Strong Talented Awesome Rollercoaster Survivors) and was a glittering ceremony that celebrated the successes of our young people across a range of categories.

The Isolation and Loneliness campaign of the previous year has continued to be at the forefront and a second Butlins holiday was enjoyed by a group of young people who have just left care or were particularly vulnerable or without a network around them. It was the first holiday where young people formed lasting friendships and wanted to meet regularly for some food together. The Supper Club was organised for the first Tuesday of each month and grew in popularity over 2018 as a place where young people could meet, talk, get support if they needed it and have a meal together. The numbers grew from an initial 8 young people to 40 at the end of the year.



Priority 5: Deliver good quality care placements and move on accommodation for care leavers.

The recent ILACS inspection found that

'Assessments of prospective foster carers are thorough and comprehensive, and give a clear recommendation to the fostering panel. The fostering panel is effective and makes timely and appropriate recommendations.'

The inspection also found that

'Children seen during the inspection were living in appropriate placements that met their needs with evidence of improved outcomes. However, despite clear action planning to recruit foster carers to meet the specific needs of children in care and an on-going marketing programme, the local authority does not have enough foster carers to meet children's needs. Due to a lack of suitable placement choice, careful matching is not always possible when children first become looked after or when changing placements. As a result, some children live in bridging placements while a suitable match is sought.'

In order to offer children stability and the opportunity to maintain relationships with family and friends we need to be able to place the majority of children in well – matched foster families within twenty miles of their home postcode. Our strategy set out our ambition to proactively recruit foster carers who can accommodate specific children such as brothers and sisters and children with disabilities and older children.

The percentage of Bristol children in care in foster placements (including relative and friend placements) has remained around 81%. This is higher than the 2017/18 figures for England and statistical neighbours 73% and 74%.

Bristol has seen a reduction in the number of carers in its 'in house' provision from 240 to 229 (registered to care for 394 children). This is coupled by an aging foster carer population, a quarter of foster carers are aged 60 and above. There has been a reduction in Staying Put arrangements overall. The 'in house' provision has seen a reduction from 42 to 30 through 2017 and 2018. Not all of these places would be available for young children however, as 22 of the remaining Staying Put Arrangements are with foster carers coming to the end of their fostering career.

There has been a number of recruitment campaigns which have not seen the success of previous years. Appreciation of existing dedicated carers was celebrated with a summer ceilidh, an awards ceremony and a party to recognise birth children in foster families. Members of the Corporate Parenting Panel have supported all the activity and have helped value and promote fostering. The Panel's priorities for 2019 include a commitment to continue to support and raise awareness of the need for carers.



Bristol is ambitious, setting targets aimed at growing the foster carer population. Recruitment of foster carers this year has targeted carers for those children where demand is greatest. By building capacity the aim is to offer greater choice and therefore the best opportunity to match carers to children. Planned activity includes:

- An advert on Bristol TV covering six themes of fostering activities.
- Continued work with black and ethnic groups and faith communities in Bristol to encourage people to consider fostering. Direct work with community and faith leaders, production of specific leaflets for black and ethnic communities and meeting with the Somali Women’s group.
- Continued work with all community groups in an endeavour to reach a broad demographic particularly as we try to build capacity for children in the city and those seeking refuge upon arrival, this includes supported lodgings and mentoring.

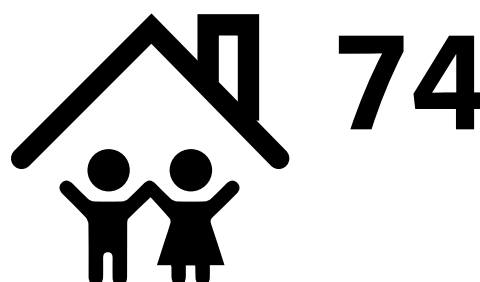
The fostering service focus for 2019 includes:

- A robust training offer for all foster carers with a bespoke offer for new carers
- Review of the support and supervision offer including more support groups and out of hours support
- Review of the financial offer to foster carers.
- Continued recruitment activity including partnership work with Homes for Good
- Continued support for Treatment Foster Care Oregon, which is demonstrating very positive outcomes for young people and foster carers are reporting that the programme has avoided placement breakdown.

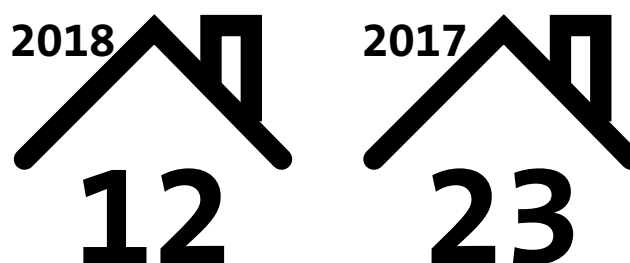
With 78% of children in care are aged ten and over it is important to focus on the positives of looking after older children and securing permanency.

Children’s homes and residential special school placements

At March 2018:



74 children and young people lived in a children’s home or residential special school.



12 children were living in Bristol’s children’s homes compared to 23 in 2017.



62 children were placed in independent children’s homes or residential special schools, often at distance.

With 78% of children in care are aged ten and over it is important to focus on the positives of looking after older children and securing permanency.

There has been an increase over the past two years in the number of children living in independent children's home and residential special schools; an increase also in the number of younger children. Such provision is generally specialist and often includes integrated education and therapy. Bristol's growing use reflects the growing complexity of the child in care population.

The re-profiling project of our own children's homes aims to keep children that need this type of resource closer to Bristol and is part of an improvement plan that builds upon a service that is now rated as GOOD by Ofsted. This will see smaller children's homes developed that will feel more like a small family rather than a big institution and will enable us to care for our most complex young people who are unable to live in a large group environment.

Short breaks for disabled children

In addition to full-time placements, Bristol also provides a range of short breaks for disabled children including short break fostering and residential care. From April to October 2018 Bristol had:

- 28 foster carers specifically approved as short break carers for disabled children.
- 32 children and young people received a regular fostering short break.
- 109 overnight sessions were delivered.
- 5 assessments were underway of people specifically for short breaks fostering

- 53 children and young people accessed a regular short break at one of Bristol's two residential short break homes

Adoption and achieving permanence

All children should grow up in a permanent, safe and loving home. Where this cannot be provided by a child's parents or wider family and friends (often through a Special Guardianship Order), adoption may be considered as a possible route to permanency.

Bristol's Adoption Service recruits, assesses and approves adopters with the aim of ensuring that every child who needs an adoptive family is found one. The adoption service provides on-going support for children and their adoptive families, including through applications made to the Adoption Support Fund. Support is available to children who have experienced a difficult early life and their adoptive family until the child is aged 21 (or 25 with an EHCP).

In addition to this, Bristol provides independent support to birth families and supports contact between birth families and adoptive families through provision of Letterbox⁴ and supervision of direct contact arrangements where this has been agreed.

Adopters and prospective adopters have spoken positively about their experiences of assessment and training in Bristol this year, and those being matched with children have reported that meetings with the adoption medical advisor were helpful, particularly where the adopted child had identified health needs.

⁴ Letterbox is a scheme that enables birth relatives and adoptive parents to stay in contact by exchanging letters and photographs.

Feedback from the Chair of Bristol's Adoption Panel has also been positive, commenting:

'The cases presented to the Panel by Bristol social workers have overall shown a high quality of assessment of adopters and evidence of thoughtful and timely intervention by Children's Services in order to protect children'.

The adoption services was praised in the recent ILACS Inspection of children's social care services. They found:

'When adoption is the plan for children, they receive an effective and timely service. Social workers carefully consider the individual needs of brothers and sisters. Children's permanence reports are thorough. Contact arrangements are thoughtful and well managed. Family-finding and matching are effective for these children who achieve permanence without delay. Foster-to-adopt is always considered in order to promote early attachments and avoid delay in children achieving permanence. Post-adoption support, including for special guardians, is effective in supporting children and their carers'.

The adoption activity from 01/04/17 to 31/3/18 is as follows:

- 32 children were approved for adoption
- 27 children were placed with adoptive families.
- 21 adoption orders were granted
- 19 adoptive families were approved as adopters
- The average time between a child entering care and moving in with their adoptive family was 455 days compared to a national average of 520

days, this placed Bristol in the top quarter out of 152 local authorities across the country in terms of timeliness.

- The average time between court authority to place a child with adopters and a match with an adoptive family being made was 184 days in Bristol compared to a national average of 220 days, placing Bristol in the top third of local authorities for this in terms of timeliness.
- Bristol placed 58% of children with their adoptive family within 14 months of the child entering care, compared to a national average of 53%.

Accommodation and support for care leavers

The Recent ILACS Inspection of children's social care services found:

'Services for care leavers have improved significantly since the last inspection, when the service was judged to be inadequate. Most care leavers experience continuity of support and have personal advisers who know them well. Professionals work together effectively to keep care leavers safe and reduce risk.'

Contact with care leavers increased significantly in Bristol last year and remains higher, at 98% than the national and statistical neighbours. 100% of care leavers have a pathway plan which is consistent and embedded practice. The quality of plans needs to improve; Ofsted found them to be too variable. Continuing to strive for high quality plans will be a focus for improvement work.

The 'Staying Close' DfE funded innovation project for care leavers leaving children's homes completed the first year of its two year programme. The Project is supporting 15 young people up to ten hours a week from the same staff member who worked with them when they lived in the children's home. A pod house has been installed into one of the children's home's garden; this allows a young person to 'stay close', receiving support from the residential team and getting a sense of living more independently.

An agreement has been reached with a housing association in Bristol, seeing them making direct offers to care leavers when they are ready, and with staying close support in place. Work is underway to create a protocol to offer young people a council house within 15 minutes' walk of the children's homes they are moving on from, as a direct offer. The project is now in phase two working with six local authorities to develop agreements for young people who have moved to a different authority that they are from. This work will lead to developing a South West Care Leaver Offer.

In Bristol there has been a concerted multiagency approach to preventing and reducing homelessness and addressing the need for emergency accommodation. The 'MAPS' service was put in place in November 2017 to work with all young people including care leavers at risk of homelessness and in need of emergency accommodation. Additionally protocols have been agreed to make clear the processes in place in relation to 'Eviction and the Approach for Young People Leaving Custody without Accommodation' that has been agreed by the multi-agency group.

Services for Care Leavers who were Unaccompanied Asylum Seeking Children (UASC) will be enhanced by the UASC improvement grant that will seek to fund improvement in training, placement and housing options and service co-ordination across the sector. In addition we will be working in partnership with Refugee Rights on the Paul Hamlyn Funded Project; a two year grant with the aim of providing specific support to young people subject to immigration control in Bristol, who are either in care or leaving care, up to the age of 25.

This will include:

- One to one mentoring for young people
- Specialist immigration advice for young people
- Working with the local authority to develop improved practice on working with young people subject to immigration control
- Running the Young People's Forum
- Supporting young people to advocate for change
- Trauma session

The Recent Ofsted ILACS inspection found that

'unaccompanied asylum-seeking children are well supported, based on a clear assessment of their needs, and are placed in suitable accommodation without delay.'



Priority 6: Hold high aspirations and close the attainment gap for children in care and increase the percentage of care leavers in education, training and employment.

We hold high aspirations for our children in care and care leavers and are committed to closing the attainment gap and increasing the percentage of care leavers in education, training and employment.

All children in care are students of the HOPE Virtual School which has both a head teacher and governing body. There are close links between the Virtual School Governing body and the Corporate Parenting Panel. Focus is on attendance, attainment and reducing exclusions, the HOPE promotes and supports the delivery of a quality education for all children in care for whom Bristol is the responsible authority and for those children placed and educated in Bristol by another local authority.

Early indications are that results from 2017-8 will show:

- good results have been achieved at KS1, outperforming children in care nationally.
- KS2 outcomes are lower than the previous year but progress is above national and regional for reading, writing and maths. 52% of the cohort had special educational needs and disabilities (SEND), of which 30% had an Education, Health and Care Plan (EHCP)
- performance at KS4 continues to be below national standards for children in care. This cohort also had a high number of students with SEND.

HOPE Virtual School achievements 2017-18

- Three year improving trend at KS1.
- Improvements in the quality of Personal Education Planning (PEP) from Early Years Foundation stage (EYFS) to Post 16 and complex SEN with 96% of PEPs now assessed as good or better.
- 44 care leavers were in higher education.
- A significant reduction in the delay between UASC coming into care and their start in appropriate education. For pupils placed within Bristol and Counties that Used to be Avon (CUBA) this has been achieved in or close to 20 days for all new arrivals this academic year. For those placed further afield this has, on occasion, taken longer.
- Fewer pupils reached the persistent absence threshold and fewer were excluded in 2017-18 in comparison to the previous year.
- The number of pupils receiving part time education and those not on roll has continued to decline.
- A compilation of poems from several years of entries to the Mary Palmer Poetry Prize Competition was produced.
- A task group of designated teachers (DTs) worked with The HOPE to produce a set of materials to support other DTs.
- Approximately 1500 people, including carers, social workers, named governors and designated teachers have received training.

The recent ILACS Inspection found that ‘the quality of personal education plans (PEPs) has improved significantly since the last inspection. At their best, the PEPs are of very high quality, reflecting the concerted effort made by the virtual head to drive up standards. The virtual school head manages the use of pupil premium well through the PEPs. Funding is only released once effective provision, targeted clearly at improving the outcomes, is identified by the school.

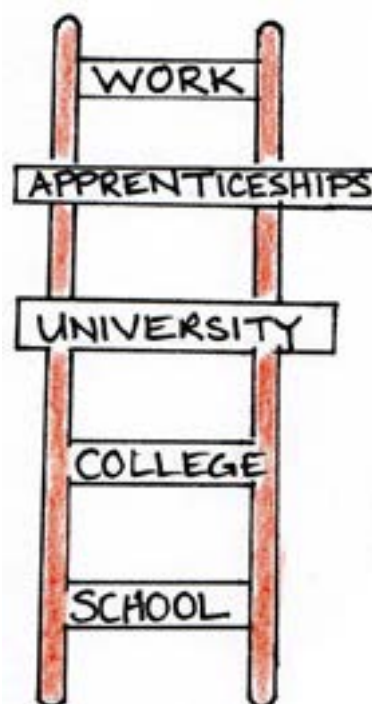
Priority for 2019 will be a continued focus on closing the attainment gap, improving attendance and reducing exclusions. An Improvement plan is in place following the ILACS inspection. This includes the work of the HOPE but requires close partnership working across the system. Delivery of this plan is overseen by the Corporate Parenting Panel.

The Recent Ofsted ILACS inspection found that

‘while the percentage of care leavers in education, employment and training is higher than averages for care leavers nationally at 56%, it does not yet meet the local authority’s aspirations for its young people. There is insufficient take-up by care leavers of the opportunities offered. Therefore, their ability to reach their potential is limited’.

To enhance our offer to young people, a DfE funded innovation project for care leavers was established in 2018 that aims to improve the participation of young people in education, employment and training through the use of a Social Impact Bond. A new team called Reboot West was appointed will provide extra support to young people who may be a long way from obtaining employment or training, or may benefit from support to reach their employment potential. This is an exciting four year project with three other neighbouring local authorities that will begin to impact on our performance in 2019. One of the innovative elements of this project is through the use of Acceptance and Commitment and Therapy that helps young people take more control over their thoughts and feelings in a positive way.

There was an increase in proportion of care leavers in higher education (8% compared to 5% in 2016/17 and 4% in 2015/16). This improving trajectory is a result of the continued focus of practitioners working with care leavers and is assisted by the Higher Education offer.



Priority 7: Improve health and well-being by ensuring high quality health services and information are provided to children, young people and carers.

Bristol’s health services specifically for children in care include Children Looked After Nurses (CLAN) and Designated Doctor. All children entering care have an initial in-depth health assessment within the first 28 days, with a follow up assessment every six months for those under five years of age and annually for those over five.

Bristol’s recorded figures for the percentage of health assessment reviews undertaken on time during the 2017/2018 has risen by 4% to 85%, however this remains lower than the national and statistical neighbour figures; dentist have remained the same at 84% which is in line with the national and statistical neighbour average. Improving both of these figures continues to be a priority and is overseen by the Transformation Board. Children in care and care leavers immunisations are at 95%; considerably higher than both national and statistical neighbours.

Thinking Allowed is a dedicated child and adolescent mental health service in place for children in care. This team can also refer on to the full range of Child and Adolescent Mental Health Services in the city. An annual health report is presented to Corporate Parenting Panel outlining the work of these services in meeting the health needs of children in care.

A strengths and difficulties questionnaire (SDQ) is used to assess children’s emotional and behavioural health. The SDQ is a short behavioural screening questionnaire that cover details of emotional difficulties; conduct difficulties; hyperactivity or inattention; friendships and peer groups; positive behaviour; and impact. The SDQ is an internationally validated method of assessing children and young people’s risk of experiencing emotional and mental health difficulties; it is completed by the child’s carer on an annual basis and is scored on a scale from 0-40. Any score above 17 alerts the child’s social worker to consider a referral to Thinking Allowed. In 2017/18, 83% of children had an SDQ completed and returned by their carer. The number of SDQs submitted has increased over the past two years and are consistently higher than the figures for both national and statistical neighbours.

Over the past two years the Through Care Service has been involved in the C-CATS study carried out by Bath University. The study has considered the trauma-related psychological profiles of young people in care and included:

- Development of mental health difficulties for children in care
- Relevance of traumatic stress
- Identifying and addressing traumatic stress
- The views of young people and carers around support needs

The study found that 53% of children were experiencing chronic distress; 32% borderline distress and 15% were resilient. PTSD can impact on all areas of a child's life and has complex features that can include:

- Affect dysregulation - 'When I am upset it takes me a long time to calm down'
- Negative self-concept - 'I don't matter'
- Interpersonal disturbances – 'I find it difficult to have good friends'

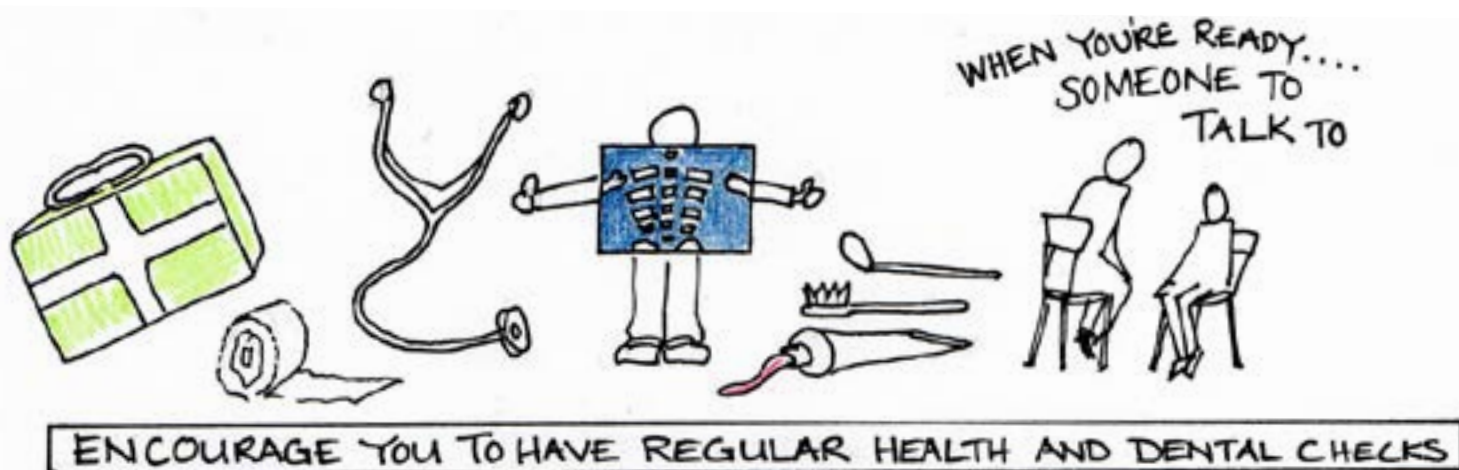
As a result of the study two interventions are being trialled with children in care:

- Trauma-focussed cognitive behavioural therapy
- Supporting children to process their memories, address potentially 'unhelpful' meanings, and develop more adaptive coping skills

Children's emotional and mental health remain a priority with a focus on training for social workers, personal advisers and foster carers to better meet the needs of our children. This has included ACT (Acceptance and Commitment Therapy) training for a number of personal advisers working with our care leavers.

The recent ILACS Inspection of children's social care services found:

'Through the 'Thinking Allowed' and the 'Treatment Foster Care Oregon' projects, the CAMHS team for children looked after provides good access to primary healthcare and good therapeutic services to support children's emotional health and well-being. These initiatives provide timely, high-quality interventions that support children in their placements effectively.'



4. Governance

The Corporate Parenting Panel operates as a panel of Full Council to ensure that the Council effectively discharges its role as corporate parent of children in care and care leavers. The Corporate Parenting Panel was established in 2007. It meets five times each year and is an effective cross party working group of elected members, senior officers, partner agencies and children in care, care leavers and foster carer representatives. The Panel undertakes its work by championing children in care and care leavers across the council and evaluating how well the corporate parenting responsibility is discharged. It will hold all parts of the City Council to account for the delivery of improved outcomes in every area of a child or young person's life by:

- Overseeing the implementation of the Corporate Parenting Strategy and the development of integrated services for children in care and care leavers
- Progressing the implementation of national and local policy for children in care and care leavers, including maintaining a focus on prevention and services supporting children in their birth families and particularly those children on the edge of care.
- Scrutinising performance reports on the City Council and partners' key performance indicators for children in care and care leavers, taking action where necessary to drive improvement.

- Producing the Annual Corporate Parenting Report to Full Council, including an analysis of city council and partner's performance in respect of corporate parenting and developing an action plan for the following year.
- Taking lead responsibility for ensuring effective participation arrangements for children in care and care leavers in City Council and partnership work.
- Considering regular reports on the way in which the Local Authority discharges its parental responsibility in practice through residential, family placement, adoption and case holding services provided or procured by the Local Authority.
- Taking an active role in ensuring effective quality assurance arrangements are in place for children in care and care leaver services, including a robust representation, compliments, complaints and independent reviewing arrangements.
- Identifying specific areas for exploration in order to engage in areas of specific interest and improvement.

The Corporate parenting Panel works closely with other strategic partnerships in the city to deliver good outcomes for children in care and care leavers. Local partnership arrangements for safeguarding and community safety have been undergoing transformation work in the past year. Soon, work previously covered by both Safeguarding Boards (Children's and Adult's), our Community Safety Partnership (Safer Bristol)

and the Children and Families Partnership Board will be encompassed delivered by the Keeping Bristol Safe Partnership (KBSP) Board. The Police, Clinical Commissioning Group and Bristol City Council have statutory duties to deliver and are joint and equal partners in these arrangements. In addition to the three partners the KBSP has representation from a number of other key organisations including from education and voluntary sectors. The Local Arrangements for Bristol will be published in June 2019.

The responsibilities of the new Partnership Board are set out in the Care Act 2014; Children Act 2004, Crime and Disorder Act 1998 and associated guidance. The Board will have an Independent Chair to co-ordinate the decision making and ensure that the partners are following due process when making decision. It is also proposed that the Board will task planning groups that undertake specific and focussed work and will work with our neighbouring local authority areas to make improvements and share learning across the region.

Corporate Parenting Panel Priorities 2019

In addition to the priorities set out in the Corporate Parenting Strategy, the Corporate

Parenting Panel will pursue the priority activity outlined below:

Corporate Parenting Strategic Priority	Within 12 months Corporate Parenting Panel will have	Outcome
Children are supported to live safely within their families or with people who know them best. When this is not possible, children move to a permanent family or care placement without delay.	Initiated a project to support children in our care and care leavers to build life-long links with family and friends	Tackle isolation and loneliness and support emotional health and well-being (our young people have asked us to make this our top priority) Our goal is to enable young people to live successful, happy home and family lives.
Children and young people tell us what's important to them and this influences what we do and the way we design and develop our services.	Built on the success of Corporate Parenting twilight sessions with young people we will: <ul style="list-style-type: none"> ● take steps to widen participation ● ensure children and young people set the agenda and are supported to hold us to account 	Young people's voices shape our services, get to know us and build trusted, confident relationships with their corporate parents
Being in care is an enriching experience that equips children for a successful life.	Corporate Parenting Panel will track and champion all our year 10-11s, ensuring they each have opportunities for work experience, mentoring and access to high quality education, training and apprenticeships.	All our young people are enabled to achieve their potential.

Being in care is an enriching experience that equips children for a successful life.	Delivered a shared event between corporate parenting panel and the HOPE Governors to set out how we will achieve our shared goals and aspirations for young people and demolishes reference to 'minimum standards'	Young people are supported to succeed and reach their full academic potential.
Deliver good quality care placements and move on accommodation for care leavers locally.	Promoted fostering in our communities and through the media. Our foster carers will know they are the city's VIPs.	Bristol is the fostering agency of choice locally. Our children have a choice of excellent fostering families that reflects the diversity and vibrancy of the city in which we live.

Appendix 1: Corporate Parenting Panel Membership

All Bristol City Councillors and the elected Mayor are corporate parents and as such are invited to attend the Corporate Parenting Panel. The Panel is chaired by the lead member for People: Cllr Helen Goodwin.

The core membership of the panel in 2017-2018 has included the following:

Councillor Helen Godwin (chair)
 Councillor Eleanor Combley
 Councillor Clive Stevens
 Councillor Harriet Clough
 Councillor Claire Hiscott
 Councillor Steve Jones
 Councillor Gill Kirk
 Councillor Anna Keen
 Councillor Ruth Pickersgill
 Councillor Celia Phipps
 Councillor Brenda Massey
 Alderman Brian Price
 Alderman Jackie Norman

Officers of Bristol City Council:

Ann James: *Director, Children and Family Services, People Directorate*

Jacqui Jenson: *Executive Director, People Directorate*

James Beardall: *Head of Service, Permanency and Specialist Services*

Maria Finlayson: *Service Manager, Children's Placements*

Racheal Pryor: *Head of the Virtual School*

Partners:

David Berridge: *Advisor to members*

Julie Henderson: *Designated Nurse for Children in Care*

Suzanne Davies: *Participation*

Joanna McEaney: *Chair of AFCA (Foster carers association)*

Tanisha Frazer: *Care Leaver Ambassador*

Anne Marie Benbow: *Care Leaver Ambassador*

Appendix 2: Developments in Legislation

- New guidance outlining how social workers and other professionals should support children in care and care leavers was published by the Department for Education in February 2018, in line with the Children and Social Work Act 2017.
- The first [education for children in and previously in care](#) outlines key duties for professionals involved with these groups of children and young people are outlined in the guidance, as the government announced extra funding for the implementation and money for new projects for care leavers. For looked-after children in schools, the new guidance said:
- [The Care Leaver Covenant](#) is a promise made by private, public or voluntary organisations to provide support for care leavers aged 16-25 to help them to live independently.
- [UASC Statutory Guidance 2017](#)
- Homelessness Code of Guidance for Local Authorities, published February 2018. [Chapter 22](#) focuses on care leavers.

“Social workers, Virtual School Heads, Independent Reviewing Officers, school admission officers, and Special Educational Needs and Disability (SEND) departments should work together to ensure that, except in an emergency, appropriate education provision for a child is arranged at the same time as a care placement.”

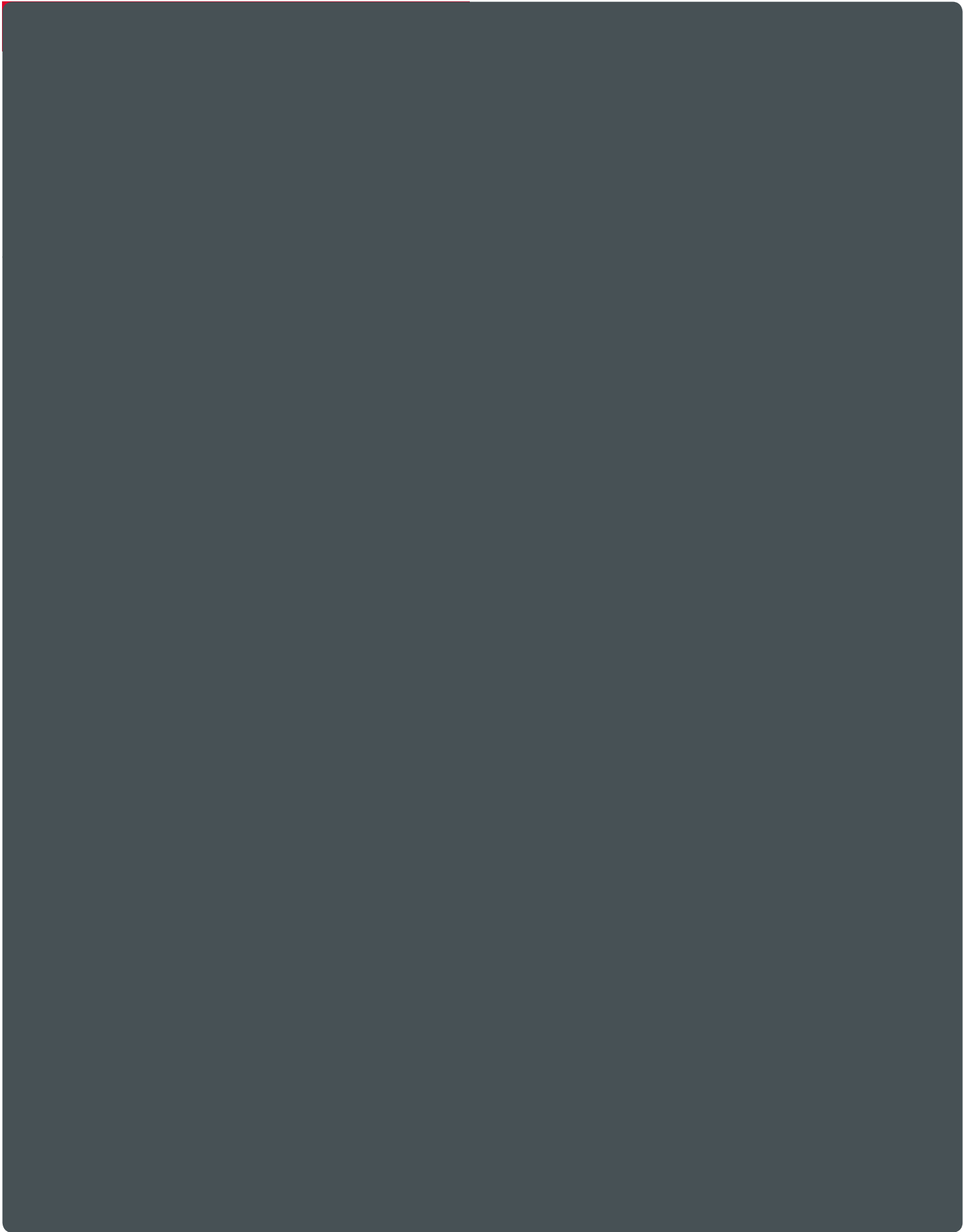
The second extends personal adviser support to all care leavers to the age of 25 and advises how this should be implemented ([duty to 25](#))

- Care Leaver Covenant, launched November 2018: In July 2016, the Government published [Keep on Caring](#) to support young people from care to independence. A key policy commitment in the paper is a strategic pledge to introduce a Care Leaver Covenant.

Appendix 3 – Performance

Children in care – Bristol	2013	2014	2015	2016	2018	Latest England Average
Rate per 10,000 of children looked after aged under 18 years (as at 31 March)	80	77	76	73	69	64
No. of children in care (as at 31 March)	715	695	700	675	665	-
No. of children looked after continuously for at least 12 months as at 31 March	490	495	485	-	-	-
No. of children who ceased to be looked after, yr ending 31 March	275	325	310	380	278 (rate per 10,000 = 30)	(rate per 10,000 = 25)
%Looked after children with SEN Without Statement/Support	34.5	31.8	31.9	-	-	-
%Looked after children with SEN With Statement/EHC Plan	32.2	33.2	31.9	-	-	27
Stability of Placements - % with 3 or more placements in	-	-	8.0	11.6	9	10
Stability of Placements - % looked after for at least 2.5 yrs and in same placement for at least 2 yrs	-	-	68.0	72.4	74	70
% of children looked after at 31 March, placed more than 20 miles from their homes, outside LA boundary	10.0	11.0	12.0	14.0	18	19
Crime - % of children looked after (aged 10+) convicted or subject to a final warning or reprimand during the year	7.0	6.3	10.0	11.4	2	4
% Looked after Children Missing from Care	-	-	9.0	6.83	13	11
Persistent Absence (PA) - % children looked after for at least 12 months classed as persistent absentees (6 terms from 2013)	5.6	6.9	7.8	-		
Exclusion - % of children looked after for at least twelve months with at least one fixed term exclusion	15.2	15.0	-	-		

PE219b Health assessment			92	81.8	85	88
PE219a Dental checks			82	70.8	84	84
PE258 Strengths and Difficulties Questionnaire completion				78	83	78
PE142a Care Leavers in suitable accommodation aged 17 and 18				90.5	-	-
PE142a Care Leavers in suitable accommodation aged 19 to 21				90.5	90	-
PE036a Care Leavers in Education, Training and Employment aged 17 or 18				57.5	61	64
PE036a Care Leavers in Education, Training and Employment aged 19 to 21				57.5	55	51
PE202 School aged children in care for 6 months or more with a Personal Education Plan				65.2		



Designed by Bristol Design, Bristol City Council June 2019 BD11958



Full Council

16 July 2019



Report of:	Strategic Director, Growth and Regeneration
Title:	Review of the Council's Statement of Licensing Policy and Cumulative Impact Assessment Policy
Ward:	Citywide
Member Presenting Report:	Councillor Mike Langley

Recommendation

Full Council approve a consultation in relation to the Council's Statement of Licensing Policy and Cumulative Impact Assessment Policy.

Summary

The Licensing Authority has a statutory responsibility to review its Statement of Licensing Policy every five years. The new policy will take effect from August 2020. With effect from 6 April 2018 the Licensing Authority may also publish a Cumulative Impact Assessment Policy. If published this policy would also take effect from August 2020.

The significant issues in the report are:

- Licensing policy context and role of Full Council (paras.1 – 5)
- Consultation proposal (para 6)

Policy

1. The report recommends a new five year Statement of Licensing Policy following consultation and consultation on whether a Cumulative Impact Assessment Policy should be published.

Consultation

2. **Internal**
The licensing working group has consulted with officers from the Council's legal services and licensing teams
3. **External**
The report recommends formal consultation on the draft new policy under Section 5 of the Licensing Act 2003 and consultation under Section 5A on whether a Cumulative Impact Assessment Policy should be published.

Context

4. The Licensing Authority must in respect of each five year period determine and publish a statement of Licensing Policy. Before determining such a policy section 5(3) of the Licensing Act 2003 places a statutory duty on the Authority to consult. The Licensing Authority is under a duty to keep its policy under review and make such revisions as it considers appropriate during each five-year period. Section 5(3) applies in relation to any review of an Authority's policy as it applies in relation to the determination of that policy. Where revisions are made the authority must publish a statement of the revisions or the revised licensing statement. Only the Full Council can make these decisions, no delegation is permitted to committees or officers of these tasks. The Licensing Committee established an officer/member working group to provide practical assistance to the Full Council in meeting its obligation to keep its Statement of Licensing Policy under review
5. The Council's current policy includes reference to a number of Cumulative Impact Areas. When the policy was published in August 2015 cumulative impact was a concept introduced in the Government's Section 182 Guidance issued under the Licensing Act 2003. The Policing and Crime Act 2017, with effect from 6 April 2018, introduced cumulative impact policies into law so that they now have a legal footing.

The Licensing Act 2003 now states a licensing authority may publish a document (a Cumulative Impact Assessment) stating that it considers that the number of premises licences or club premises certificates is at such a level that it would be inconsistent with the promotion of the licensing objectives to grant any further licences or certificates in that area and restrict changes to licensable activities of existing licences.

A Cumulative Impact Assessment must set out the evidence for the authority's opinion and before publishing the assessment the authority must consult with those affected, including the public, businesses and responsible authorities. The assessment must be reviewed every three years.

6. The officer/member working group undertook a call for evidence to seek the views of the

responsible authorities under the Licensing Act 2003 and other interested parties with regard to the operation of the existing Cumulative Impact Areas. A number of parties who had been involved with the introduction of the existing Cumulative Impact Areas were also invited to attend a meeting of the working group to present evidence. A representative of the Clifton and Hotwells Improvement Society and Avon and Somerset Constabulary attended a meeting on 15 April 2019.

7. The written responses to the call for evidence at attached at Appendix 1. As can be seen there is broad support for the retention of the existing Cumulative Impact Areas. However concern has also been raised that Cumulative Impact Areas can have a negative impact on an areas development and cause more harm than good if not carefully managed. It is clear that clarification on the type of applications/operations to which a policy will impact upon would be useful both for residents and operators. This feedback has helped inform the consultation questionnaire which it is proposed to be used in the full consultation.
8. The draft policy is a new policy however it reproduces the majority of the previous policy with amendments to reflect the addition of Cumulative Impact Assessments into the Licensing Act 2003. The draft policy is attached at Appendix 2. Amendments are also proposed to the Model Operating Schedules attached at Appendix C of the Policy. Officers suggest these are scaled back to reflect the current approach adopted by the courts on operating schedules and licence conditions and to reduce any unnecessary regulatory burden on businesses. Whilst it is proposed that the Model Operating Schedules are scaled back, the conditions removed can still be imposed by where appropriate for the promotion of the licensing objectives. In addition two new model operating schedules have been included in relation to premises that operate an alcohol delivery service and sexual entertainment venues. A draft Cumulative Impact Assessment Policy is attached at Appendix 3.

Proposal

9. To approve a consultation in accordance with Section 5 and 5A of the Licensing Act 2003 in respect of the draft revised Statement of Licensing Policy and the publishing of a Cumulative Impact Assessment Policy.

Other Options Considered

10. No other options considered.

Risk Assessment

11. The publication of the Statement of Licensing Policy is a statutory requirement. The Cumulative Impact Areas contained within the current policy must also be reviewed and a Cumulative Impact Assessment Policy published if they are to be retained. Failure to do so would leave the Council open to legal challenge.

Public Sector Equality Duties

- 8a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected

characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:

- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
 - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
 - iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
 - tackle prejudice; and
 - promote understanding.
- 8b) Officers have completed an Equalities Impact Assessment attached as Appendix 5. The risks identified were minimal and the policy ensures that the Council is well placed to identify any adverse impact in respect of all protected groups when it is engaged in considering applications.

Legal and Resource Implications

Legal

The Council must carry out its licensing functions (including the review and determination of its statement of licensing policy) with a view to promoting four specified objectives, namely:

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm

The policy must be consulted upon and determined by Full council. Delegation by Full Council of these tasks to committees, sub committees and officers is prohibited by statute.

The statement of licensing policy must be made before the 5 year period commences, and with regard to any Cumulative Impact Statement made.

Any Cumulative Impact Statement made must be reviewed every 3 years following consultation.

(Legal advice provided by Anne Nugent (Team Leader) and Ashley Clark (Regulatory lawyer)

Financial Revenue - The cost of the consultation will be funded from existing licensing services budgets. Apart from this, there are no other financial implications at this stage. The position will be reviewed after the consultation has been completed and the results analysed.

(b) Capital - No financial implications resulting from this report at this stage. The position will be reviewed after the consultation has been completed and the results analysed.

(Financial advice provided by Kayode Olagundoye, Interim Finance Business Partner, Growth & Regeneration)

Land- Not applicable

Personnel - No HR implications are evident.

(Personnel advice provided by HR Business Partner – Growth and Regeneration, Human Resources Team)

Appendices:

- Appendix 1: Call for evidence responses
- Appendix 2: Draft Statement of Licensing Policy
- Appendix 3: Draft Cumulative Impact Assessment Policy

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

None

LICENSING ACT 2003 CALL FOR EVIDENCE RESPONSE

FROM: Cllr Clive Stevens

Dear Licensing - I have been discussing this call for evidence with local community groups and am relaying the following issues:

Whiteladies Road CIA - The CIA objective here is to prevent encroachment on normal sleeping times. This has on the whole worked but there is still a valid night club license until 4am (ex Dormas) currently a 24/7 gym which if it reverted to a night club would cause immense harm and physical and mental ill health to some residents around Cotham Hill, Hampton Park, Imperial Road, Whatley Road and the likes.

BUT there are now so many alcohol outlets, offering effectively the same product and thus competing on price that the Clifton CIA objective (and thus the need to offer something distinctive) would be helpful. Families are being discouraged from living around here due to the nature of the retail offer and the noise from the street even at midnight. That is leading to an unbalanced community.

BUT litter is a problem because there are so many takeaways. Litter and refuse from the venues themselves, there isn't enough street space for all the commercial bins, especially as Planning have allocated Hampton Lane for housing which is where many of the commercial waste bins are currently stored. Pittville Place is normally just appalling with very poor refuse control by the takeaway and restaurant proprietors. Additionally Whiteladies Rd bus stop (South bound) is often occupied by more bins than bus passengers.

Residents are still kept awake until midnight and it depends what you mean by "normal sleeping times" for small children, those doing exams and older people. I think if something opened that was offering something genuinely different then the economic and consumer benefit might outweigh the amenity loss but otherwise simply more of the same should be stopped.

Clifton CIA - A small part is in Clifton Down ward. The main complaint from our residents is large groups of students making a noise late at night as they walk back to Halls all leaving a venue (or venues) on The Triangle all at about the same time. Richmond Hill seems to get the worst of it but other roads also. So residents are regularly woken at 2am, 3am or 4am even. It is beginning to be reported that this also applies to some Airbnb residencies where a "large" group will stay the weekend and similarly make a lot of noise having partied the night away on the Triangle. They then continue the party in the house or flat.

Thank you - Councillor Clive Stevens

LICENSING ACT 2003 CALL FOR EVIDENCE RESPONSE

FROM: Piers Warne on behalf of TLT Solicitors

Dear Officer

Please find below the response of TLT LLP's licensing team to your call for evidence in relation to the cumulative impact assessment.

I should be grateful if you would acknowledge receipt.

Response on behalf of TLT Solicitors

This response to Bristol City Council's call for evidence in relation to the Cumulative Impact Assessment is made on behalf of the licensing team at TLT LLP ('TLT').

TLT are regularly ranked as one of the leading licensing advisers in England and Scotland in both Chambers and Legal 500, the annual independent guides to the legal sector, driven by client feedback.

We advise a broad range of clients, from hotels, bars, clubs and restaurants to major music festivals, concert halls, food halls, pub companies, sports clubs and race course operators. We support one-off events and venues, as well as businesses with property estates that run into the thousands. Our advice is bespoke and designed around our client's business need. Our client portfolio requires us to understand and advise on all aspects of premises licensing, whether it is technical legal advice or business oriented operational guidance.

We advise at every level, from board level strategy to operational matters at individual premises. We lecture on licensing for council officers, councillors and responsible authorities on behalf of the Institute of Licensing, as well as for operators and their advisers and other practitioners at national conferences and events. We write for a number of journals and publications, as well as produce a newsletter for our clients and other interested parties. From initial advice through to advocacy at hearings, our licensing team has significant expertise, with individual partners and other solicitors top-ranked in the national legal guides.

We have experience of working with all of the licensing authorities in England and Wales and are the only truly national practice in the Great Britain, with a large and successful licensing team in Scotland that serves our clients across both jurisdictions. As such, we are ideally placed to respond to this call for evidence.

General comments in relation to Cumulative Impact Policies ('CIP's')

We understand that there are occasions where CIP's provide a valuable tool to local authorities in regulating the night time economy. However, our experience is that they can also be an impediment to businesses and the development of a thriving night time economy. They can often act as a brake to entrepreneurship, adding to the challenges that small business operator's face when looking to enter a new market or look to adapt their offer to suit market trends.

CIP's can have the effect of dissuading operators from even attempting to get a licence. We have seen this first-hand in Bristol, with potential investors in the city choosing not to take a risk on a site where there is a chance that a licence will be refused on policy grounds. As such, CIP's unintentionally penalise operators considering smaller more novel applications (simply because of the prohibitive cost), often resulting in them looking to take their ideas elsewhere and thereby wasting a chance to develop a more rounded and vibrant economy within the CIP. In turn, this can lead to artificially ring-fencing those operators already with licences from the positive effects of competition, reducing their incentive to adapt or improve their offer.

For the same reason, such policies also promote ubiquity as often the only operators willing to take on the risk and outlay of applying for licences in cumulative impact zones are larger established chains with

the financial backing to fight for a licence. Given the plight of the pub market 5-10 years ago and now the casual dining market, in part because their offers failed to change as the market developed around them, the use of CIPs needs careful oversight- especially in large cities and cultural hubs, such as Bristol.

Existing cumulative impact policies need to be scrutinised with an open mind. Stagnation will kill a vibrant area. Put bluntly, CIP's, if left to choke the area they were designed to protect, can do as much damage as good.

If the result of a CIZ is simply to force applicants to accept a business model that was not what they were planning simply to get a licence, then the reality is that those businesses are more likely to fail. Good operators spend a lot of time and money in finessing their concepts and building their businesses plans around specific target markets and operating specific hours. It is very easy to kill that concept by forcing applicants to accept overbearing conditions, or reduced hours to 'beat the policy'.

Existing CIP Areas

A number of the CIP areas ('CIZ's') in Bristol have been in place for a significant period of time. Only Bedminster and Southville is a relatively recent addition to the CIP areas. As such, each CIP needs to be considered through the lens of 'what has changed' and 'what has the policy achieved' since its introduction. What might once have been a successful policy may now be holding back development of Bristol.

We are given to understand anecdotally from police and other sources that crime and disorder has, overall, been decreasing for a number of years. This is particularly important when considering the CIZ's that were introduced based on police evidence of crime and disorder, such as the City Centre CIZ. Such data must be updated and properly scrutinized when assessing whether any particular CIP should be retained or not.

Whiteladies Road is an example of an area that has changed dramatically in the time that it has been classified a CIZ. What was once a thriving night spot for bars and clubs has changed beyond recognition. There are relatively few late night offers remaining, with more restaurants and alternative uses for premises. Whilst some people might say that this is a benefit to the area, it has had a knock on effect for other businesses. Clients have commented in the past that the 'death of Whiteladies Road' has been detrimental to the businesses that have stayed. Restaurants, for instance, often require a thriving nightlife to flourish and drive footfall. Customers looking for a night out or to celebrate a special occasion will often look at where they want to end their evening and then choose a restaurant and bar to visit in the vicinity. Whiteladies Road has a number of units that have perpetually opened as restaurants, before closing again from lack of custom. The CIP must at least in part be held responsible for the growth in the number of restaurants in the area whilst at the same time the number of later night venues has shrunk. Venues such as the Everyman Cinema have been a welcome addition to the area, but there is still a feeling expressed that the changes may have gone too far.

There are similar stories in other areas and it will be for the committee to scrutinize each area to ascertain what the policy has achieved (if anything) and whether it is still necessary.

CIP's and other Bristol strategies

Licensing policies, and CIP's in particular work best when they reference, and indeed work with, other council strategic plans and policies. For instance, planning strategies and local cultural strategies often inform applicants for either new licences or variations to licences as to what the council are looking to do in terms of promoting culture, leisure use and night-time economy uses in a particular area.

Reference to specific strategies will also assist new potential businesses to understand and factor in the likely costs of entry into the city if their chosen site is within a CIZ. There is nothing to prevent any CIP's applying to only certain types or styles of premises, or other means being used to give potential operators a better understanding of what the council will and will not take into account in determining applications.

Providing this information and using these policies to inform where CIP's will 'bite' additionally allows applicants to be more proactive when initially looking at sites within the city.

Case Study: The Leeds policy

Leeds recently consulted on its licensing policy and we were pleased to see the proposed removal of CIP's in Woodhouse, Chapel Allerton and Horsforth. This was on the basis of a genuinely open-minded assessment of the areas and the conclusion that the policies were no longer relevant. The decision also made reference to how new premises can help be a change for good in otherwise problematic areas.

The Leeds City Centre CIZ, which the policy retains, is a good example of dynamic use of cumulative impact. It is divided into red, amber and green areas. The council's policy is to refuse all applications in the red areas on the basis that the impact on the licensing objectives are at such a level that the area cannot support any more premises opening or existing premises extending their hours operation no matter how impressive the concept or application is. The council's policy is to only grant applications in the red zone in truly exceptional cases. The amber area is an area which is of concern based upon an analysis of night time economy related issues that are relevant to the licensing objectives, and therefore the council expect applicants to offer additional measures tailored to the problems in that area. All other areas within the City Centre CIZ have been designated green areas where good quality applications will be generally be more acceptable even though the area is a CIP area.

Such a dynamic use of policy demonstrates not only that a careful calculation has been made in ensuring that the CIP's are needed, but also demonstrates that there are differences in what 'cumulative impact' can mean in any given area and that these differences should be recognised in the policy.

Assessing CIP's going forward

If it is determined that there is good empirical and amenity reasons for retention/ creation of a CIP, we believe that an assessment is needed as to exactly what the CIP is designed to catch.

CIP's should be clear in their intention. For instance, if it is deemed that only larger late night or vertical drinking establishments are likely to add to the cumulative impact, then it should be made explicit that small, independent and/ or otherwise innovative applications both for new licences and variations to existing licences will be considered to be outside of the scope of the CIP- even if the application is for an alcohol-led venue. Such applications will still need to demonstrate that they do not undermine the objectives, but we would hope that adding something to this effect into the policy will stimulate and incentivise smaller operators to make applications.

Likewise, if the issue is simply to do with a preponderance of late night refreshment facilities for takeaway leading to queues, noise and disturbance, there is nothing to prevent the policy from stipulating that late night refreshment premises looking only to increase hours for deliveries and not permitting customers to collect food will be deemed outside of the scope of the policy.

Conclusion

The benefits of CIP's must be weighed against the inevitable consequences of stifling growth and restricting new concepts from coming into an area. As such, the longer a CIP area has been in place, the closer the scrutiny must be as to its continued value and worth to the city as a whole. An open mind and willingness to look beyond the 'headlines' is key to ensuring that CIP's are only introduced where they are essential and that in those cases, they only affect those applications that have been identified as likely to add to the problems that led to the implementation of the CIP. As the District Judge in the 'Brewdog' case said: 'a rise in footfall isn't a reason to refuse entry [to a new applicant].'

A joined-up approach with other city development strategies should help to inform where there is a need to push for the development of the night time economy and where this is not a priority.

CIP's should, if needed, mirror as closely as possible the reasons they are being introduced. General prohibitions are negative and off-putting. Focussed and adaptive CIP's give clear guidance to applicants and officers alike and allow for development where it is needed and innovation where it will benefit otherwise downtrodden or tired areas of the City.

For and on behalf of TLT

Piers Warne
Associate
for TLT LLP

LICENSING ACT 2003 CALL FOR EVIDENCE RESPONSE

FROM: Cllr. Anthony Negus

I have no new hard evidence but wish to reaffirm the importance of not relaxing the extent or the rigorous controls in the existing CIAs for the City Centre and Gloucester Road areas. The former is the greater cause of resident's complaints from the Stokes Croft and Cheltenham Road area, and from streets which are a common root from these premises back to homes or vehicles. These complaints range from premises noise at all hours, almost uncontrollable flyposting, increased litter, graffiti and tagging and antisocial behaviour from people leaving the premises impacting on neighbouring streets. This may be noisy and boisterous behaviour, vomiting, urinating, kicking over bins and damaging vehicles.

The impact of additional cars associated with customers of these premises has been heightened by the imposition of the central parking zone (CPZ) as feared because residents in KN RPZ were not allowed to be advised of the impact of the projected increase in hours of the CPZ when they were consulted on the hours for their own. This has created much more pressure on residents parking and has recreated occurrences of people not being able to park within a reasonable distance of their home, quite against the original intentions of this system for which people pay.

There are similar effects from the tail end of the CIA in Gloucester Road though the impact is limited as the number of premises involved is smaller. However any attempt to change the extent of this CIA would create adverse impact.

Anthony

Cllr. Anthony Negus
Cotham ward LibDem councillor
Leader. Bristol City Council Liberal Democrat Group

LICENSING ACT 2003 CALL FOR EVIDENCE RESPONSE

FROM: Emily Wolfe

Hi all

I wish to strongly support Jill's plea for the CIA to be retained.

Local residents need every bit of help that they can get when opposing threats to our health and well-being, especially increases in alcohol availability. The CIA legislation hasn't been as helpful as we initially hoped (partially because people chairing meetings sometimes seem not to understand it, or see fit to ignore it), but it has assisted us in combating some of the many unsuitable licence applications made in our area. It would be an appalling retrograde step to abandon this protection; I entreat you to retain it (and if possible strengthen it).

The health and well-being of residents should surely always be deemed more important than commercial considerations.

Best wishes,
Emily Wolfe

LICENSING ACT 2003 CALL FOR EVIDENCE RESPONSE

FROM: Emily Wolfe & Simon Margetts

Review of CIAs

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We wish to strongly support the retention of the CIA policy.  
If possible, it should be strengthened further in our view.

Local residents need every bit of help that they can get when opposing threats to our health and well-being, especially increases in alcohol availability.

The CIA legislation hasn't been as helpful as we initially hoped (partially because people chairing meetings sometimes seem not to understand it, or see fit to ignore it),

but it has assisted us in combating some of the many unsuitable licence applications made in our area. It would be an appalling retrograde step to abandon this protection; we entreat you to retain it (and if possible strengthen it).

The health and well-being of residents should surely always be deemed more important than commercial considerations.

The areas where strengthening is required are as follows.

(1) Better training is needed for those chairing hearings. The 'rebuttable presumption' of deciding against new applications where an adverse impact on residents is to be expected (e.g., giving further alcohol accessibility, or being open after 10pm) seems to be widely ignored. Hearing chairs often seem to think that a given new application adds so little further impact in an area already overrun with licensed premises that it might as well be allowed---but the whole point of the policy is to prevent this incremental creep of adverse impact.

(2) Additional residential development has been allowed in the Whiteladies Rd CIA area, so there are even more people being adversely affected by the noise, ASB, minor crime and littering resulting from the aggregation of licensed and late-opening premises in the area. Further protection is thus required.

(3) Evidence is strengthening all the time of the adverse impacts of disturbance affecting people's sleep (some relating to very serious areas such as cancer and diabetes), so the case for protecting residents' normal sleep hours is even stronger. Further protection is thus required.

(4) It is becoming clear to us that we are adversely affected

by not only our nearby Whiteladies Rd CIA, but also the Clifton CIA, especially the late-opening clubs on/near Queen's Rd. Younger people, especially students, apparently regularly heavily 'pre-load' in their digs in our neighbourhood before heading out very noisily to nightclubs at about 11.30 at night; this causes considerable disturbance at times when schoolchildren and working people are already in bed. They then return, at least equally noisily, in the small hours, which is obviously even more of a problem. It is our view that the impact of the clubs in the area of The Triangle is already appalling, and that the policy needs strengthening to prevent ANY further additional evening/night sale of alcohol or late opening.

(5) There needs to be a commitment in the CIA rules that any existing club that closes or changes licence-holder should NOT automatically be allowed to continue or reopen as a late-night premises. As things stand, this is usually what happens---so we have SOME hope that noise and ASB will not worsen, but NO hope of achieving any lessening of the impact of earlier bad licence grant decisions, particularly ones 'nodded through' soon after the liberalisation of the licensing act. (Ideally we'd like the Council to tackle existing licences, but that is another matter.)

~~~~~  
~~~~~

Finally, we'd like to admit that the major improvement in our area (the closing of Dorma nightclub, which caused us so much stress and misery for many years) was brought about not by the CIA policy but by the economic downturn. (The EMRO legislation, of which we had such great hopes, turned out to be useless in practice.) Nonetheless, the CIA policy does at least give residents some basis for hope that levels of noise and disturbance should at least not increase, and this tentative reassurance is a benefit in itself.

Please retain and strengthen the CIA policy.

Best wishes,  
Emily Wolfe and Simon Margetts

## **LICENSING ACT 2003 CALL FOR EVIDENCE RESPONSE**

**FROM: Dr J. M. White**

Thank you for this information.

I would be extremely unhappy - nay even cross - were the CIAs to be removed! I have a very good reason for this as I know just how it's inception helped to improve the area that HPCHCG concentrates on, as the disruption caused by Whiteladies nightclub and the night time overspill of drinking locales (The Strip) created such disruption that those of us living in Cotham Hill and Hampton Pk seriously suffered sleep deprivation - which led to illness.

Interestingly / ironically, Cotham Hill now has more licensed night-time trading than it had in those earlier times, BUT with the possibility of invoking CIA, we believe, is a most valuable tool in helping to contain any possible disturbances now or in the future!

My health was seriously compromised (as were others) through nightly noise Pollution flamed by inebriation, causing lack of sleep

So you will, I hope, appreciate, please, just how valuable a tool the CIA has been in helping to bring this area to order.,

Please support my request to keep it even though I know current local police and maybe even Councillors may wish to dissolve it.

It took ages to get it accepted as a way forward - please keep it!

Yet again it was the HPCHCG that stimulated and urged Cllr ? (Surname eludes me as I write) but at the time he combined his work as a Senior Fellow/ Lecturer at UWE with being a LibDem Councillor in our area and was a committed member of HPCHCG - he later gained a PhD and then chose to concentrate on his University career.

Anthony Negus was also a member of HPCHCG (the 2 LibDem Councillors) but he led the campaign to get the CIA agreed by BCC. I seem to recall that at that point Cllr ? became Chair of the Licensing Committee, which, he told us gave him valuable clout in getting the BCC to accept CIA.

I am relying on memory as I write though I could given enough time try to find the Minutes of that time - it must be about 15 or more years ago!

I am also copying in Simon and Emily for very good reason as Emily's health also suffered along with mine.

I have copied this to Licensing as well but I do so hope you and Carla will support my plea to retain CIAs.

Good wishes to all.

Jill

Dr J. M. White

Chair: Hampton Park and Cotham Hill Community Group



**BRISTOL CITY COUNCIL**

**LICENSING ACT 2003 (THE ACT)**

**STATEMENT OF LICENSING POLICY**

**To have effect for the five year period beginning  
with 1 August 2020**



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## APPENDICES

- A List of persons who made representations to the Council in its consultation exercise prior to determination of this policy;(To follow on completion of consultation)
- B Film Classification Policy
- C Model Operating Schedules

- D Maps of Cumulative Impact Areas – City Centre, Gloucester Road, Clifton, Whiteladies Road, Bedminster & Southville.

## Introduction

- 1.1 The Licensing Act gained Royal Assent on 10 July 2003 and replaced regimes previously administered by either the Licensing Justices or the local authority with a unified system of licensing under the control of the local authority. The new regime came into effect on 24 November 2005. The Council set up a Licensing Committee as part of these changes.
- 1.2 The licensing regime is “applicant led”. When a proper application is made the Licensing Authority is obliged to grant permission for what is sought unless satisfied, after considering “relevant representations”, that it is appropriate for the achievement of the licensing objectives that steps should be taken that fall short of what the applicant wanted. For example modification of conditions, exclusion of activities or rejection of the application. Relevant representations are representations made by ‘responsible authorities’ or other person that are received within fixed timescales and which concern the likely effect of granting the application on the promotion of the licensing objectives
- 1.3 The licensing regime places a great responsibility on applicants themselves. Application forms need to be completed and advertised properly. Failure may result in an application not being one that the authority must determine. The legislation also places responsibilities on those permitted to make representations to do so in a timely fashion. Late representations are not permitted. If there are no relevant representations about an application that has been properly made and advertised etc. the Council will have no option in law but to grant it in line with what was applied for.
- 1.4 By way of example, where no relevant representations are made on an application for a premises authorisation, the Council may only attach conditions that are in line with the applicant’s operating schedule. Those conditions can only be modified where relevant representations are received and where the Council deems it appropriate to modify them to promote the licensing objectives. The test of relevance includes that the representations are received within the time allowed by statute.
- 1.5 It will therefore be appreciated that the regime can only work effectively if, among other things, applicants adopt a responsible approach in the way they complete and advertise their applications and that any relevant representations upon applications are received on time.
- 1.6 The Act requires the Council to carry out its licensing functions with a view to promoting the following specific objectives – called “the licensing objectives”:

- The prevention of crime and disorder;
  - Public safety;
  - The prevention of public nuisance; and
  - The protection of children from harm.
- 1.7 The Council must also have regard to guidance issued by the Secretary of State and must also have regard to its own statement of licensing policy.
- 1.8 The importance of Bristol's statement of Licensing Policy, in ensuring that local circumstances are taken into account in the decision making process of the Council (and by the courts in any appeal), should not be underestimated.
- 1.9 Through this policy the Council hopes that residents and visitors to Bristol will be able to enjoy their leisure time safely without fear of violence, intimidation or disorder while at licensed premises. In addition, and in response to concerns about the impact of longer trading hours on behaviour and disturbance at night, we give the protection of local residents a central place in our strategy.
- 1.10 In terms of enforcement our aim is to target those premises which are causing problems within our communities and to apply a lighter touch for the majority of businesses and community activities, which enhance peoples' lives by providing worthwhile opportunities for the enjoyment of leisure time without having a negative impact. Premises where inspections identify conditions are not being observed, that produce disorder, or threaten public safety, or generate public nuisance, or threaten the well-being of young people will be targeted for enforcement action.
- 1.11 An effective Licensing Policy, alongside other initiatives, works to promote the positive aspects of the flexibility afforded to applicants under the Act, such as promotion of tourism, increased leisure provision and encouraging the regeneration of both the city centre and local centres. It also facilitates control of the negative impacts such as increase in noise, nuisance, anti-social behaviour and crime and disorder.
- 1.12 Bristol is a major regional entertainment centre and regularly attracts in excess of 30,000 people into its city centre at weekends. The main entertainment areas are located within the city centre, Stokes Croft, Southville and Gloucester Road. Bristol has a rich history of creative music. The underground Bristol music scene from the 1990s produced bands such as Massive Attack, Portishead and Tricky and through its approach to drum and bass and trip hop produced a unique and distinctive Bristol sound. Bristol's cultural diversity plays a leading role in shaping the entertainment offer in the city and is showcased with the St Pauls Carnival which attracts around 100, 000 residents and visitors in a celebration of the city's Afro Caribbean culture and its history.. The Bristol Harbour Festival, which is the largest free event in the South West and attracts over 250,000 visitors, points back to the

city's maritime history. Bristol Pride gives recognition to the LGBTQ community whilst South Bristol's Upfest event celebrates the strong links in the city between music and graffiti art.. The Council is keen to promote the cultural life of Bristol and so licensing is approached with a view to encouraging forms of licensable activity consistent with the licensing objectives.

- 1.13 This policy builds on the work carried out by the Council to maintain Bristol as a dynamic, innovative and attractive place to live, work and relax. The policy has been prepared to promote the four licensing objectives and to be consistent with other local relevant policies and strategies developed by the Council. The Council wishes to secure proper integration with local crime prevention, planning, transport, tourism and cultural strategies by ensuring the licensing statement is consistent with the aims and objectives of these strategies. The Council is proud of how the night time economy is managed and in 2010 was one of the first cities to be awarded a Purple Flag by the Association of Town Centre Managers in recognition of this work. This award has been retained following reassessments.
- 1.14 The Act requires the Council to consult upon and determine a statement of licensing policy for every 5 year period and to keep it under review in the interim. All reviews will be subject to prior consultation with stakeholders and any revised policy will be published.
- 1.15 This policy was approved by Bristol City Council on XXXXXXXXXXXXX and came into effect on 1 August 2020.

## **2. Purpose and Scope**

- 2.1 The Licensing Authority for Bristol ('the Council') makes this Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003. ("The Act")
- 2.2 The policy sets out how Bristol will exercise its licensing functions. Licensing functions are the duties and powers of the Council in its capacity as "the Licensing Authority". No licensing functions may be discharged by the Council's executive (the elected mayor and his cabinet) .The vast majority of licensing functions cannot be undertaken by the Council itself, but are the responsibility of a special Licensing Committee which has been established by the Council. The responsibilities and powers are detailed in the Act. Bristol's statutory Licensing Committee comprises between ten and fifteen councillors appointed by the whole Licensing Authority, that is, the Full Council.
- 2.3 The law does not allow the Licensing Committee or Council officers to be responsible for consulting upon and determining this statement of licensing policy or keeping it under review.
- 2.4 The Licensing Committee is directly responsible for most Licensing Functions. These include the following activities that are required to be authorised under The Act ("licensable activities"):

- **The retail sale of alcohol:**

including licensing of individuals (personal licences) and licensing of premises including wholesale of alcohol to members of the public and purchases via the internet or mail order.

- **The supply of alcohol to members of registered clubs**

- **The provision of regulated entertainment in the presence of an audience:**

(Regulated entertainment includes film exhibitions; performances of a play; indoor sporting events; boxing or wrestling events; live music performances; playing of recorded music and dance performances – unless criteria for various exemptions that are available is met)

- **The provision of late night refreshment:**

(Supply of hot food or drink from premises from 23.00 to 5.00 hours the following day).

2.5 These licensable activities typically require authorisation. The word “authorisation” in this policy includes all licences, certificates, temporary event notices and any other permission that can be given under the Act. In practice most business relates to the type of authorisation called a premises licence and examples given in this policy usually reflect that fact. However, the principles and purposes reflected in the policy should be applied to all types of authorisation where relevant.

All references to “The Licensing Committee” in this document mean the Committee established under section 6 of the Act, but also where the context permits it includes the sub committees and officers who are authorised by that Committee to exercise licensing functions. (From time to time other Council bodies may be able to exercise licensing functions and this policy also applies when those bodies are making licensing decisions)

2.6 The Act requires the Council to actively seek the views of the following persons upon the proposals contained in this policy:

- The chief officer of police;
- The Fire and Rescue Authority;
- The Director of Public Health
- each Local Health Board
- such persons as the licensing authority considers to be representative of holders of premises licences, club premises certificates and personal licences issued by that authority;

- such other persons as the licensing authority considers to be representative of businesses and residents in Bristol.

2.7 The Act requires the Council to consult with those persons or their representatives who have a special interest in the licensing policy. In this policy those with a special interest are sometimes referred to as “stakeholders”

2.8 The Council is able to go beyond the minimum statutory requirements. It has actively sought the views of all stakeholders on its proposals and not just those persons who are representative of them.

2.9 The Council extends its thanks to all of those who took the time to make their views known on its proposed statement of licensing policy and the revisions to it. A full list of all of those who did so is attached at Appendix A

### **The Council’s legal obligations**

2.10 There are a number of statutory provisions that apply to every action the Council takes as a public authority. These include, for example:

- its duty to have regard to the interest of Bristol’s Council tax payers;
- its obligations to act compatibly with rights conferred under the European Convention of Human Rights
- its general and specific duties under Equalities Law
- its obligations under Crime and Disorder legislation

2.11 The Licensing Act itself places an obligation on the Council to carry out its licensing functions with a view to promoting the four licensing objectives, namely:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm.

2.12 The Council is committed to fulfilling all of its obligations when exercising Licensing Functions.

### **Summary of the decision making process on applications for authorisations**

2.14 Most applications need to be supported by an operating schedule. The schedule must specify (among other things) the steps the applicant proposes to promote each of the licensing objectives.

## Uncontested applications

If no responsible authority or other person makes a relevant representation then, providing the application has been validly made and the applicant shows it has been advertised as required by law, the licensing authority must grant the application as set out in the operating schedule and the only conditions that can be imposed are the mandatory conditions under the Licensing Act 2003 and those conditions that are consistent with the operating schedule. The Act still requires that the Licensing Authority have regard to relevant policy and guidance and act with a view to promoting the four licensing objectives when it is dealing with uncontested applications, just as is the case where relevant representations are in play; but the Authority cannot, in the absence of relevant representations, exercise substantial discretion. The judgment of what conditions, consistent with the operating schedule, should be imposed on the authorisation falls to be made by duly authorised officers in such cases.

Apart from the mandatory conditions, which are standard conditions applying to all relevant applications and are to be found in the Act or in Ministerial Orders, there is no obligation under The Act to impose any conditions. In cases where no relevant representations are received the licensing authority has power to impose conditions but only ones that are consistent with the steps advanced in the operating schedule. There is no legal obligation to impose a condition in respect of each and every step that may be contained in the operating schedule in such a case; there is simply a power to do so and that power must be exercised having regard to national guidance and local policy and acting with a view to promoting the four licensing objectives. That is:-

- only conditions that are consistent with the operating schedule may be imposed (but they do not have to be imposed);
- regard must be had to the Ministerial guidance and to local policy when deciding whether any conditions need to be imposed and if so what should be imposed;
- when considering these matters and making decisions the Authority must act with a view to promoting the Licensing objectives

It is a matter for applicants to decide how to set out the steps they propose to take to promote the licensing objectives when they complete their operating schedules, providing they act in accordance with their statutory obligations and do not make any false or misleading statements.

In order for this policy to be effective it is especially important that applicants comply with their obligation to provide the information prescribed on the form. This can be particularly important when providing a description of the premises, when providing information to describe the activities applied for or when responding to questions intended to ensure the protection of children from harm.

For example, the Authority expects applicants to accurately describe the type of premises, their general situation and layout and any other information which could be relevant to the promotion of the licensing objectives. What is relevant will vary from case to case but the following can reasonably be expected to be relevant to the consideration and evaluation of the licensing objectives and to therefore form part of the prescribed information required to make a compliant application:

- any proposed use that is contrary to existing planning consents;
- where the planned operation of the premises changes through the proposed licensed period. For example some licensed premises provide a food led offer during the day and early evening before changing to a drink led offer during later hours
- the proximity of the premises to residential accommodation, schools etc.
- any features that might pose special risks such as ornate suspended ceilings

Through this policy, the Council aims to set out its minimum expectations of the steps it hopes will be advanced by applicants seeking authorisation for certain types of premises, locations and activities. The policy indicates the conditions that it would usually expect to be imposed by officers when they are in line with such steps and no relevant representations have been received.

Annexed to this policy are a number of appendixes that set out these policy expectations and summary reasons (in italics) why the conditions there referred to are generally considered to be ones that are appropriate for the promotion of the licensing objectives. More detailed reasons for many such conditions are contained in the main body of this policy.

Some applicants may offer steps beyond the ones usually expected through this policy. That is their right. It is for applicants to decide what steps to put forward in their operating schedule. However, it does not follow that, where no relevant representations have been received, the licensing authority must impose conditions to reflect all of the steps that have been advanced. In some cases to do so could result in onerous conditions being imposed on the licence. The delegated officer determining an application where there are no relevant representations does enjoy limited discretion about which conditions should be imposed that are in line with the steps advanced. The officer should only impose steps beyond what is generally anticipated under this policy when it is considered appropriate to do so having regard to the Secretary of State's guidance, to this policy and acting with a view to promoting the four licensing objectives.

The annexed minimum steps/ conditions have been developed in consultation with responsible authorities and have been subject to statutory consultation. This policy does not aim to tell applicants what steps they should advance (other than expecting adherence to the legal obligation on applicants laid down in and under the Act) and nor does it seek to control the content of any relevant representations



that any person or body may choose to make. However it is hoped that the schedules will be of assistance to applicants and responsible authorities alike, when making applications or evaluating them, by making clear the minimum policy expectation of the Licensing Authority as to what will usually promote the licensing objectives.

It should be made clear that the individual model operating schedules cannot cover all eventualities. For example there may be premises that operate as a restaurant for most of the time but that cease serving food at some point during the night and then function as an alcohol led late night bar or entertainment venue. In such cases, under this policy, the minimum steps for each type of venue, taken together, would be relevant policy provisions to guide in the processing of applications. The appendixes will be kept under review and further developed in the light of experience of their operation.

### **Contested applications**

Where relevant representations are made the application must be determined by either the full Licensing Committee or one of its duly authorised sub committees. In Bristol it is usually a sub-committee that determines such applications and this determination will usually take place at a hearing. The sub-committee in such cases has full discretion to take such steps that are set out in the Act as it considers appropriate to promote the licensing objectives. These steps may include modifying the conditions that are in line with those proposed in the operating schedule (see preceding paragraph) (or in the case of variations, on the existing authorisation) and/or rejecting the application in part, and/or excluding a licensable activity; or wholly rejecting the application.

In exercising its discretion, the licensing sub-committee must have regard (amongst other things) to this licensing policy. Therefore, in drawing up their operating schedule, applicants should find it helpful to read this policy carefully and to understand what is expected by the licensing authority in order to promote the licensing objectives. As stated previously in this statement of policy, this does not mean an applicant has to apply in line with this policy. However it will enable applicants to decide if their prospective application might benefit from discussion with responsible authorities, for example to assuage any concerns that might otherwise result in relevant representations being made on the application.

### **When agreement is reached after relevant representations are received**

In some cases agreement is reached between applicants and those who have made relevant representations as to how the licensing objectives may be promoted in the particular case. Three things need to be borne in mind in this situation:

- (i) the Act does not give applicants a power to amend their applications;

- (ii) if all relevant representations are withdrawn then the position is that there are no relevant representations and the Authority may only grant the application in line with what was applied for;
- (iii) if relevant representations are not withdrawn the application would usually have to proceed to a full hearing.

In Bristol a process has been established to deal with this situation that is in accordance with the provisions of the Act, as follows:

If all parties state in writing that they consider a hearing can be dispensed with then the sub-committee has a discretion (which cannot lawfully be delegated to officers) to dispense with a hearing. In deciding whether or not to dispense with a hearing the sub-committee is exercising a licensing function. As such it is required to have regard to any relevant guidance as well as to this policy and it must act with a view to promoting the licensing objectives.

The sub-committee receives a verbal report from a licensing officer who will provide any information needed to enable the committee to evaluate the agreement against the licensing objectives. If the sub-committee agrees that what has been agreed will promote the four licensing objectives then it will exercise its discretion to dispense with a hearing. If it does not agree, or if further clarification is required, an early date will be fixed for the parties to attend. It is rare for the committee to expect the attendance of parties in such cases.

**Where relevant representations have been made and are not withdrawn or no agreement to dispense with a hearing is reached**

It does not follow that an application that complies with the policy will necessarily be granted or that an application that does not comply with it will necessarily be rejected. Where there have been relevant representations, the licensing authority will always consider the merits of the case, acting within the statutory constraints.

Where a relevant representation refers to the absence of minimum expected steps as set out in this policy then in any hearing the applicant will be expected to rebut the policy presumption that the corresponding conditions should be imposed. In the absence of a clear case for an exception in the particular case the Authority intends the policy to be strictly applied in order to achieve the purpose for which the particular policy provision concerned has been made.

Not all premises types and activities are covered in the annexed schedules and the following policy on the promotion of the four licensing objectives remains relevant:

### **3. The Four Licensing Objectives**

### **3.1 Prevention of Crime and Disorder**

- 3.1.1 Applicants are required by law to set out in their operating schedule the steps they propose to promote the prevention of crime and disorder. Responsible applicants will ensure proper regard in their operating schedule to the location, character and condition of the premises, the nature and extent of the proposed use and the persons likely to be attracted to the premises.
- 3.1.2 The Council expects the authorisation holder to take steps to control excessive consumption and drunkenness on relevant premises. This will reduce the risk of anti-social behaviour occurring both on the premises and elsewhere after customers have departed. Authorisation holders are expected to be able to demonstrate a general duty of care to customers using their premises and others affected by their activities this may include developing a policy to prevent the sale of alcohol to drunk customers.
- 3.1.3 The Secretary of State's guidance sets out measures that applicants, responsible authorities and licensing authorities could consider to further the promotion of the licensing objectives. Examples include the use of toughened glass and restrictions preventing the sale of drinks in bottles for consumption on the premises. When determining an application that is subject of relevant representations the Licensing Committee would need to give careful consideration to the location and style of the venue when assessing whether any such condition was appropriate. In Bristol there have been a number of serious glass related injuries in and around licensed premises such as may make the imposition of such a condition appropriate for the promotion of the public safety objective.

#### **Toughened/safety glass policy**

Licensed venues that provide the sale of alcohol for consumption on the premises should consider the introduction of toughened/safety glass. This policy expectation applies to those premises that would be considered as carrying a higher risk for potential crime and disorder. In particular it is expected in premises considered to be high volume vertical drinking establishments and those premises open beyond midnight in areas where there is a high concentration of venues (but not premises in those areas that are viewed as low risk in this context).

For example in facilities for hotel residents and their guests it is not expected that a toughened/safety glass policy need operate and nor would it be appropriate in premises which operate as a restaurant where the bar is mainly provided for restaurant customers. The policy also applies where outside areas are provided for consumption of alcohol, particularly where the area is constructed of hard material and also where the outside area is in or adjacent to a public place.

#### **Glass Bottle Policy**

The Council considers it appropriate for the promotion of the licensing objectives to prevent the passing of a glass bottle over the bar of premises licensed to supply alcohol for consumption on the premises where there is a poor history of crime and disorder where this is deemed sufficient to address the crime and disorder concerns. In some such cases rejection or revocation may be the most appropriate response. This expectation may fall to be considered as a result of relevant representations having been received on an application. Like other conditions set out in this policy it may also be considered at a hearing following an application for review of an authorisation.

3.1.4 The previous Government's Alcohol Strategy published in March 2012 recognised the issues arising from binge drinking. The strategy proposed, amongst other measures:

- To encourage greater use of existing powers to stop serving alcohol to people who have consumed too much.
- Give more powers for Licensing Authorities to restrict opening and closing times through the use of Early Morning Restriction Orders (which came into force in October 2012).
- Encourage local health bodies to share non confidential information with the police and to exercise their new powers as a Responsible Authority to make representations on licence applications and submit licence reviews.
- Restrict the supply of cheap alcohol with the introduction of a minimum unit price for alcohol.
- To work in partnership with business to drive down alcohol misuse and to encourage a culture of responsible drinking.

The Council will work with the police and other relevant Responsible Authorities and licensees to encourage good practice in this area . In considering authorisation applications that have attracted relevant representations, the Council will also have regard to the following, where relevant:

- Any representations made by the Police, or other relevant agency about the training given to staff in crime prevention measures appropriate to those premises. This could include training in specific areas such as recognising drunkenness, use of illegal substances and the assessment of drinks promotions.
- The physical security features installed in the premises. This may include matters such as the position of cash registers, where alcohol is stored in 'off-licences', the standard of CCTV that is installed, adequate lighting, metal detection and search facilities or the use of plastic bottles in pubs and clubs.

- Procedures for risk assessing promotions such as 'happy hours' which may contribute to the impact on crime and disorder, and plans for minimising such risks.
- The measures employed to prevent the consumption or supply of illegal drugs, including any search procedures and entry policies.
- Where premises are subject to age-restrictions, the procedures in place to conduct age verification checks.
- The likelihood of any violence, public order or policing problem if the authorisation is granted.
- Whether the design of the premises has been considered having regard to reducing conflict and minimising opportunities for crime.
- Whether steps are proposed to avoid the adverse impact of the promotion of the licensing objectives which result from high strength alcohol being sold at a low price.
- The measures taken to control admission to the premises and the use of and number of Security Industry Authority licensed door supervisors employed at the premises.
- Measures taken to ensure that no public nuisance or other crime results from customers seeking to smoke tobacco and related products at or in the vicinity of the premises, and the extent to which these measures are likely to be effective.
- Other appropriate measures, such as participation in a local pub watch scheme or other body designed to ensure effective liaison with the local community, subscription to dedicated security radio circuits and other examples of industry best practice.

3.1.5 It is recommended that applicants discuss the crime prevention procedures in their premises with the Licensing Authority officers and the police before submitting their application.

3.1.6 Where the law permits, authorisations for any form of regulated entertainment will be subject to conditions to prohibit entertainment (including film exhibitions) which is likely to lead to disorder, stir up hatred or incite violence towards any section of the public on the grounds of colour, race, ethnic or national origin, disability, religious beliefs, sexual orientation or gender.

## 3.2 Public Safety

3.2.1 Applicants must by law detail in their operating schedule steps they propose to ensure public safety. This should include a fire risk assessment. The need to do so has been highlighted by Avon Fire and Rescue in the light of the enactment of the Regulatory Reform (Fire Safety) Order.

3.2.2 Subject to certain provisos, at any time when this Order applies in relation to licensed premises, any term, condition or restriction imposed by the Licensing Authority has no effect in so far as it relates to any matter in relation to which requirements or prohibitions are or could be imposed by or under that Fire Safety Order. In other words many fire safety concerns that need to be addressed following receipt of written representations on an application will not be capable of being addressed by means of a condition. This does not remove the Licensing Authority's duty to act with a view to promote the licensing objectives. If following the receipt of relevant representations it was judged at a hearing that premises represented a fire risk because of the absence of proper fire safety measures having already been undertaken then it would not be consistent with the duty to promote the licensing objectives to grant an authorisation permitting those premises, or if applicable the affected part, to be used for licensable activities. In the absence of being able to address that issue by means of condition the likelihood increases that the sub-committee would judge it appropriate to take the step of rejecting the application in whole or in part.

Therefore through this policy the Licensing Authority emphasises to applicants the benefit to them (and to the promotion of the licensing objectives) of ensuring that steps sufficient to satisfy the appropriate responsible authorities are advanced for the promotion of public safety in their applications. Applicants are expected to make it clear on their application forms that suitable and sufficient assessments of risks to health and safety, including fire safety, are in place before trading begins under any authorisation and can be provided to the relevant responsible authorities upon request. This is especially appropriate in connection with those applications where the premises are not already known to the responsible authorities, perhaps not even yet constructed. In such cases scrutiny of what is proposed could help to avoid a situation where the Licensing Authority inadvertently authorises the carrying on of licensable activities in dangerous premises with potentially catastrophic outcomes that are inimical to the promotion of the licensing objectives.

3.2.3 In considering what steps may be appropriate; applicants will be expected to have particular regard to:

- The premises itself (are there for example any inherent hazards such as steps, open fires, use of shared areas, etc.).

- The neighbouring area (are there for example particular problems with crime and disorder, is it a primarily residential area, etc.).
- The types of regulated entertainment they wish to provide and any hazards.
- The type of persons that may be using the premises or place (for example persons who are particularly vulnerable in some way such as the very old or very young, disabled, possibly impaired through drink or drugs, etc.).
- The situation and circumstances of use (for example low lighting levels, loud noise, crowds, use of special effects, etc.).

The Act requires that applicants set out the steps they propose to promote public safety. The following are examples of the adequate steps regarding this that the Licensing Authority expects in premises where particular risks may arise:

Where public safety may be compromised by an excessive number of customers, applicants are expected to propose capacity limits. This is especially important for premises where regulated entertainment (within the meaning of the Act) is being provided at nightclubs, cinemas and theatres. Other appropriate measures may include the use of door staff, CCTV, staff training, etc.

3.2.4 Where the public needs to be protected from potentially dangerous sources of electricity expected measures may include:

- An assurance that any alterations to the existing system will be made in line with the Electrical Equipment of Buildings issued by the Institution of Electrical Engineers (BS 7671) or as amended.
- The use of residual current devices (RCDs) on high-risk circuits, such as those which may be used by entertainers for plugging in musical equipment or used for plugging in equipment to be used outdoors.
- Other appropriate measures may include portable appliance and fixed appliance testing.

3.2.5 The physical layout of the premises may present particular risks and in some situations (such as those in which vulnerable persons may be especially at risk) applicants will be expected to advance steps accordingly. For example:

- For premises that have stairs, whether it is appropriate for appropriate handrails to be fitted together with contrasting nosings to the steps.
- In respect of premises which have uneven flooring, how to minimise risks.
- In respect of premises with outdoor areas that may be accessed by customers or the public (whether or not those areas form part of the place that is licensed) whether it is appropriate to provide appropriate lighting of these areas, use of toughened glasses and the provision of customer bins.

- Steps expected for premises with working fireplaces include guarding or similar; this is especially important where children may be permitted on the premises.
- Applicants with premises which will be relying on the usage of shared areas, such as escape routes, are expected to advance measures that will ensure the usage of these areas will not create any risks to the public.

Applicants are also expected to consider how the proposed activities may impact upon public safety/public nuisance and put forward steps accordingly. For example:

- Applicants for authorisation of premises that are of high capacity or whose regulated entertainment may give rise to an increased risk of injuries occurring are expected to advance steps regarding first aid provision.
- Applicants for authorisation of premises where special effects (such as fireworks/ foam/ lasers/ etc.) are planned will be expected to propose measures that will ensure this will not create any safety risks.

Where proposed licensable activity includes the consumption of alcohol or provision of late night refreshments on the premises, it is expected that applicants should advance steps regarding the provision of adequate and well-managed toilet and hand washing facilities.

### **3.3 Prevention of Public Nuisance**

“A person is guilty of a public nuisance (also known as common nuisance), who (a) does an act not warranted by law, or (b) omits to discharge a legal duty, if the effect of the act or omission is to endanger the life, health, property,..... or comfort of the public, or to obstruct the public in the exercise or enjoyment of rights common to all Her Majesty’s subjects.”(Archbold)

In the House of Lords case of Rimmington, Lord Rodger said:

“A core element of the crime of public nuisance is that the defendant’s act should affect the community, a section of the public, rather than simply individuals. Obvious examples would be the release of smoke or fumes which affect a village or neighbourhood or the emission of loud noises which disturb the neighbourhood.”

3.3.1 The Act requires and the Council expects applicants to demonstrate within their operating schedule how they intend to prevent public nuisance arising in the nature of noise or other disturbance. This will be of particular importance where there are residential properties in the vicinity of the licensed premises. It should be noted that there is now residential accommodation in most parts of the city, including an increasing number of properties in the city centre that are being, or have already been, converted for residential use.

3.3.2 When appropriate on application or review the Council will consider the adequacy of proposed measures to remove or effectively manage the potential for public



nuisance, anti-social behaviour and other crime which may impact on the promotion of the licensing objectives.

- 3.3.3 When an operating schedule does not sufficiently address the prevention of public nuisance and relevant representations are made in that regard the Licensing Authority will consider those representations and identify how to prevent public nuisance. In some locations it may be appropriate to limit opening hours or the times of other licensable activities.
- 3.3.4 The factors that the Council will particularly consider when determining an application or undertaking a review include:

### **Noise from Entertainment**

Steps taken or proposed to be taken to prevent noise and vibration from entertainment causing nuisance and damage to residents hearing. This may include noise from music, human voices and other forms of entertainment whether amplified or not.

Measures to prevent nuisance may include, where appropriate to the promotion of the licensing objectives:

- The Installation of soundproofing.
- Sound limitation devices.
- Acoustic lobbies.
- The prevention of music being played out of doors.
- The restriction of times or types of entertainment.
- Positioning of speakers.

### **Noise & Disturbance from Customers**

Steps taken or proposed to be taken to prevent noise and disturbance from customers causing nuisance. This may include noise and disturbance from customers on the premises and customers in outdoor areas such as terraces, beer gardens and smoking areas. It will also include noise, disturbance and obstruction from customers in the vicinity of the premises including customers congregating outside a premises to smoke or drink, customers arriving, leaving or queuing outside a premises.

Applicants are expected to give particular consideration to the potential for public nuisance to occur from the use of any outside areas where customers are permitted to smoke. There is no legal requirement for licensed premises to provide an outdoor

smoking area. The Licensing Authority does not consider the expressed need or wish for a smoking area can justify public nuisance. There is no licensing objective in favour of smoking; the Authority is under a duty to promote the prevention of public nuisance.

Noise and disturbance from people outside and leaving premises can cause public nuisance even when those people are not behaving badly. This will be of more significance in areas with residential accommodation and will usually, but not exclusively, be of greater importance between 10 pm and 7 am. However it must be noted that noise and disturbance from customers in outside areas can cause public nuisance outside of these times.

Measures to prevent nuisance may include the:

- Use of time restrictions on certain areas.
- Cessation of the use of certain areas.
- Supervision of outdoor areas.
- Suitable signage.
- Restriction of seating or heating in outdoor areas.
- Restriction on the times that food or drinks can be consumed or sold to be consumed outside the premises.
- Limiting the hours at which premises are open to the public or during which outside areas may be used.

### **Noise from Plant and Equipment**

Steps taken or proposed to be taken to prevent noise and vibration from plant or equipment causing nuisance. This includes noise and vibration from ventilation, air conditioning, refrigeration equipment, outlet pipes.

Measures to prevent nuisance may include the:

- Installation of acoustic enclosures.
- Sound proofing, timing devices
- Relocation or replacing equipment.

### **Noise from Servicing**

Steps taken or proposed to be taken to prevent noise from servicing of the premises causing nuisance. This may include noise from deliveries, collections and the on-site disposal of bottles and other waste or recyclable materials.

Measures to prevent nuisance may include the:

- Restrictions on times of activities near to noise sensitive premises
- the prevention of activities on certain parts of the premises.

### **Odour**

Steps taken or proposed to be taken by the applicant to prevent odour from the premises causing nuisance. This can include the generation of odour from food preparation, refuse storage and or from smoking areas.

### **Lighting**

Steps taken or proposed to be taken by the applicant to prevent artificial light from causing nuisance. This includes the siting of external lighting, security lighting and advertising lighting displays.

### **Waste**

Steps taken or proposed to be taken to prevent nuisance being caused from the storage of refuse on or in the vicinity of the premises, measures may include:-

- All waste and refuse to be contained in appropriate lockable containers.
- Adequate off street storage for refuse bins between collections.
- Refuse only to be placed out for collection at a specified time.
- Cleansing regimes to ensure for the immediate clearing up of any waste spillages.
- Implementation of a signed Trade Waste Agreement.

### **Litter**

Steps taken or proposed to be taken to prevent public nuisance from customers depositing litter without due care in the vicinity of the premises. Measures may include the:

- Provision and regular emptying of litter bins.

- Provision for the disposal of cigarette litter at entrances as well as where people are most likely to congregate.
- Regular monitoring and cleaning of areas.
- Reduction in the amount of packaging passed on to customers.
- Provision of posters asking customers not to drop litter.

### **Fly posting, Fliers and Graffiti**

- Steps taken to prevent fly posting and the distribution of fliers advertising the premises or events at the premises.
- Steps taken by the applicant to remove graffiti and fly posting from their surfaces as soon as practicable after it appears.
- Maintenance of a register of promoters in order to promote the prevention of crime and public nuisance objectives.

### **Parking and Transport**

- The availability of public and other transport provision in the locality (including taxis and private hire vehicles) for patrons.
- The arrangements made or proposed for parking by patrons, and the effect of parking by patrons on local residents (including motorised vehicles and cycles).
- The level of likely disturbance from associated vehicular movement.
- Steps taken or proposed to be taken by the applicant to prevent queuing (either by pedestrian or vehicular traffic) or to manage queues.

### **General**

- Any other relevant activity likely to give rise to nuisance.
- The history of the applicant in controlling anti-social behaviour and preventing nuisance.
- Any representations made by the Police, or other relevant agency or representative.

- The history of previous nuisance complaints proved against the premises, particularly where statutory notices have been served on the present licensees.

### **3.4 Protection of Children from Harm**

- 3.4.1 A number of specified "responsible authorities" will be notified of all authorisation variations and new applications. These responsible bodies include the Police and Avon Fire and Rescue. They also include:
- 3.4.2 "A body which 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 is recognised by the Licensing Authority for that area for the purposes of this section as being competent to advise it on such matters"
- 3.4.3 Full Council recommends that the Licensing Committee continue to ask the Council (in its capacity as Social Services Authority) to undertake this responsibility.
- 3.4.4 The Council expects that, whether or not alcohol is supplied or proposed to be supplied on or in the vicinity of the premises, operating schedules will identify:
- The extent to which it is proposed that children be admitted to the premises.
  - Whether it is proposed that unaccompanied children will be admitted.
  - If they are, the type of regulated entertainment provided whilst children are present.
  - The specific steps undertaken to ensure the safety of children and to further ensure that no products or services are sold to children that are not appropriate for their use or consumption.
  - In respect of alcohol delivery services steps taken to ensure alcohol is not sold or, delivered to children (that is, people under the age of 18).
- 3.4.5 Applicants who propose to admit children, particularly where they would not require them to be accompanied by a responsible adult, should be especially careful in ensuring they meet the statutory requirement that their schedule fully and clearly sets out the nature of the activities for which permission is sought. In such cases the Council expects the operating schedule to specify in sufficient detail the measures and management controls proposed to protect children from harm.
- 3.4.6 Nothing in the Council's policy seeks to interfere with the right of an authorisation holder to preclude children from entry to their premises.

## **4. Administration, exercise and delegation of functions**

## **4.1 Guidance**

- 4.1.1 Guidance issued by the Secretary of State recommends that statements of licensing policy should indicate how the licensing authority intends to approach its various functions. As far as functions which are not the responsibility of the Licensing Committee are concerned, the Council has published its constitution which includes detailed and comprehensive information about how the Council and its Executive approach the discharge of their functions. This Constitution accords with the relevant statutory provisions which deal with the discharge of functions, in particular the Local Government Acts of 1972 and 2000.
- 4.1.2 The discharge of functions by the Licensing Committee, however, is not primarily governed by the Council's constitution and the legislation referred to above. The proceedings of the Licensing Committee and its ability to delegate its functions to sub committees and officers are contained in the Licensing Act itself; for example at sections 7, 9 and 10.

## **4.2 Functions related to licensing functions**

- 4.2.1 The Licensing Authority is allowed to arrange for "related functions" to be carried out by its Licensing Committee (section 7(3) of the 2003 Act). A related function is one which relates to a matter which stands referred to the Licensing Committee but is not itself a licensing function. The Council has made arrangements in its constitution for the Licensing Committee to exercise functions related to the licensing of sex establishments. Through this policy the Council states its agreement that those empowered to discharge non-executive functions, be they Committees, sub committees or officers, should utilise this provision where they judge it appropriate. Through this policy the Council further requests that the Elected Mayor consider making the same arrangements in respect of any of the functions for which he is responsible and which may fall into this category. This may be considered particularly relevant in respect of those functions of the Weights and Measures Authority concerned with enforcement of underage sales on licensed premises.
- 4.2.2 Section 7 (5) allows for the licensing authority to arrange for related functions to be considered together either by the Licensing Committee or by "another of its committees". This provision appears to assume that all related matters would fall within the responsibility of a Council committee. In Bristol this is unlikely to be the case. This is because, firstly, in accordance with Executive arrangements made under the provisions of the Local Government Act 2000, many functions are no longer legally capable of being decided by traditional Council committees. Secondly, even where a matter is one which is legally capable of being the responsibility of a Council committee, in practice most of the Council's functions are discharged by officers and not by committees, in accordance with official guidance issued under the 2000 Act which anticipated an increase in decision making by officers acting under delegated powers.

- 4.2.3 Even where the provision may be of relevance there are likely to be practical obstacles to invoking these arrangements. For example the time limits imposed in the Licensing Act in respect of determination of various applications may render it impractical to achieve the making of such arrangements. This is particularly so in respect of the requirement that there be reports passing between the two committees concerned before decisions can be reached.
- 4.2.4 It is therefore unlikely that Bristol will be well placed to take advantage of this provision on a regular basis. However through this policy statement the Council makes clear that, where it is judged that the provision would aid effective decision-making, then its officers are authorised to make the arrangements to put it into effect. Applicants who are aware of related matters are requested to draw this to the attention of the Licensing officers, preferably before their application is lodged, so as to facilitate consideration of the decision making process in respect of all related matters at a sufficiently early stage to facilitate this provision being utilised where it would be of benefit to effective administration.

An example would be where a fresh application, or variation of an existing authorisation, necessitates planning application e.g. for longer hours than the current planning permission permits, or for a change of use, or perhaps other permissions in addition to the authorisation being applied for.

#### **4.3 Sub delegation of functions by the Licensing Committee**

- 4.3.1 The Council considers that the Licensing Committee is best placed to determine how its functions should be discharged within the constraints of the Licensing Act provisions. The Council notes the committee has exercised its Section 10 powers to make arrangements and recommends that the committee continues to review their effectiveness from time to time and at least at each annual meeting.

#### **4.4 Frivolous and vexatious representations**

- 4.4.1 The Secretary of State has provided a table in the guidance which the committee may find a useful starting point in its considerations. However the Council would not recommend that the Licensing Committee follow the recommendation regarding the decision on whether a matter is “frivolous or vexatious”. The Secretary of State suggests this decision should be made by officers “in all cases”. The Council considers this is not appropriate.
- 4.4.2 This provision of the Act is unusual in a local authority context since it requires that the Licensing Authority form an opinion about representations received from interested persons who are not “responsible authorities” regarding whether or not those representations are “frivolous or vexatious”.
- 4.4.3 However deciding that interested citizens cannot be heard is a serious step to take, involving as it must judgments of the Council’s human rights obligations together with other considerations. This is a process from which elected politicians should not be excluded. The Council agrees with the Secretary of State that in a finely

balanced case the maker of the representations should be given the benefit of the doubt.

4.4.4 It may well be appropriate to make this judgment in the context of the application as a whole in order to properly understand the nature of the representations of the interested party. In the Council's experience to date, representations may turn out to be poorly expressed rather than frivolous or vexatious. The Licensing Authority should not lose sight of the fact that many people are not experienced in making a case to a decision making body and it is not unknown for the full meaning of their concern to emerge during a hearing when the representations are clarified.

4.4.5 The Council therefore recommends to the Licensing Committee that it continues to effect its delegations such that officers can only make this decision in those cases where officers would be empowered to go on to make the decision themselves if they judged the particular representations to fall into this category. In all other cases it should be the body which will ultimately make the decision which should make this judgment.

4.4.6 Whichever person or body makes the decision it is particularly important that appropriate legal advice is sought before a final decision is made that a person's views will not be heard or taken into account, as they are judged to be frivolous or vexatious.

## **5. The Film Classification Body**

5.1 Section 20 of the Act enables the Council to specify the film classification body in the authorisation. The film classification body means the person designated under section 4 of the Video Recordings Act 1984 as the authority to determine suitability of video works for classification; this is the British Board of Film Classification (the BBFC).

5.2 Where the authorisation specifies the BBFC then admission of children must be restricted in accordance with any recommendations made by it.

5.3 Where the BBFC is not so specified, or where the licensing authority has notified the holder of the authorisation that subsection 3(b) of section 20 of the Act applies, then admission of children must be restricted in accordance with any recommendation made by the licensing authority.

5.4 The guidance issued by the Secretary of State (Paragraph 10.59) supports the specification of the BBFC on the basis of that organisation's expertise.

5.5 The Council agrees with the Secretary of State with regard to the expertise of the BBFC. The Council also agrees that the Board's classifications should be those which normally apply. However the Council considers there is good local reason for



not specifying the board in Bristol authorisations. Bristol is an area with an active and innovative arts and cultural scene. There are many examples of films exhibited in Bristol which do not have a BBFC classification and which are not intended to be exhibited widely or even beyond the Bristol area; in such cases the film maker may not judge it to be economic to seek classification from the Board. In such cases it has been the practice in Bristol for the Council itself to view the material and indicate the appropriate classification having regard to the BBFC guidelines. The Council considers this practice to be of benefit to the arts in the local area. It does not undermine the licensing objectives to allow it to continue.

- 5.6 In Bristol the BBFC has not therefore been specified as the film classification body. Instead the Licensing Committee should enable its sub committees and/or officers to recommend classification and should publish its classification policy. The classification policy should include the general application of the classification recommended by the BBFC where films have been submitted for classification. Where the Council is asked to consider classifying films which have not been submitted to the BBFC then the Council can if it wishes to do so consider issuing its own classification in respect of which regard should be had to the BBFC guidelines. The Licensing Authority wishes to retain the discretion to depart from the BBFC although it expects this discretion to be exercised sparingly. As this is a discretionary service and having regard to the cost to the Council tax payer which would otherwise arise, any such request should be processed only on payment of a suitable fee. A discretion should be retained under the classification regime of the Council enabling it to refuse to consider an application for classification itself but instead recommending the film for submission to the BBFC. This should be done in cases where the summary of the film suggests that it may be considered for a Restricted 18 classification. A suggested film classification policy for Bristol is included at Appendix B.
- 5.7 All premises authorisations permitting the exhibition of film should contain a condition permitting non classified films to be exhibited at the premises for the purpose of a private viewing by the Licensing Authority in its role as the classification body (but for no other purpose) in order to facilitate the effective implementation of this policy.

## **6.1 Licensing of Premises and Places**

- 6.1.1 As emphasised throughout this policy, where there are no relevant representations, the Council may only impose conditions in line with the operating schedule submitted by the applicant. Having considered relevant representations and determining to grant the application (in whole or in part), the Council may impose conditions which modify the conditions that are consistent with the applicant's operating schedule to the extent that the Committee considers appropriate for the promotion of the licensing objectives.

- 6.1.2 The Policy is not intended to encourage the duplication of existing legislation and regulatory regimes which place obligations on employers and premises owners seeking authorisations under the Act. The Council would therefore not encourage the imposition of conditions which serve no purpose other than to replicate existing controls.
- 6.1.3 However, where such controls do not exist, or where they fall short of what is reasonably required to promote the licensing objectives, it is proposed that the Licensing Committee should, where the law permits it to do so, impose conditions which do promote the achievement of those objectives.
- 6.1.4 Where there are relevant representations which persuade the Licensing Committee that the application cannot proceed as proposed, then the committee should consider if the problems identified can be overcome by means of imposing appropriate conditions in accordance with the statutory provisions.
- 6.1.5 If the committee is satisfied that implementing the permissions contained in the proposed authorisation would result in the commission of a criminal offence, the Council may think it appropriate to reject the application in order to promote the Licensing Objectives.

One example of when this may occur is where there is a dispute about whether or not an authorisation can be relied upon in particular circumstances.

In the Licensing Authority's experience, this can occur in respect of premises where petrol is sold and an applicant seeks authority to supply alcohol. Section 176 of the Act provides that premises used primarily as a garage or which form part of premises which are primarily so used are 'excluded premises'. No authorisation has effect to permit the sale by retail or supply of alcohol on or from excluded premises.

The question whether or not the premises are indeed excluded premises can be controversial; there may be a genuine dispute between the Authority and an applicant about whether or not supplies of alcohol could take place without an offence being committed.

The Licensing Authority will take care to secure all relevant information that is reasonably available to it to enable it to judge whether or not the premises for which authorisation is sought are excluded premises. If the Authority reasonably believes that the premises are excluded premises then rejection of an application (or revocation on a review) is an appropriate and proportionate step given that the sale of alcohol in reliance upon such an authorisation from excluded premises would involve the commission of a crime. The Authority should bear in mind that its role is to act with a view to preventing crime; it should not therefore allow a situation to develop where crime is likely to be committed.

A further example of the risk of crime being committed in reliance on an authorisation can be found in the provisions, which enable the Council to regulate

'sexual entertainment venues'. The Council adopted these provisions in January 2011 and has developed policy in respect of the regulation of sexual entertainment venues, which it would not be appropriate to replicate in this policy but which can be viewed here:- <https://www.bristol.gov.uk/licences-permits/sexual-entertainment-venues>

Those who hold a Licensing Act authorisation under which 'relevant entertainment' within the meaning of the sexual entertainment venue provisions may be provided will be able to claim an exemption from the need to secure a sexual entertainment venue licence if they fall within certain categories, one such is an occasional use exemption.

The definition of relevant entertainment is such that whether or not premises are being used for its provision may be an issue on which disagreement could arise. The Council considers that certain measures are appropriate in order to prevent the commission of the crime of providing relevant entertainment without a Sexual Entertainment Venue Licence. First, authorisations issued under the 2003 Act should clearly state whether or not adult entertainment/services etc. are permitted.

Second, where adult entertainment is permitted, then a condition requiring the authority to be notified of those occasions when adult entertainment is proposed to take place under the occasional exemption is a reasonably appropriate step to ensure the promotion of the crime prevention objective.

- 6.1.6 In addition to mandatory conditions (as specified in the Act or by Order), other conditions may be tailored to the individual style and characteristics of the premises and events concerned.
- 6.1.7 Where following receipt of relevant representations the Licensing Authority considers that to grant the authorisation, whether as sought, or with additional conditions, would result in a real risk of harm of the type that the licensing objectives seek to prevent then refusal (in whole or in part) should be considered. The health, safety and well-being of the public in the context of the duty to promote the four licensing objectives should be of paramount importance.
- 6.1.8 The Pools of Conditions which have been developed by the Licensing Committee and can be found at [www.bristol.gov.uk/licensingpolicy](http://www.bristol.gov.uk/licensingpolicy) are considered by the Council to be a useful resource to the Licensing Committee in attaching conditions that are appropriate in the particular circumstances of the case. However, the Council supports the Licensing Committee in utilising other conditions where they are judged reasonable and in particular where it is judged to be conducive to facilitate the promotion of a relevant statutory obligation. The local pools of conditions are contained in Appendix C.

## **6.2 Flyposting and nuisance advertising**

- 6.2.1 In Bristol there is a particular and widespread problem with illegal and nuisance advertising. There are limited controls in place under planning law which make

“flyposting” an offence; however those controls are inadequate as far as much nuisance advertising is concerned. This is because the relevant planning regulations do not cover much of the activity which causes nuisance to residents and visitors alike, such as the flyers which litter our streets and the evidence on our City’s streets make plain that the existing legislation is not achieving the prevention of this criminal and nuisance activity. Also some licensees leave the advertising of regulated entertainment in the hands of others, (e.g. events promoters), which can result in the licensees themselves not being answerable for crime which relates to activity on their premises.

- 6.2.2 The Licensing Act is based upon an expectation of most licensees being responsible and law abiding.
- 6.2.3 The Council expects licensees will ensure that the licensing objectives (particularly those relating to crime and disorder and public nuisance) are promoted by ensuring entertainment at their premises is not advertised in a manner which causes nuisance or which results in the commission of offences. To this end, a responsible licensee is expected to take all reasonable steps and exercise due diligence to ensure advertising of licensable activities does not cause nuisance or annoyance or which results in a criminal offence. Those steps should include the maintenance of a register of promoters that can be inspected by authorised officers or constables on request. This should help to deter irresponsible promoters from allowing events to be unlawfully advertised and thereby serves to promote the licensing objectives.
- 6.2.4 The Council therefore proposes that the Licensing Committee be encouraged to impose conditions to that effect in every case where the permitted regulated entertainment involves music/dance or similar entertainment and where such a condition would be consistent with the applicant’s operating schedule.
- 6.2.5 The Council hopes that responsible applicants will want to work with the Council in tackling nuisance and criminal advertising and will play their part by submitting operating schedules that are consistent with this objective. Applicants are referred to the model operating schedules to assist in this regard.
- 6.2.6 Where the Council believes the applicant’s operating schedule is not consistent with tackling nuisance and criminal advertising and where relevant representations have been made conditions to control fly posting, in line with this policy, should usually be considered to be appropriate to promote the Licensing Objectives.

### **6.3 Cumulative Impact**

- 6.3.1 The cumulative impact of the number, type and density of premises in particular areas, such as the city centre, may lead to them becoming saturated with premises of a certain type making them a focal point for large groups of people together leading to severe or chronic problems of public nuisance and anti- social behaviour.

The licensing authority may consider publishing a cumulative impact assessment (CIA) to help limit the number of types of licence applications granted in such areas if it is satisfied that it is appropriate to include an approach to cumulative impact in its Licensing Policy Statement. It will take the decision only after it is satisfied that there is evidence to support such a decision.

- 6.3.2 The effect of adopting a CIA of this kind is to create a rebuttable presumption if relevant representations to that effect are received, that applications for new premises authorisations or club premises certificates or material variations will normally be refused, unless it can be demonstrated that the operation of the premises involved will be unlikely to add to the cumulative impact already being experienced. What constitutes a material variation will depend upon the policy in place and the reasons for the area being designated as suitable for adoption of a special policy.
- 6.3.3 The Secretary of State's guidance encourages applicants to address the CIA in their Operating Schedules in order to rebut such a presumption. Any CIA will stress that the presumption does not relieve responsible authorities or other persons of the need to make a relevant representation before the local authority may lawfully consider giving effect to its CIA.
- 6.3.4 The Licensing Authority recognises that many different kinds and styles of premises sell alcohol, serve food and provide entertainment. It recognises that some applications in a CIA area will be unlikely to add to the problems arising from saturation. Where it can exercise discretion in determining applications in an area where a CIA is in force, that is, where relevant representations have been received, it will have full regard to the impact different premises may have on the local community.
- 6.3.5 The Licensing Authority must grant any application in a CIA area subject only to conditions that are consistent with the operating schedule submitted by the applicant if it receives no relevant representation.
- 6.3.6 The Licensing Authority will keep cumulative impact assessments under review. Cumulative impact assessments were introduced in the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018. The amendments require the Licensing Authority to review the CIA within three years of its publication.
- 6.3.7 The absence of a CIA does not prevent any responsible authority or other person making evidence based relevant representations on a new application for the grant of an authorisation on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.
- 6.3.8 Cumulative impact assessments are intended to be strictly applied. Applications which would seek to be allowed as an exception to a special cumulative impact policy will generally be favourably considered if they are judged to encourage a greater variety of types of entertainment than currently exists in these areas. It is important to be clear that this does not mean that an applicant who believes their

offer is different to what already exists in the area can assume a favourable outcome. “Greater variety” must be understood in the context of the licensing objectives. In particular, the Licensing Authority welcomes those proposals which can be viewed as more family friendly and which offer a wider range of entertainment than that which is currently available because it is considered that such proposals will not usually add to the stress in the area and undermine the licensing objectives.

However matters such as for example,

- the premises will not add people to the area;
- longer hours will create slower dispersal;
- history of good management;
- premises are well run;
- premises application is small in nature
- alcohol is not sold;
- clientele are a cut above the usual;

will not be considered exceptional circumstances, as the issue is crime and disorder/public nuisance in the area as a whole rather than that associated with individual premises and the promotion of the licensing objectives.

Existing licensees who wish to materially alter and/or extend the premises to which the authorisation relates are required to seek a new authorisation. This is because the Act prohibits the use of a variation application to substantially alter the premises to which the authorisation relates. Where the only change is to the physical extent or material layout of the premises themselves (i.e. in the absence of additional features such as change in style of operation, capacity etc.) it is highly unlikely this would trigger the special policy. Of course this policy cannot restrict the right of any responsible authority or other person to make relevant representations in that regard and if such are forthcoming they will be diligently considered, but the policy expectation is that the application should be granted unless the relevant representations demonstrate the change will be likely to add to the cumulative impact being experienced. Where other change is envisaged then the presumption may arise.

Applicants are reminded that they are entitled to seek a provisional statement in such circumstances.

Applicants who have the benefit of a provisional statement and who have completed their works substantially in line with that statement should not have the assessment applied to them. This is because the CIA could (indeed may) have been raised and considered prior to the provisional statement having been granted.

6.3.9 Having had regard to the guidance referred to above, consulted upon the issue, taken into account the views of respondents and considered the evidence the Council has adopted a CIA in respect of five areas of Bristol, namely:

*It is anticipated that this part of the policy may change as a result of the formal consultation. The Licensing Authority is required under new legislation to undertake an evidence based review of any CIAs*

### **City Centre CIA**

The central area within the Cabot Sector as identified by Avon and Somerset Police and as extended to include the Welsh Back area, Stokes Croft and Cabot Circus (Map at Appendix D)

### **Reason for Assessment**

The Avon and Somerset Police produced evidence to support their request that the central area of Bristol be designated a CIA. It remains at saturation point and the Police produced evidence for extending the area to which the special policy should apply so as to include Stokes Croft and Cabot Circus. In particular the area, which has a significant concentration of alcohol led late night venues, witnesses a high number of assaults and other related crime and disorder including public nuisance and risk to public safety. The CIA will apply to further applications for the grant of new licenses or significant variations of existing licenses in respect of premises that primarily sell alcohol for consumption on the premises, other late night uses, restaurants and take away outlets. The main focus of the assessment is likely to be on alcohol led establishments and premises that keep customers in the area at times when the promotion of the licensing objectives is most challenging (for example late night refreshment from “fast food” outlets).

### **Gloucester Road CIA**

The area covers a stretch of Gloucester Road from its junction with Pitt Road and Rudthorpe Road to the Arches on Cheltenham Road and also includes a section of Zetland Road (Map at Appendix D).

### **Reason for Assessment**

This stretch of Gloucester Road, which is a major transport route in and out of the city, features a mix of retail and leisure uses with primarily residential areas behind the frontages. The request for a CIA to be introduced was made by the Police and supported by local residential amenity groups. The potential for increased public nuisance and crime and disorder arising from further licenses being granted is a

major concern for local residents in this area and the Police. In particular the area, which has a significant concentration of alcohol led late night venues, witnesses a high number of assaults and other related crime and disorder including public nuisance and risk to public safety.

The ability to prevent further encroachment into the normal sleeping times of local residents is also a key aspect of this CIA. The assessment will apply to further applications for the grant of new licenses or significant variations of existing licenses in respect of premises that primarily sell alcohol for consumption on the premises, other late night uses, restaurants and take away outlets. The main focus of the assessment is likely to be on alcohol led establishments and premises that keep customers in the area at times when the promotion of the licensing objectives is most challenging (for example late night refreshment from “fast food” outlets)

### **Whiteladies Road CIA**

The area bounded by West Park and that length of Whiteladies Road which extends from its junction with West Park to its junction with Imperial Road and that length of Cotham Hill extending from its junction with Whiteladies Road to its junction with West Park (Map at Appendix D)

#### **Reason for Assessment**

This stretch of Whiteladies Road is predominantly characterised by properties with A3 leisure uses behind which are sited residential areas. The request for the CIA to be implemented was made by local amenity groups and supported by the Redland Sector of Avon and Somerset Police. This area differs from the city centre in that there is a greater emphasis on the need to promote the prevention of public nuisance objective. The ability to prevent further encroachment into the normal sleeping times of local residents is a key aspect of this policy. The policy will apply to the consideration of applications for the grant of new authorisations or for significant variations of existing authorisations in respect of premises that primarily sell alcohol for consumption on the premises, other late night uses, restaurants and take away outlets.

### **Clifton CIA**

An area comprising of Clifton Village and extending to Queens Road and Whiteladies Road (Map at Appendix D)

#### **Reason for Assessment**

Clifton Village and the surrounding area has seen a rapid growth in restaurants, bars and cafes. These A3 uses are mixed with residential areas and have led to an increase in public nuisance. The request for the CIA was made by the Clifton and



Hotwells Improvement Society and is supported by local residents and Avon and Somerset Constabulary. Clifton Village is a popular destination with a vibrant day and night time economy. The CIA will help to protect the residential amenity and ensure that further expansion with licensed premises is not to the detriment of this important and iconic part of Bristol. The CIA, when triggered, will apply to applications for the grant of new licenses or significant variations of existing licenses in respect of premises that primarily provide alcohol for supply on the premises, restaurants and takeaway outlets. Applicants for licenses in the CIA area will need to be able to demonstrate that they can offer something different from what is currently available without adding to the impact already being experienced.

### **Bedminster and Southville CIA**

The CIA comprises of two adjacent areas that have different characteristics. The North Street section places a greater emphasis on seeking to prevent public nuisance whilst the Cannon street area has more of an emphasis on preventing crime and disorder (Map at Appendix D)

#### **North Street (From the junction with Ashton Road to the junction with Greville Street)**

##### **Reason for Assessment**

This stretch of North Street is characterised by a varied range of food, drink and entertainment offers leading to a busy area, which has resulted in anti- social behaviour and loss of amenity for local residents. The CIA will help to protect residential amenity from being harmed by public nuisance and will, when triggered by the receipt of relevant representations, give rise to a presumption of refusal of applications for the grant of new premises licences or for significant variation of existing licenses particularly where such proposals could increase anti-social behaviour. The CIA is not designed to preclude high-quality food-led developments that are commensurate with the community's longer term ambitions for the area.

#### **Cannon Street Area (Cannon Street, North Street (from junction of Grenville Street to junction with Cannon Street), East Street (from junction with Little Paradise to junction with West Street/Sheene Road and West Street (from junction with East Street to junction with Victor Road)**

##### **Reason for Assessment**

The Cannon Street locality comprises of a close concentration of late night 'destination' bars, take away food outlets and premises supplying alcohol for consumption away from the premises (off-licences) that has resulted in a cumulative adverse impact on the promotion of the licensing objectives, in particular those concerning the prevention of crime and disorder and the prevention of public

nuisance. The CIA, when triggered by the receipt of relevant representations, will apply to applications for the grant of new premises licences or for significant variation of existing licenses and is intended to prevent the further proliferation of the type of premises on offer in this locality. In order to rebut the presumption of refusal applicants for licences will be expected to demonstrate through the operating schedule accompanying the application that what they propose is a significantly different type of operation than that which is currently on offer; a proposal that will result in a greater variety of range of venues and that it is demonstrated will not add to the problems currently being experienced which this policy aims to address. The CIA is intended to be strictly applied, i.e. to refuse applications with operating schedules that could enable a venue to operate as an additional late night alcohol led venue, or as a late night food take away outlet, or as an “off-licence”.

6.3.10 The publication of a CIA for these areas should not be understood to be an absolute bar to new authorisations being issued or granting significant variations to existing licenses. Applicants are entitled to seek any of the permissions available to them in the Act and the Council does not in this policy intend to prevent applicants from exercising their statutory rights. Each application will be considered on its own merits, within the constraints of the legislation and having due regard to the relevant guidance and policy.

### **Interpreting the extent of a Cumulative Impact Assessments**

6.3.11 In respect of past policy, issues have occasionally arisen with regard to whether or not a particular premises that is located abutting or just outside of the indicated boundary for each CIA should be considered as being covered by the assessment. Through this policy the Council seeks to clarify that each CIA boundary line is intended to be indicative of the area that is affected by the stress underpinning the cumulative impact for the area concerned. The CIA purpose is to prevent that stress from worsening and to reduce it over time. That policy purpose is frustrated if premises such as those referred to above are automatically considered as being outside of the CIA.

It is intended that the wording of the cumulative impact assessments should be understood by the decision taker in a way that best ensures the purpose of the assessment is achieved. This is sometimes called a purposive interpretation Each application that falls to be considered at a hearing will be assessed on it's own individual facts and merit. Where relevant representations are received in respect of an application for any premises that is adjoining or is in close proximity to (but not within) the CIA defined boundary and where those representations raise a material impact on the CIA then the CIA may be triggered if the sub-committee reasonably judges that to grant the particular application would add to the cumulative impact being suffered in the defined area.

## 6.4 Content of Regulated Entertainment

- 6.4.1 The Act prohibits the Council from seeking to regulate the content of the performance of a play (Section 22). This is the case whether or not there are relevant representations.
- 6.4.2 However no such prohibition is contained in the Act in relation to other forms of regulated entertainment. This does not mean that the Council has a free hand to control the content of regulated entertainment. As previously stated the Council is not able to impose conditions that are not consistent with the applicant's operating schedule unless relevant representations have been made. Even where such representations are made and the Licensing Committee is satisfied they are well founded, due regard would need to be had to the Secretary of State's guidance. Through this policy the Council supports the Licensing Committee in deciding to depart from that guidance where there is good reason to do so.
- 6.4.3 Under the previous public entertainment licensing regime the Council did restrict the content of entertainment in some respects. For example the Council controlled the use of pyrotechnics and none of its licensed cinemas was authorised to exhibit R18 rated films. Such restrictions now fall to be considered in the context of the Licensing Act. Restrictions may be applied where they are consistent with the applicant's operating schedule if there are no relevant representations.

In respect of some forms of adult entertainment, it is a fact that there are people who find this unacceptable and who have a moral opposition to it being permitted.

Licensing Authorities cannot approach the issue in that way and cannot lawfully seek to prevent Applicants from exercising their right to submit any applications that they are entitled to make under the Act.

Insofar as any particular form of regulated entertainment is not prohibited under the general law then it can be made subject of an application for authorisation.

When a valid application is made and properly advertised then, in the absence of relevant representations being received, it must be granted subject only to conditions that are consistent with the operating schedule that must accompany the application. If relevant representations are received then this will trigger notice of a hearing. Relevant representations are defined in the Act by reference to the persons who are entitled to make them, the time and manner in which they must be made and the necessity that they are about the likely effect of the grant of the authorisation/variation as appropriate on the promotion of the licensing objectives.

As Bristol has adopted Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (the 1982 Act) the position regarding the provision of many forms of what would be classified as adult entertainment e.g. strip tease style entertainment now falls under those provisions and Licensing Act authorisations

can only be relied upon for the provision of 'relevant entertainment' in certain circumstances, i.e. where an exemption applies.

Because of the potential for adult entertainment or services to impact on the promotion of the licensing objectives the Secretary of State has ensured that prescribed information is forthcoming that will enable the impact on the objectives, in particular that concerned with protecting children from harm, to be assessed.

Applicants are required to:

"highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children".

The prescribed forms of application for authorisations and variations direct applicants to a guidance note which states that in providing this prescribed information, which forms part of the operating schedule, they should:

"give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi nudity, films for restricted age groups, the presence of gaming machines"

If in response to this question an applicant makes no disclosure of such activity then a condition may be imposed on the authorisation to ensure that nothing may occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether or not children have access to the premises, for example (but not exclusively relevant entertainment within the meaning of the 1982 Act) nudity or semi nudity, films for restricted age groups, provision of relevant entertainment within the meaning of the 1982 Act etc.

Such a condition is consistent with an operating schedule completed in that manner and ensures the promotion of the licensing objectives, for example by ensuring that a licensee who wishes to use the premises for such activity in the future would need to seek to vary the authorisation so as to modify that condition, thus ensuring future impact on the promotion of the licensing objectives is afforded due scrutiny and, if representations are received, active consideration by the licensing authority.

- 6.4.4 Authorisation holders will be expected to ensure that they and their premises comply at all times with any conditions attached to an authorisation. The Licensing Authority has developed pools of conditions which seek to promote the four licensing objectives, including restricting the content of regulated entertainment with a view to promoting the prevention of crime and disorder; and of public nuisance and to securing public safety and protecting children from harm.

6.4.5 In view of the Council's duties under equalities legislation and its general strong commitment to equalities issues, the Council supports a robust approach to ensuring, so far as the law permits it to do so, that entertainment in the Bristol area should not include content which would be in conflict with its legal obligations and policy commitments in the area of Equalities.

6.4.6 The introduction to this policy, including the section on how this policy applies, summarises the circumstances in which the Council can exercise substantial discretion when determining applications and indicates the constraints imposed by the statute governing the exercise of that discretion when it is engaged.

## **6.5 Licensing Hours**

6.5.1 There are no fixed hours for trading under the Licensing Act. Applicants are required to identify the hours they propose to operate.

6.5.2 The applicant needs to demonstrate in their operating schedule what steps they would take to promote the four licensing objectives.

It is suggested that the Licensing Committee, when considering each application on its merits following receipt of relevant representations, should have particular regard to the following factors when trading hours are an issue before the committee at a hearing:

- Whether the licensed activities are likely to cause an adverse impact, especially on local residents, and what, if any, appropriate measures are proposed to prevent it;
- Whether there will be a substantial increase in the cumulative adverse impact on an adjacent residential area;
- Whether there is a suitable level of public transport accessibility to and from the premises at the appropriate times;
- Whether the activity will be likely to lead to a harmful and unmanageable increase in the demand for car parking in any surrounding residential streets suffering from high levels of parking stress;
- Whether the premises have an authorised or lawful use for the permissions sought under Town and Country planning legislation.

6.5.3 The Council's policy will not seek to prevent shops, stores and supermarkets providing sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless satisfied, following the statutory process prompted by the receipt of relevant representations, that there are good reasons

based on evidence for restricting those hours with a view to promoting the licensing objective

### **Early Morning Restriction Orders (EMROs)**

6.5.4 The Police Reform and Social Responsibility Act enables licensing authorities to restrict the sale of alcohol in the whole or a part of their area for any specified time between 12 midnight and 6 am through the application of an Early Morning Restriction Order. The Council recognises that this may be a useful tool to help address specific, alcohol related problems in local communities, particularly where it is difficult to attribute the cause of the associated problems to any particular premises. This could be particularly relevant where there is a concentration of late night activity in one area.

By virtue of section 7 of the act, the function of making, and varying or revoking, an early morning restriction order, or any matter relating to the discharge of such function, is not the responsibility of the licensing committee and under current law must be decided by the full Council.

### **6.6 Young People and alcohol**

6.6.1 An unaccompanied young person (i.e. somebody under the age of sixteen who is not accompanied by a person over the age of eighteen) must not be allowed into any premises which are "exclusively or primarily used for the supply of alcohol for consumption on the premises".

6.6.2 Whether or not premises with a mixed use are "exclusively or primarily used" is a matter of judgment and will depend upon the particular circumstances of the case. The guidance makes it clear that this does not mean that where the supply of alcohol is not the exclusive or primary use then young people should automatically be given access.

6.6.3 Where it is appropriate and permissible within the law (i.e. where it is in line with the application or where relevant representations have been received enabling a hearing to take place) the Licensing Committee should impose conditions that restrict young people from entering all or part of any premises licensed to supply alcohol:

- at certain times of the day and/or;
- when certain licensable activities are taking place and/or;

- where there is an age limitation (over 18);
- unless accompanied by an adult.

6.6.4 Examples of premises where this policy expectation applies include premises where:

- there is entertainment of an adult nature provided;
- the premises have a reputation for under-age drinking and/or there have been convictions for age related alcohol offences;
- there is a known association with drug taking or dealing;
- there is a significant element of gambling on the premises;
- there is a presumption that young people under 18 should not be allowed (e.g. to nightclubs, except when under 18 discos are being held);
- there are licensable activities appealing to young people under 16 taking place during times when they may be expected to be attending compulsory full-time education.

Save for mandatory conditions imposed by the Licensing Act itself, there are no standard conditions that automatically apply and this policy should be understood within that context. The introduction to this policy, including the section on how this policy applies summarise the circumstances in which the Council can exercise substantial discretion when determining applications and indicates the constraints imposed by the statute governing the exercise of that discretion when it is engaged.

6.6.5 The Licensing Authority expects an adequate number of staff to be provided at premises specifically to ensure young people's safety and to control their entrance and exit.

6.6.6 Conditions may be imposed on authorisations for premises where young people will be present at places of public entertainment to the effect that a sufficient number of adults must be present to control the entrance and exit (including safe transport home) and to ensure the safety of young people in the premises.

6.6.7 The Council will expect operating schedules to specify the measures and management controls in place to prevent alcohol being served to young people, other than in those limited circumstances where such service is permitted under the Act.

6.6.8 In 2016 a report by the Health and Social Care Information Centre into smoking, drinking and drug use among young people in England collected information in respect of children at secondary schools aged between 11 and 15 drinking alcohol. The results showed that 44% of pupils aged 11-15 had drunk alcohol at least once

(15% at age 11, and 73% at age 15 years). 10% of pupils said they drank alcohol at least once a week, of these the mean average was 9.6 units. 38% of pupils said that they drank alcohol at least a few times a year. This increased sharply by age, from 8% of 11 year olds to 68% of 15 year olds, and therefore, the age profile of current drinkers is heavily weighted towards older pupils. Current drinkers were most likely to buy alcohol from friends or relatives (22%), someone else (16%), an off-licence (10%) or a shop or supermarket (8%). 61% of current drinkers said they never buy alcohol. The figures would suggest that a number of young people are attempting to buy alcohol from premises that hold an off licence (including supermarkets and smaller independent stores/off licences). When compared to 2010 figures the percentage of pupils purchasing from retail outlets has reduced.

- 6.6.9 A major problem of underage drinking connected to disorder and crime in the city is from the purchasing of alcohol and drinking of it off site, mainly in parks and open spaces.
- 6.6.10 It is consistent with the duty to promote the four licensing objectives for the Council to aim to ensure access to alcohol for consumption by young people is restricted.
- 6.6.11 The Licensing Authority expects that staff responsible for ensuring that customers are old enough to purchase alcohol are fully trained in this respect. This is particularly relevant for bar staff working at premises where door supervisors control entry to premises. Experience has shown that on occasions where door supervisors are employed there can be less vigilance shown by bar staff with regard to refusing the sale of alcohol to under age customers, perhaps due to an assumption that all identification has been verified. Particular care and appropriate measures should be in place for venues that, due to the nature of the events, attract both over and under 18 year old patrons.
- 6.6.12 This statement of licensing policy therefore includes specific measures aimed at promoting the four licensing objectives in certain types of premises, especially off licences, located in areas where there are issues of social disorder, underage drinking etc. Such measures include a general expectation that Applicants propose certain steps in their operating schedules (or, following relevant representations, conditions the committee is expected to impose where the applicant has not offered the appropriate step in their application).

### **Proposed measures to reduce underage drinking**

- 6.6.13 Examples of steps/conditions that the Council expects in such cases (where evidence suggests such conditions are appropriate for the promotion of the licensing objectives) include:
- Implementation of the “Challenge 25” scheme (challenging anyone who looks under 25 to prove their age by use of an approved means of identification);



for this to be advertised and enforced on the premises and to be a condition of the authorisation.

- The premises to have working CCTV in fixed locations (identified by reference to the plan) which is able to clearly capture, record and store images of customers with that information to be retained (for a minimum of 28 days) and made available to the police or the licensing Authority on justified request. This is proposed for the purposes of identifying underage purchases or purchases by adults on behalf of underage individuals. It should be a condition of the license that this equipment be kept in working order at all times.
- Participation in any labelling (or similar sales identification process) scheme in operation in the area within which the premises are situated (where alcohol is permanently marked by the seller with a unique identifier for the premises where it is purchased, so better enabling authorities to investigate the source of alcohol when seized from underage drinkers).
- That a refused sales log is maintained and kept available for inspection by a constable or authorised officer of the Council;
- That, in respect of retail premises where the supply of alcohol is not the primary business, applicants be expected to specify in their operating schedules (by reference to the plan of the premises) the area or areas within the premises where it is intended that alcohol can be displayed and that consideration should be given to placing displays in less prominent areas;
- Details of training provided to members of staff to prevent underage sales to be maintained in a register and kept available for inspection by a constable or authorized officer of the Council.

Save for mandatory conditions imposed directly through the Licensing Act itself, there are no standard conditions that automatically apply and this policy should be understood within that context. The introduction to this policy including the section on how this policy applies summarise the circumstances in which the Council can exercise substantial discretion when determining applications and indicates the constraints imposed by the statute governing the exercise of that discretion when it is engaged.

## **6.7 Young people and films**

- 6.7.1 The Council expects the operating schedule for premises with film exhibition to include a stipulation that young people will be restricted from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or the Licensing Authority as appropriate.

## 6.7 Restricted 18 category films

- 6.8.1 The British Board of Film classification guidelines for awarding an R18 certificate can be viewed here ([www.bbfc.co.uk](http://www.bbfc.co.uk) and select the R18 logo).
- 6.8.2 The BBFC has statutory powers to designate videos so as to ensure that those rated R18 may only be sold through licensed sex shops.
- 6.8.3 Under the previous licensing regime official guidance was issued that encouraged Councils to impose conditions which strictly regulate the circumstances in which R18 films can be viewed. The provisions under which this guidance was issued were repealed when the Licensing Act came into force and the Council will need to have regard to the Secretary of State's guidance under the Licensing Act 2003 when determining applications concerned with the exhibition of films.
- 6.8.4 Whilst the Council does not seek to encourage applications seeking permission to show R18 rated films, it recognises the right of any applicant to make any application allowed under the Licensing Act 2003. It is therefore appropriate for the Council to state in this policy its approach to such applications.
- 6.8.5 Given the explicit nature of the content of films classified as R18 the Council considers that they are suitable for showing only in suitable premises and under restricted "club" conditions. In order to give effect to this, the Council has included a set of conditions based upon those contained in the guidance issued under the previous regime, namely Annex B to Home Office circular 98 of 1982, in the relevant model operating schedule.
- 6.8.6 These conditions ensure that where R18 films are permitted they can only be shown when the cinema has, in effect, turned itself into a "club" for the purpose of restricting admission to members only, who must have enrolled at least 24 hours in advance of the exhibition. Membership must be restricted to those aged over 18 and a film in the Restricted 18 category may not be shown in a multi-screen complex at any time when people under the Age of eighteen are being admitted to other exhibitions at the premises unless an entirely separate entrance is provided and other facilities are completely segregated. Persons aged under 18 would not be permitted to be employed in any capacity in the premises and membership rules would have to include matters specified in the conditions. The content of advertising should also be subject of an appropriate condition.
- 6.8.7 The Council considers the above approach serves to promote the licensing objectives.
- 6.8.8 Any applicant seeking to be permitted to exhibit films in the Restricted 18 category is therefore encouraged to discuss their proposed application at an early stage with the responsible authorities, in particular the Chief Constable and the body responsible for advising the Licensing Committee about the protection of children

from harm. Where representations are received in respect of an application to exhibit films in the Restricted 18 category then the application will be subject to anxious scrutiny, in particular where the operating schedule does not include the steps reflected in the conditions outlined above or where it is proposed that the supply of alcohol should also be permitted.

## **7. The Licensing Authority as a Responsible Authority**

The licensing authority is able to act as a responsible authority and so can make relevant representations on applications or seek reviews of existing authorisations. This means that Bristol City Council can now bring to bear on the decision making process another area of expertise - that of the professional licensing officer - in addition to the other areas of expertise it brings to the process in its various capacities as, for example, local planning authority, statutory nuisance authority, child protection body, Director of Public Health, health & safety inspectors and weights & measures authority. Although the Council operates these functions separately there is only one Council engaged in an administrative decision making process.

- 7.1 The statutory purpose of the duty to adopt this policy (and indeed for the Secretary of State to issue guidance) is specific to the Council in its capacity as the licensing authority and then only in respect of the exercise of licensing functions, that is the powers and duties of the licensing authority under the Licensing Act 2003. Therefore it is not usually the role of a statement of licensing policy to guide the making of relevant representations by any of the responsible authorities. The only exception being when the licensing authority itself is acting as a responsible authority.
- 7.2 The Secretary of State's guidance raises a potential "conflict of interest" and concerns about procedural fairness. The Licensing Act itself ensures a fair process however; firstly by ensuring that officers simply cannot determine applications where relevant representations have been made and secondly by providing a right of appeal to a tribunal that is both independent and impartial. In Bristol's experience the elected members have proved themselves very capable of acting independently and impartially notwithstanding officers from the Council itself are parties before it. There is no reason to suppose that will change when a licensing officer is in attendance as a party. There are however some practical measures that are recommended to the Licensing committee:
  - the Licensing Committee ought not exercise its statutory right to delegate the making of relevant representations to one of its own sub committees; this role should be delegated to those officers the

committee considers best placed to provide expert licensing advice since that will best serve to promote the licensing objectives;

- The Licensing Committee should make it a rule that no officer who has been directly involved in the making of relevant representations on a particular application may make any decisions in relation to the fixing of a hearing, or act as policy advisor to the decision making sub committee during a hearing, or remain with the sub committee when they are deliberating (unless all other parties are also permitted to remain);
- Insofar as any member scrutiny of the exercise of this new function is required the Licensing Committee should request this be undertaken by the Council scrutiny function.

7.3 These measures should ensure the effective separation of those in the licensing authority entitled to determine applications where a hearing is triggered (elected members who are bound to act in the interests of the public) and those in the Council whose professional judgment may cause them to act so as to trigger a hearing (officers of the Council acting in various capacities, including but not exclusively as the licensing authority).

7.4 In regard to the content of the representations and when they should be made, the Secretary of State appears to suggest that the Licensing Authority ought to avoid making representations they think another responsible authority may raise and only speak to limited matters seen as within the scope of the Licensing Authority. This approach is not without risk to the promotion of the licensing objectives in particular if engaging in second guessing results in representations not being made that ought to have been forthcoming. The Council's expectation is that the Licensing Authority responsible authority will give due priority to the following:

- issues arising out of the Licensing authorities role in regulating and enforcement;
- the role as "gate keeper" of this statement of licensing policy

## 8 Licensing and Planning

8.1 The Secretary of State has provided guidance on the relationship between planning and licensing stating that they are separate regimes (Para 13.55). Where the Licensing Authority receives relevant representations that a licensing proposal is contrary to a planning consent and that to grant a licence for such activity would be likely to affect the licensing objectives then a refusal, or the attaching of conditions to prevent such a use until the position has been regularised may be appropriate. In appropriate situations a hearing could be deferred until planning consent has been

obtained, or arrangements made for the applications to be considered together. A responsible and prudent applicant would ensure that an appropriate planning consent was in place before submitting a licence application or choose to submit both at the same time.

Whilst recognising that licensing and planning are separate regimes the Licensing Authority will work closely with planning to ensure that where possible the two regimes will align with each other. The 'agent of change' principle which seeks to protect existing uses, particularly with regard to venues that provide regulated entertainment through permissions under the Licensing Act, is recognised as an important concept under both regimes.

## **9 Enforcement**

- 9.1 All enforcement carried out under the Licensing Act should be undertaken having regard to Bristol City Council enforcement policies, the Secretary of State's guidance and this policy. The exercise of all other licensing functions and enforcement functions under the act that are the responsibility of the Licensing Authority must be undertaken with a view to promoting the four licensing objectives.

List of persons who responded to the consultation

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## APPENDIX B

### FILM CLASSIFICATION POLICY

1. Subject to any decision made under par 3 below, any classification of the BBFC shall be deemed to be a classification of the Licensing Authority;
2. No film classified by the BBFC as "R18" may be exhibited in any premises unless that exhibition is specifically and explicitly permitted under an authorisation (within the meaning of Section 136 of the 2003 Act);
3. (a) Any person may request that the Council either:
  - (i) determine the appropriate classification of any film which has not been subject of classification by the BBFC;
  - (ii) determine a different classification to that determined by the BBFC to apply generally in Bristol and/or to apply to specific performance of the film in question.
- (b) a request under 3 (i) or (ii) above should be made in the first instance to the Licensing manager and the applicant should enclose the following:
  - (i) synopsis of film
  - (ii) length of film
  - (iii) appropriate fee being a sum the licensing authority considers to be reasonable compensation to it for considering the initial application
- (c) the licensing manager (or deputy in his absence) will respond in one of the following ways:
  - (i) S/he will indicate if the application will be considered and if so will indicate what arrangements are required for the exhibition of the film for the purpose of determining its classification, whether that determination will be made by officers, the Licensing committee or one of its sub committee and the further fee payable which is calculated having regard to the costs incurred by the Licensing Authority in considering the application; or
  - (ii) The Licensing Manager will respond that the Council is not inclined to consider the application and will indicate the reason for that decision as follows:

- (a) that in respect the synopsis indicates a classification of R18 falls to be considered;
- (b) that the applicant seeks a more restrictive classification than that recommended by the BBFC and has not made a clear and convincing case that the BBFC guideline have been incorrectly applied;

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BRISTOL CITY COUNCIL  
LICENSING AUTHORITY

# MODEL OPERATING SCHEDULES

**(To have effect for the five year period beginning  
with 1 August 2020)**

## TEMPLATE OPERATING SCHEDULES

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See paragraph 2.14 of the policy, decision making on new applications for authorisations.

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Type of Premises: Late Night Entertainment venues (commonly referred to as nightclubs) i.e. those premises licensed for the sale of alcohol and regulated entertainment which trade beyond midnight on any day.</b></p>                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p><b>Minimum issues that the applicant should address by way of steps in the operating schedule</b></p>                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>Measures will be put in place to ensure the safety of customers entering, exiting and whilst on the premises.</p> <p><i>These measures are not only necessary to ensure public safety but also to prevent crime and disorder. The Licensing Authority expects applicants to identify the capacity proposed for their premises.</i></p> | <p><i>Overcrowding of premises can impinge on the safety of the public in that violence can erupt from such situations as spilt drinks or accidental barging between customers. In the event of an emergency overcrowding can also seriously impact on public safety. Overcrowding may also create opportunities for criminal activity such as pick-pocketing.</i></p> <p>CA08 The licence holder shall determine the occupant capacity of the premises on the basis of documented risk assessment(s).</p> <p>(i) The risk assessment(s) must take into account all relevant factors including space, means of access and egress, toilet provision, load-bearing capacity of floors, ventilation, etc. and must be reviewed regularly, and if circumstances change.</p> <p>(ii) Where necessary separate occupancy levels must be set for different parts of the premises.</p> <p>(iii) The premises licence holder shall ensure that they consult the Public Health Services of Bristol City Council and any other relevant authority (for example the Fire Rescue Service regarding emergency evacuation limitations) as to the occupancy figure. Confirmation of the consultation and any outcomes shall form an integral part of the risk assessment on which the capacity figure is based.</p> <p>(iv) The capacity figure proposed by the premises licence holder shall be notified to the Licensing Authority in writing prior to the commencement of the licence.</p> <p>(v) Measures must be put in place to ensure that the capacity is not exceeded at any time.</p> <p>(vi) All documentation pertaining to the proposed figure must be kept on the premises and must be available immediately on request to any authorised officer of the Licensing Authority or a constable.</p> <p>CA11: The occupancy shall be restricted to <i>(Insert number)</i> persons in the premises. <i>(Limits may be also be appropriate for different rooms or floors of premises)</i> The occupancy figure includes staff, performers and public. The Premises Licence Holder shall ensure that there are appropriate management controls to ensure that the occupancy figure is not exceeded at any time. Appropriate controls shall be put in place to ensure that the occupancy of the premises / specified areas are not exceeded at any time.</p> <p>CA12: Manual or automatic electronic number control systems shall be installed, used and maintained at the premises at all times the premises is open to the public.</p> |
| <p>Prevention of</p>                                                                                                                                                                                                                                                                                                                      | <p><i>There have been 'glassing' incidents in nightclubs resulting in serious</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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| <p>glassing incidents</p>                            | <p><i>injuries.</i></p> <p>GB01. The premises licence holder shall ensure that any bottles or glasses are removed from persons leaving the premises.</p> <p>GB04. The premises licence holder shall ensure that all drinking glasses used within the premises are of toughened or safety glass to the appropriate safety standard, in that they shall not produce sharp shards when broken</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Control and management of the sale of alcohol</p> | <p>SA01: All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instance when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.</p> <p>SA02: (i) An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as “Challenge 25” whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.</p> <p>(ii) Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale.</p> <p>SA03: The premises licence holder shall require the DPS, or in his/her absence other responsible person, to keep an 'incident/refusals logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required.</p> <p>TL01: The premises license holder, or the person appointed by the premises licence holder to be in charge of the premises when licensable activities are taking place, shall provide or have the unhampered use of a telephone on the licensed premises for use in an emergency. In premises that do not have the benefit of a permanent phone installation then a</p> |

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|                               | mobile phone must be available.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Advertising                   | <p><i>Advertising of events can result in fly posting resulting in litter and nuisance.</i></p> <p>AD01: The premises licence holder shall take all reasonable precautions and exercise all due diligence to ensure that no licensable activity shall be advertised in a manner which contravenes the general law or cause a nuisance to the general public.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Provision of door supervisors | <p><i>The provision of door supervisors are key to the control and management of the premises both inside and outside, so as to prevent crime and disorder and to promote public safety.</i></p> <p>DC01: Door supervisors who have been approved by the Security Industry Authority or any accreditation scheme recognised by the Licensing Authority, shall be used to vet customers and maintain public order. The vetting process must include implementation of the premises' proof of age policy. All door supervisors must ensure that identification bearing the customers photograph, date of birth and integral holographic mark or security measure is produced before allowing entry and where it is not, entry shall be refused. Suitable means of identification would include PASS approved proof of age card, photo-card driving licences and passports.</p> <p>DC03: [A] The premises licence holder shall ensure that the following details for each door supervisor, are contemporaneously entered into a bound register kept for that purpose:</p> <ul style="list-style-type: none"> <li>(i) Full name,</li> <li>(ii) SIA Certificate number and or badge number, or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation),</li> <li>(iii) The time they began their duty</li> <li>(iv) The time they completed their duty.</li> </ul> <p>This register is to be kept at the premises at all times and shall be so maintained as to enable an authorised officer of the Licensing Authority or a constable to establish the particulars of all door stewards engaged at the premises during the period of not less than 31 days prior to the request and shall be open to inspection by authorised officers of the Licensing Authority or a constable upon request.</p> <p>[B] The premises licence holder shall ensure that the following details for each door supervisor are entered into a bound register kept for that purpose to include the following details:</p> <ul style="list-style-type: none"> <li>(i) Name</li> <li>(ii) Date of birth</li> <li>(iii) Address</li> <li>(iv) Contact telephone numbers</li> <li>(iv) SIA Certificate number, or registration number of any accreditation scheme recognised by the Licensing Authority.</li> <li>(v) Commencement date of performing duties at the premises.</li> <li>(vi) The full details of any agency through which they have been allocated</li> </ul> |

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|                          | <p>to work at the premises if appropriate<br/>These details should be easily accessible to any authorised officer of the Licensing Authority or a constable.</p> <p>DC05: The premises licence holder shall ensure that all door supervisors on duty at the premises wear a current identification badge, issued by the Security Industry Authority or any accreditation scheme recognised by the Licensing Authority, in a conspicuous position to the front of their upper body.</p> <p>DC10: The Premises Licence Holder shall keep a register of all security personnel employed at the premises, such a register to include the following details of those personnel and is to be kept on the premises at all times: Full Name, Date of Birth, Full Address and employing agency (if appropriate). This register will be made immediately available to an authorised officer of the Licensing Authority or a constable upon requirement.</p> <p>DC11: The premise licence holder shall require the designated premises supervisor, or in his/her absence other responsible person to identify by name, those persons performing duty as door security personnel to an authorised officer of the Licensing Authority or a Constable.</p> <p>DC18 The minimum number of door supervisors provided at venues, holding regulated entertainment for less than 500 persons, shall be based on a risk assessment.</p> <p>DC19 The minimum number of door supervisors provided at venues, holding regulated entertainment for more than 500 persons, shall be based on a risk assessment. The risk assessment shall follow the recommendations as laid out in the Health and Safety Executive’s Event Safety Guide or any other similar guidance recognised by the Licensing Authority</p> <p>DC24: All door supervisors shall be capable of communicating instantly with one another by way of radio or other simultaneous system of communication.</p> |
| <p>Provision of CCTV</p> | <p><i>CCTV is a key tool in the management and control of premises, not only providing the Police with evidence of crime but also for the premises licence holder as it can provide an overview of the whole premises and assist in management decision making</i></p> <p>CC17: CCTV shall be in use at the premises.<br/>(i) Where a CCTV system is to be installed, extended or replaced, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. Where a CCTV system is to be installed it shall be fully operational before the licence is used to authorise licensable activities. (ii) The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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|                | <p>period of two hours afterwards.</p> <p>(iii) The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority</p> <p>(iv) The correct time and date will be generated onto both the recording and the real time image screen.</p> <p>(v) If the CCTV equipment (Including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified.</p> <p>(vi) The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the justified request of an authorised officer of the Licensing Authority or a constable.</p> <p>(vii) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises.</p> <p>CC12: The CCTV system shall include all external areas of the premises.</p> <p>CC14: CCTV cameras shall monitor all areas used by patrons including any external smoking area to monitor numbers and prevent crime and disorder.</p> |
| Staff Training | <p><i>A lack of training for staff has often been identified as a factor in poorly run premises or in situations where control of a premises has broken down often resulting in licence reviews being instigated.</i></p> <p>TR03: The premises license holder shall provide training for all staff to ensure that they are familiar with all means of ingress and egress and the appropriate procedures in case of any emergencies that require an immediate evacuation of the premises. A record of the training shall be maintained and shall be available upon request by officers of the City Council of Bristol.</p> <p>TR04: All staff are to be trained with respect to underage sales, such training to be updated as necessary when legislation changes and should include training in how to refuse sales to difficult customers.</p> <p>TR05: A record of all staff training shall be maintained at the premises and made immediately available upon request to an authorised officer of the Licensing Authority or the Police. The documentation relating to training should extend back to a period of three years and should specify the time, date and details of the persons both providing the training and receiving the training.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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| <p>Security /<br/>Searching of<br/>customers</p> | <p><i>Due to the volumes of people that nightclubs attract and that often the patrons may be inebriated the crime statistics are generally higher for this type of venue. Security and searching policies are therefore a key tool for premises licence holders to properly manage and control their premises.</i></p> <p>PS06: The premises licence holder shall ensure that signage is appropriately displayed in the premises advising all customers not to leave any belongings unattended.</p> <p>PS07: The premises licence holder shall ensure that a search policy is implemented at the premises. Searches shall only be conducted by same sex searchers.</p> <p>PS08: Drugs and weapons seized will be placed in a locked receptacle set aside for this purpose. The means for securing or unlocking the receptacle will be retained by the premises licence holder or the designated premises supervisor or in their absence any other responsible person. A record shall be made of the seizure, the time, date and by whom, and to whom the items were handed on to in a bound book specifically kept for that purpose. Such a book to be produced to an authorised officer of the Licensing Authority or a constable upon request. The premises licence holder shall make suitable arrangements with the Police for the collection of any seized items.</p> <p>PS10: An incident report logbook shall be held at the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable immediately upon request. It shall contain the details of persons involved, incident description, time and date, actions taken and final outcome of the situation.</p> |
| <p>Control of<br/>Drugs</p>                      | <p><i>A proactive approach to the control and management of the use of illegal substances should assist premises licence holders in the prevention of criminal activity.</i></p> <p>DA01: Where there is reasonable suspicion that drugs, defined as Class A,B or C controlled substances under the Misuse of Drugs Act, or weapons are being carried, the premises licence holder shall ensure that the outer clothing, pockets and bags of those entering the premises are searched by door security personnel. In any event where controlled substances or weapons are found, the premises licence holder shall ensure that the designated premises supervisor or nominated person shall immediately inform the Police.</p> <p>DA02: The premises licence holder shall put up a clearly visible notice advising those attending that the Police will be informed if anyone is found in possession of controlled substances or weapons.</p> <p>DA03: The premises licence holder shall ensure that documented security arrangements are implemented at the premises to discourage the sale and consumption of controlled substances. Security arrangements shall</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |



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|                                                                                                        | <p>include having a member of staff regularly check toilet areas, the date and times of all checks to be recorded in a bound book kept for that purpose and to be produced upon request to an authorised officer of the Licensing Authority or a constable. Signage shall also be placed in the toilet areas advising patrons that checks are conducted regularly.</p> <p>DA05: The premises licence holder shall ensure that, with regard to controlled substances, harm reduction information is displayed within the venue and that there are suitably experienced members of staff, or outreach workers from a local drugs agency, dedicated to providing harm reduction information and to dealing with drug related incidents or emergencies appropriately.</p> <p>DA06: The premises licence holder shall provide rest facilities, when required, to the satisfaction of the Licensing Authority which are cooler, quieter and preferably separate from the main dance area(s). These areas should offer adequate seating.</p>                                                                                                                                                            |
| <p>Liaison with external agencies and/or local forums</p>                                              | <p><i>Co-operation, liaison and sharing of information can be beneficial to premises licence holders in promoting the licensing objectives.</i></p> <p>PW01: The premises licence holder shall ensure participation in any Pub Watch or similar scheme operating in the locality of the licensed premises.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>First Aiders</p>                                                                                    | <p>FA01: For events where it is anticipated that more than 100 persons will be in attendance the premises licence holder shall ensure that adequate first aid provision is available at all times that the license is in force and shall have a suitably qualified first-aider on the premises during the event.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>Noise control</p> <p><i>Steps should be advanced to avoid harm that can be caused by noise.</i></p> | <p><i>Noise nuisance arising from the operation of premises is a common factor in complaints from local residents. The following conditions are therefore aimed at controlling the incidents of noise breakout which undermines the prevention of nuisance objective</i></p> <p>NP02: Music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.</p> <p>NP03: Except for access and egress all doors and windows shall be kept closed after (<i>Insert</i>) hours.</p> <p>NP04: No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.</p> <p>NP39: (<i>Condition regarding limiter only triggered if nuisance witnessed</i>)</p> <p>(i) If officers of the council witness noise at a level that causes unreasonable disturbance to the occupants of any properties in the vicinity then a noise limiting device shall be used in relation to all sound amplification equipment used in conjunction with the Premises Licence.</p> <p>(ii) The noise limiting device shall be installed and set at a level approved</p> |

by the Council through an authorised officer of the Pollution Control Team within 1 month of notification, for its requirement, from the Licensing section.

(iii) The noise limiting device shall be properly secured so that it cannot be tampered with.

(iv) The noise limiting device shall only be reset with the authority of the Council through an authorised officer of the Pollution Control Team.

(v) If deemed necessary, the noise limiting device shall be reset to a level approved by the Council through an authorised officer of the Pollution Control Team within 14 days of notification.

*In those instances where premises abut residential accommodation there will be a requirement for an assessment of the potential for noise transmission which results in noise nuisance.*

NP32: A report shall be submitted detailing and recommending a scheme of sound insulation works for the partition between the licensed premises and adjacent residential useage. The report shall also consider the noise leakage from the building and also consider the volume and nature of the music likely to be desired by the premises. The report shall be submitted to and approved in writing by the Council through an authorised officer of the Pollution Control Team and all recommended works carried out in full prior to the commencement of any regulated entertainment should the Premises Licence be granted.

#### *Guidance*

*The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of PPG 24 Planning Policy Guidance: Planning and Noise, BS4142: 1997. "Method of rating industrial noise affecting mixed residential and industrial areas" and BS 8233: 1999 "Sound Insulation and Noise Insulation for Buildings - Code of Practice".*

*The recommended design criteria for dwellings are as follows:*

*Daytime (07.00 – 23.00) LAeq(16 hours) 35 dB & Noise Rating Curve NR35 in all rooms*

*Nighttime (23.00 – 07.00) LAeq(8 hours) 30 dB & Noise Rating Curve NR20 to NR25 in bedrooms*

#### NP19: Monitoring

The manager, licence holder or other competent person shall carry out observations in the vicinity of the properties at (*insert location*), on at least (*insert time period e.g. hourly*) intervals between (*insert start time*) and (*insert finish time*) whilst the Premises Licence is being exercised in order to establish whether there is a noise breakout from the premises. If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that does not cause disturbance. A record of such observations shall be kept in a book for that purpose, such a book shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise breakout and any action

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|                                                                                                                              | <p>taken to reduce noise breakout. Such book to be made available at all times upon request to an authorised officer of the Licensing Authority or a constable.</p> <p>NP57: Clear notices displayed at all points where customers leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.</p> <p>NP65: A clear notice shall be displayed at any exit to the premises to instruct customers to respect the needs of local residents and leave the premises and the area quietly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>Special effects or novel performances</p> <p><i>Steps advanced to ensure safety during the use of special effects</i></p> | <p><i>Special effects and unusual or novel performances often have inherent risks which can undermine the promotion of the public safety objectives.</i></p> <p>Pyrotechnics and other special effects.</p> <p>SX01: (i) All special effects, equipment and mechanical installations shall be selected, arranged, stored and used so as to minimise any risk to the safety of the audience, performance and staff. This must be on the basis of a written risk assessment.</p> <p>(ii) 'Special effects' include:<br/>dry ice machines, cryogenic fog machines, smoke machines and any other type of fog generators, pyrotechnics including fireworks, explosives and other highly flammable substances, real flame, firearms, motor vehicles, strobe lighting, lasers, foam, any other unusual or novel effect.</p> <p>(iii) Furthermore written permission must be sought from the licensing authority <u>before</u> using any of the above - for the first time and after any significant changes have been made to the venue, usage of the effect or the equipment itself.</p> <p>SX05: Except where expressly permitted no lasers, smoke producing effects, light shows (strobe lights) or pyrotechnics shall be used at any time when licensable activity is taking place</p> <p>SX06: Except where expressly permitted, explosives or highly flammable substances shall not be brought on to or used in the premises at any time when any licensable activity is taking place</p> |
| Control of waste materials                                                                                                   | <p>WM7. Activities relating to the on-site disposal (including placing into external receptacles) and collection of refuse, bottles and recyclable materials shall only take place between (<i>insert hours and days as necessary</i>).</p> <p>WM8: The collection of refuse, bottles and recyclable materials shall only take place (<i>insert hours and days as necessary</i>).</p> <p>WM9: Activities relating to deliveries shall only take place between (<i>insert hours and days as necessary</i>).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Smoking Areas                                                                                                                | <i>Disorder can arise from patrons seeking to leave premises to smoke and</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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| <p>/ Outdoor Areas</p> | <p><i>being refused re- admittance or from patrons congregating outside of venues alongside those queuing to enter. There is also a potential for increased nuisance arising from patrons congregating outside a venue.</i></p> <p><i>Dedicated smoking areas within the curtilage of premises.</i></p> <p>SM01: The smoking area shall be permanently monitored by a minimum of (Insert number) SIA or other accredited scheme recognised by the Licensing Authority registered door staff during (Insert Hours) hours. The amount of people in this area will not exceed (Insert occupancy number) persons; this shall be monitored with (insert method of monitoring occupancy number) from a position (insert positions from which monitoring is to take place). The numbers and location shall be permanently monitored by an SIA or other accredited scheme recognised by the Licensing Authority registered door supervisor (or door supervisors accredited by a scheme recognised by the Licensing Authority) located at <i>(insert location from which door staff can conduct this duty)</i>.</p> <p>NP63: The premises supervisor, manager or other competent person shall manage any outdoor area to ensure that customers do not behave in a noisy, rowdy or offensive manner.</p> <p>NP64: Clear notices must be displayed at prominent points in all outdoor areas (informing them as to the requirements of points <i>(insert &amp; insert i.e. no drinks, hours of use, above and)</i> requesting that they respect the needs of local residents and behave in a quiet and orderly manner.</p> <p>PS01: Outdoor lighting shall be positioned, so far as is reasonably practicable, so as to limit its intrusion into residential accommodation in the vicinity of the licensed premises whilst maintaining an adequate level of lighting for the safe access and egress of customers and persons employed at the premises.</p> |
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| <p><b>Type of Premises: Traditional public house type premises in predominantly commercial areas.</b></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>Minimum issues that the applicant should address by way of steps in the operating schedule</b></p>  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>External Areas</p>                                                                                     | <p><i>Where a premises has external areas such as beer gardens or forecourts that it is intended are to be used by patrons it is anticipated that specific steps will be proffered to address the control and management of those areas. Of particular concern is the potential for noise nuisance arising from the use of such areas.</i></p> <p>NP63: The premises supervisor, manager or other competent person shall manage the outdoor area to ensure that customers do not behave in a noisy, rowdy or offensive manner.</p> <p>NP64: Clear notices must be displayed at prominent points in all outdoor areas (informing them as to the requirements of points (<i>insert &amp; insert i.e. no drinks, hours of use, above and</i>) requesting that they respect the needs of local residents and behave in a quiet and orderly manner.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Prevention of underage sales</p>                                                                       | <p>SA01: All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instance when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.</p> <p>SA02: (a) An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as “Challenge 25” whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.<br/>(b) Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale.</p> <p>SA03: The premises licence holder shall require the designated premises supervisor, or in his/her absence other responsible person, to keep an 'incident/refusals logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be</p> |

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|                                                                                                                                                                                                 | <p>completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>Noise control</p> <p><i>Applicants should carefully consider the steps they will take to ensure that any noise emanating from the premises is reduced so as not to cause a nuisance.</i></p> | <p><i>Noise nuisance arising from the operation of premises is a common factor in complaints from local residents. The following conditions are therefore aimed at controlling the incidents of noise breakout which undermines the prevention of nuisance objective</i></p> <p><i>This condition is directed at those premises which have residential accommodation either above or are directly joined with.</i></p> <p>A report shall be submitted detailing and recommending a scheme of sound insulation works for the partition between the licensed premises and adjacent residential useage. The report shall also consider the noise leakage from the building and also consider the volume and nature of the music likely to be desired by the premises. The report shall be submitted to and approved in writing by the Council through an authorised officer of the Pollution Control Team and all recommended works carried out in full prior to the commencement of any regulated entertainment should the Premises Licence be granted.</p> <p><i>Guidance</i></p> <p><i>The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of PPG 24 Planning Policy Guidance: Planning and Noise, BS4142: 1997. "Method of rating industrial noise affecting mixed residential and industrial areas" and BS 8233: 1999 "Sound Insulation and Noise Insulation for Buildings - Code of Practice".</i></p> <p><i>The recommended design criteria for dwellings are as follows:</i></p> <p><i>Daytime (07.00 – 23.00) LAeq(16 hours) 35 dB &amp; Noise Rating Curve NR35 in all rooms</i></p> <p><i>Nighttime (23.00 – 07.00) LAeq(8 hours) 30 dB &amp; Noise Rating Curve NR20 to NR25 in bedrooms</i></p> <p>NP02: Music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.</p> <p>NP03: Except for access and egress all doors and windows shall be kept closed during periods of entertainment associated with the Premises Licence.</p> <p>NP04: No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.</p> <p>NP19: Monitoring</p> <p>The manager, licence holder or other competent person shall carry out observations in the vicinity of the properties at (<i>insert location</i>), on at least</p> |

*(insert time period e.g. hourly) intervals between (insert start time) and (insert finish time) whilst the Premises Licence is being exercised in order to establish whether there is a noise breakout from the premises. If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that does not cause disturbance. A record of such observations shall be kept in a book for that purpose, such a book shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise breakout and any action taken to reduce noise breakout. Such book to be made available at all times upon request to a police officer or an officer of City Council of Bristol.*

*Where there is residential accommodation within the vicinity of the premises the following condition should be considered as a protective measure to prevent the potential occurrence of noise nuisance.*

*NP39: (Condition regarding limiter only triggered if nuisance witnessed)*

(i) If officers of the council witness noise at a level that causes unreasonable disturbance to the occupants of any properties in the vicinity then a noise limiting device shall be used in relation to all sound amplification equipment used in conjunction with the Premises Licence.

(ii) The noise limiting device shall be installed and set at a level approved by the Council through an authorised officer of the Pollution Control Team within 1 month of notification, for its requirement, from the Licensing Authority.

(iii) The noise limiting device shall be properly secured so that it cannot be tampered with.

(iv) The noise limiting device shall only be reset with the authority of the Council through an authorised officer of the Pollution Control Team.

(v) If deemed necessary, the noise limiting device shall be reset to a level approved by the Council through an authorised officer of the Pollution Control Team within 14 days of notification.

*A noise limiter may be required for those premises where there is a known history of noise nuisance or transmission and that this is not the first occasion when a premises licence has been applied for or granted to the premises. Applicants should consult the Pollution control section of Bristol City Council to discuss this point prior to submission of an application.*

NP57: Clear notices displayed at all points where customers leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.

NP65: A clear notice shall be displayed at any exit to the premises to instruct customers to respect the needs of local residents and leave the premises and the area quietly.

WM7: Activities relating to the on-site disposal (*including placing into external receptacles*) and collection of refuse, bottles and recyclable materials shall only take place between (*insert hours and days as necessary*).

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|                | <p>WM8: The collection of refuse, bottles and recyclable materials shall only take place (<i>insert hours and days as necessary</i>).</p> <p>WM9: Activities relating to deliveries shall only take place between (<i>insert hours and days as necessary</i>).</p>                                                                                                                                                                                                                                                                                                                                                 |
| Staff Training | <p>TR04: All staff are to be trained with respect to underage sales, such training to be updated as necessary when legislation changes and should include training in how to refuse sales to difficult customers.</p> <p>TR05: A record of all staff training shall be maintained at the premises and made immediately available upon request to an authorised officer of the Council or the Police. The documentation relating to training should extend back to a period of three years and should specify the time, date and details of the persons both providing the training and receiving the training.</p> |

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| <p><b>Type of Premises: Traditional public house type premises in predominantly residential areas.</b></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p><b>Minimum issues that the applicant should address by way of steps in the operating schedule</b></p>   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p>External Areas</p>                                                                                      | <p><i>Where a premises has external areas such as beer gardens or forecourts that it is intended are to be used by patrons it is anticipated that specific steps will be proffered to address the control and management of those areas. Of particular concern is the potential for noise nuisance arising from the use of such areas.</i></p> <p><i>Any external area</i></p> <p>NP29: The premises licence holder shall take all reasonable steps to ensure that patrons using any outside areas (such as terraces and beer gardens) do so in a quiet and orderly fashion.</p> <p>NP64: Clear notices must be displayed at prominent points in all outdoor areas (informing them as to the requirements of points (<i>insert &amp; insert i.e. no drinks, hours of use, above and</i>) requesting that they respect the needs of local residents and behave in a quiet and orderly manner.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p>Prevention of underage sales</p>                                                                        | <p>SA01: All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instance when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Council or the Police.</p> <p>SA02: An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as “Challenge 25” whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include a passport, a photo driving licence or a PASS approved proof of age card.</p> <p>SA03: The premises licence holder shall require the DPS, or in his/her absence other responsible person, to keep an 'incident/refusals logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to a Police or Licensing Officer when required.</p> |
| <p>Noise control</p>                                                                                       | <p><i>Noise nuisance arising from the operation of premises is a common factor in complaints from local residents. The following conditions are therefore</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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| <p>Applicants should carefully consider the steps they will take to ensure that any noise emanating from the premises is reduced so as not to cause a nuisance.</p> | <p><i>aimed at controlling the incidents of noise breakout which undermines the prevention of nuisance objective</i></p> <p><i>This condition is directed at those premises which have residential accommodation either above or are directly joined with.</i></p> <p>A report shall be submitted detailing and recommending a scheme of sound insulation works for the partition between the licensed premises and adjacent residential useage. The report shall also consider the noise leakage from the building and also consider the volume and nature of the music likely to be desired by the premises. The report shall be submitted to and approved in writing by the Council through an authorised officer of the Pollution Control Team and all recommended works carried out in full prior to the commencement of any regulated entertainment should the Premises Licence be granted.</p> <p><i>Guidance</i></p> <p><i>The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of PPG 24 Planning Policy Guidance: Planning and Noise, BS4142: 1997. "Method of rating industrial noise affecting mixed residential and industrial areas" and BS 8233: 1999 "Sound Insulation and Noise Insulation for Buildings - Code of Practice".</i></p> <p><i>The recommended design criteria for dwellings are as follows:</i></p> <p><i>Daytime (07.00 – 23.00) LAeq(16 hours) 35 dB &amp; Noise Rating Curve NR35 in all rooms</i></p> <p><i>Nighttime (23.00 – 07.00) LAeq(8 hours) 30 dB &amp; Noise Rating Curve NR20 to NR25 in bedrooms</i></p> <p>NP02: Music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.</p> <p>NP03: Except for access and egress all doors and windows shall be kept closed during periods of entertainment associated with the Premises Licence.</p> <p>NP04: No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.</p> <p>NP19: Monitoring</p> <p>The manager, licence holder or other competent person shall carry out observations in the vicinity of the properties at (<i>insert location</i>), on at least (<i>insert time period e.g. hourly</i>) intervals between (<i>insert start time</i>) and (<i>insert finish time</i>) whilst the Premises Licence is being exercised in order to establish whether there is a noise breakout from the premises. If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that does not cause disturbance. A record of such observations shall be kept in a book for that purpose, such a book shall be completed immediately after the observation detailing the time, location and</p> |
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|                | <p>duration of the observation, the level of noise breakout and any action taken to reduce noise breakout. Such book to be made available at all times upon request to a police officer or an officer of City Council of Bristol.</p> <p><i>Where there is residential accommodation within the vicinity of the premises the following condition should be considered as a protective measure to prevent the potential occurrence of noise nuisance.</i></p> <p>NP39: <i>(Condition regarding limiter only triggered if nuisance witnessed)</i></p> <p>(i) If officers of the council witness noise at a level that causes unreasonable disturbance to the occupants of any properties in the vicinity then a noise limiting device shall be used in relation to all sound amplification equipment used in conjunction with the Premises Licence.</p> <p>(ii) The noise limiting device shall be installed and set at a level approved by the Council through an authorised officer of the Pollution Control Team within 1 month of notification, for its requirement, from the Licensing Authority.</p> <p>(iii) The noise limiting device shall be properly secured so that it cannot be tampered with.</p> <p>(iv) The noise limiting device shall only be reset with the authority of the Council through an authorised officer of the Pollution Control Team.</p> <p>(v) If deemed necessary, the noise limiting device shall be reset to a level approved by the Council through an authorised officer of the Pollution Control Team within 14 days of notification.</p> <p><i>A noise limiter may be required for those premises where there is a known history of noise nuisance or transmission and that this is not the first occasion when a premises licence has been applied for or granted to the premises. Applicants should consult the Pollution control section of Bristol City Council to discuss this point prior to submission of an application.</i></p> <p>NP57: Clear notices displayed at all points where customers leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.</p> <p>NP65: A clear notice shall be displayed at any exit to the premises to instruct customers to respect the needs of local residents and leave the premises and the area quietly.</p> <p>WM7: Activities relating to the on-site disposal (<i>including placing into external receptacles</i>) and collection of refuse, bottles and recyclable materials shall only take place between (<i>insert hours and days as necessary</i>).</p> <p>WM8: The collection of refuse, bottles and recyclable materials shall only take place (<i>insert hours and days as necessary</i>).</p> <p>WM9: Activities relating to deliveries shall only take place between (<i>insert hours and days as necessary</i>).</p> |
| Staff Training | TR04: All staff are to be trained with respect to underage sales, such                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

training to be updated as necessary when legislation changes and should include training in how to refuse sales to difficult customers.

TR05: A record of all staff training shall be maintained at the premises and made immediately available upon request to an authorised officer of the Council or the Police. The documentation relating to training should extend back to a period of three years and should specify the time, date and details of the persons both providing the training and receiving the training.

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| <b>Type of Premises: Hot food takeaway premises (Mobile and static)</b>                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Minimum issues that the applicant should address by way of steps in the operating schedule</b>                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <i>All of the following suggestions may not be appropriate for mobile food takeaways such as burger vans but proprietors of such vehicles must be extra vigilant to ensure that the operation of their premises do not undermine the licensing objectives.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Management of waste.                                                                                                                                                                                                                                           | <p><i>Improper or inconsiderate storage or disposal of waste can cause public nuisance. Matters such as grease being allowed to build up on sites which when not being used for siting the mobile trader and are used by the public as a footway, can cause serious slip hazards.</i></p> <p>WM3: The licence holder shall ensure that adequate measures are in place to remove litter or waste arising from their customers and to prevent such litter from accumulating in the immediate vicinity of their premises. In particular, where necessary the premises licence holder shall ensure that adequate measures are in place to provide customers with sufficient receptacles for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter, etc.</p> <p>WM4 The premises licence holder shall ensure that a sufficient number of suitable receptacles are located in appropriate locations for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter, etc. by customers.</p> <p>WM7: Activities relating to the on-site disposal (<i>including placing into external receptacles</i>) and collection of refuse, bottles and recyclable materials shall only take place between (<i>insert hours and days as necessary</i>).</p> <p>WM8: The collection of refuse, bottles and recyclable materials shall only take place (<i>insert hours and days as necessary</i>).</p> <p>WM9: Activities relating to deliveries shall only take place between (<i>insert hours and days as necessary</i>).</p> |
| Noise Control                                                                                                                                                                                                                                                  | NP57: Clear notices displayed at all points where customers leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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| <p><b>Type of Premises: Small to medium mixed retail use premises to be licensed for the 'off' sales of alcohol.</b></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p><b>Minimum issues that the applicant should address by way of steps in the operating schedule</b></p>                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Prevention of underage sales</p>                                                                                      | <p><i>The issue of underage drinking is of serious concern and undermines the protection of children from harm objective</i></p> <p>SA01: All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instance when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.</p> <p>SA02: (a) An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as "Challenge 25" whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.</p> <p>(b) Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale.</p> <p>SA03: The premises licence holder shall require the designated premises supervisor, or in his/her absence other responsible person, to keep an 'incident/refusals logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required.</p> |

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| <p>Location of alcohol</p> | <p><i>The location of alcohol in stores often gives rise to concerns regarding potential for theft and availability to underage purchasers. This is of particular importance in the smaller premises where staff numbers are limited.</i></p> <p>PS11: Spirits shall be located (insert location), and all other alcoholic beverages to be located on display in such a position that it is not obscured from the constant view of the cashier / staff by other fixtures. (If this is not reasonably practical because of refrigeration or other limitations, the Licensing Authority shall be consulted regarding other suitable locations in the premises).</p> |
| <p>Waste Management</p>    | <p>WM8: The collection of refuse, bottles and recyclable materials shall only take place (<i>insert hours and days as necessary</i>).</p> <p>WM9: Activities relating to deliveries shall only take place between (<i>insert hours and days as necessary</i>).</p>                                                                                                                                                                                                                                                                                                                                                                                                |

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**Type of Premises: Large mixed retail use premises to be licensed for the 'off' sales of alcohol, i.e. supermarkets.**

**Minimum issues that the applicant should address by way of steps in the operating schedule**

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| <p>Prevention of underage sales</p> | <p><i>The issue of underage drinking is of serious concern and undermines the protection of children from harm objective. Persons who make such sales are committing an offence and therefore it is of assistance to premises licence holders to be able to demonstrate they have made their best endeavours to prevent such occurrences within their premises.</i></p> <p>SA01: All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instance when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.</p> <p>SA02: (i) An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as "Challenge 25" whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.<br/>(ii) Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale.</p> <p>SA03: The premises licence holder shall require the designated premises supervisor, or in his/her absence other responsible person, to keep an 'incident/refusals logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and in any case no later than the close of business on the</p> |
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|                  | <p>day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required.</p> <p>CV15: Documented delegation of authorisations to sell alcohol shall be maintained at the premises and shall be available on request by the Police and authorised officer of the Council.</p> |
| Waste management | <p>WM8: The collection of refuse, bottles and recyclable materials shall only take place (<i>insert hours and days as necessary</i>).</p> <p>WM9: Activities relating to deliveries shall only take place between (<i>insert hours and days as necessary</i>).</p>                                                                                                                                                                                                                     |

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| <p><b>Type of Premises: Premises primarily selling alcohol by way of ‘Off’ sales only.</b></p>           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p><b>Minimum issues that the applicant should address by way of steps in the operating schedule</b></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Prevention of underage sales</p>                                                                      | <p><i>The issue of underage drinking is of serious concern and undermines the protection of children from harm objective. Persons who make such sales are committing an offence and therefore it is of assistance to premises licence holders to be able to demonstrate they have made their best endeavours to prevent such occurrences within their premises.</i></p> <p>SA01: All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instance when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.</p> <p>SA02: (i) An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as “Challenge 25” whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.<br/>(ii) Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale.</p> <p>SA03: The premises licence holder shall require the designated premises supervisor, or in his/her absence other responsible person, to keep an 'incident/refusals logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was</p> |

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|                        | <p>completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required.</p> <p>CV15: Documented delegation of authorisations to sell alcohol shall be maintained at the premises and shall be available on request by the Police and authorised officer of the Council.</p> |
| Prevention Of Nuisance | <p>WM8: The collection of refuse, bottles and recyclable materials shall only take place (<i>insert hours and days as necessary</i>).</p> <p>WM9: Activities relating to deliveries shall only take place between (<i>insert hours and days as necessary</i>).</p>                                                                                                                                                          |

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| <b>Type of Premises: Main Use Cinemas and Theatres</b>                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| <b>Minimum issues that the applicant should address by way of steps in the operating schedule</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Prevention Of Nuisance                                                                            | <p><i>In those instances where premises abut residential accommodation there will be a requirement for an assessment of the potential for noise transmission which results in noise nuisance.</i></p> <p>NP32: A report shall be submitted detailing and recommending a scheme of sound insulation works for the partition between the licensed premises and adjacent residential useage. The report shall also consider the noise leakage from the building and also consider the volume and nature of the music likely to be desired by the premises. The report shall be submitted to and approved in writing by the Council through an authorised officer of the Pollution Control Team and all recommended works carried out in full prior to the commencement of any regulated entertainment should the Premises Licence be granted.</p> <p><i>Guidance</i><br/> <i>The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of PPG 24 Planning Policy Guidance: Planning and Noise, BS4142: 1997. "Method of rating industrial noise affecting mixed residential and industrial areas" and BS 8233: 1999 "Sound Insulation and Noise Insulation for Buildings - Code of Practice".</i><br/> <i>The recommended design criteria for dwellings are as follows:</i><br/> <i>Daytime (07.00 – 23.00) LAeq(16 hours) 35 dB &amp; Noise Rating Curve NR35 in all rooms</i><br/> <i>Nighttime (23.00 – 07.00) LAeq(8 hours) 30 dB &amp; Noise Rating Curve NR20 to NR25 in bedrooms</i></p> <p>NP02: Amplified music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.</p> |
| Protection Of Children where films are to be shown.                                               | <p><i>The following conditions only pertain to those premises where application is made for the exhibition of films.</i></p> <p><b>CE CINEMATOGRAPHIC / FILM EXHIBITIONS</b></p> <p>CE01: Careful consideration should be given as to the circumstances in which these conditions may be pertinent i.e. main use cinema or video juke boxes in pubs and clubs.<br/>         No film shall be exhibited unless –</p> <ul style="list-style-type: none"> <li>(i) it has received a ;U', 'PG', '12A', '15' or '18' certificate of the British Board of Film Classifications; or</li> <li>(ii) it is a current newsreel, which has not been submitted to the British Board of Film Classification.</li> <li>(iii) no film classified as R18 may be exhibited in these premises.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

CE02: No person apparently under the age of eighteen years shall be admitted to any exhibition at which there is to be shown any film which has received an '18' certificate from the British Board of Film Classification. In such circumstances a "Challenge 25 policy should be adhered to and valid proof of age required before admittance.

CE03: No person apparently under the age of fifteen years shall be admitted to any exhibition at which there is to be shown any film which has received an '15' certificate from the British Board of Film Classification.

CE04: No person apparently under the age of twelve years shall be admitted to any exhibition at which there is to be shown any film which has received an '12A' certificate from the British Board of Film Classification unless accompanied by an adult.

CE05: Notwithstanding the classification requirements, a film may be exhibited, or persons or any class of persons, may be admitted thereto if the permission of the Licensing Authority is first obtained and any conditions of such permission are complied with.

CE06: A representation or written statement of the terms of any certificate given by the British Board of Film Classification shall be shown on the screen immediately before the showing of any film to which it relates and the representation or statement shall be shown for long enough and in a form large enough for it to be read from any seat in the auditorium.

CE07: There shall be prominently exhibited at each public entrance whenever the premises are open to the public a notice indicating in tabular form and in clear bold letters and figures-

- (i) the title of each film to be shown on that day, other than trailers and films of less than five minutes duration:
- (ii) the approximate times of commencement of each such film;
- (iii) whether each such film has received a 'U', 'PG', '12A', '15' or '18' certificate from the British Board of Film Classification, and
- (iv) the effect of such 'U', 'PG', '12A', '15' or '18' certificates in relation to the admission of persons under the age of eighteen years.

CE08: The notice shall be not less than 36 inches in dimensions and shall be in the form specified hereunder, the distinguishing initial letters 'U', 'PG', '12A', '15' and '18' being not less than 1 ½ inches in height.

CATEGORY 'U': Passed for universal exhibition.

CATEGORY 'PG': Passed for universal exhibition but parents are advised that the film contains some scenes which may be unsuitable for young children.

CATEGORY '12A': Passed as suitable only for exhibition to persons of twelve years and over. Children under 12 must be accompanied by an adult.

CATEGORY '15': Passed as suitable only for exhibition to persons of fifteen years and over.

CATEGORY '18': Passed as suitable only for exhibition to adults. When a programme includes an '18' film no persons under eighteen years can be admitted.

CE09: The nature of any certificate received in respect of a film from the British Board of Film Classification shall be clearly indicated by the figure 'U', 'PG', '12A', '15' or '18' in any advertisement of the film displayed at the premises.

CE10: No advertisement displayed at the premises of a film to be exhibited at the premises shall depict as a scene or incident in the film any scene or incident which is not included in the film as certified by the British Board of Film Classification or approved for exhibition by the licensing authority, as the case may be.

CE11: Where the Licensing Authority has given notice in writing to the licensee of the premises objecting to an advertisement on the ground that, if displayed, it would offend against good taste or decency or be likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling that advertisement shall not be displayed at the premises except with the consent in writing of the Licensing Authority.

CE12: Where the Licensing Authority has given notice in writing to the licensee of the premises prohibiting the exhibition of a film on the ground that it contains matter which, if exhibited, would offend against good taste or decency or would be likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling, that film shall not be exhibited in the premises except with the consent in writing of the Licensing Authority.

CE13: If the Licensing Authority request the licensee to exhibit to them any film shown or proposed to be shown by him, he shall do so at such time and to such persons as the Licensing Authority may direct.

CE14: No persons shall be permitted to enter or continue within the licensed premises in a state of intoxication. All persons within the premises whose conduct is deemed by the licensee to be conducive to any breach of the peace, tumult or disorder shall be forthwith removed there from. The licensee shall be responsible for the maintenance of good order and decent behaviour in the licensed premises, and he shall by himself and his servants assist to the utmost in the capture and expulsion of any offender.

CE15: There shall be fixed on each floor of the hall a special white signal light, to the approval of the Chief Constable, which shall be operated by a switch in the operator's box, and by a switch or switches, fitted in an approved position in the hall. This light shall be used as a

|                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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|                                                                                                                                                                                                                                                                                  | <p>warning to attendants that an emergency exists and upon receiving the signal, attendants will take steps forthwith to control the movements of the audience and ensure the orderly and safe clearance of the hall.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p><i>The licensing authority does not encourage applications for the exhibition of R18 films in its area but where permission to do so is sought, applicants are expected to offer "restricted club" type conditions in line with BBFC and other long standing guidance</i></p> | <p><b>Conditions to be complied with when showing 'RESTRICTED (18)' films</b></p> <p>CE16: No films in the 'RESTRICTED (18)' category may be exhibited except in a cinema operating as a club in accordance with the conditions set out below.</p> <p>CE17: No club showing films in the 'RESTRICTED (18)' category may operate in a multi-screen complex whilst persons under the age of 18 are being admitted to any performance given in that complex.</p> <p>CE18: An exception may be made to the above condition only if the cinema club and all facilities adjacent thereto, including foyers, lavatories and refreshment areas, are wholly segregated and accessible only through a separate entrance and box office.</p> <p>CE19: All registers of members and visitors books of their guests shall be available for immediate inspection by the licensing authority during any performance, or at any other reasonable time.</p> <p>CE20: Tickets shall in no circumstances be sold to persons other than members.</p> <p>CE21: Front of house advertising for films in the 'RESTRICTED (18)' category will specify the category in which the film has been passed for exhibition but will include no pictorial material or other information about the names of performers or the plot. Newspaper advertisements for an exhibition will be limited to the inclusion of the titles of such films in the film listings column together with the category in which the film has been passed for exhibition.</p> <p>CE22: No persons under 18 years of age shall be employed in any capacity at licensed premises which are operating as cinema clubs showing films in the 'RESTRICTED (18)' category.</p> <p>CE23: Except with the prior consent of the licensing authority in writing, no intoxicating drinks shall be consumed, supplied or sold on the premises.</p> <p>CE24: Membership rules for club cinemas shall include the following:<br/> (i) only members and their guests shall attend exhibitions of moving pictures classified in the 'RESTRICTED (18)' category.<br/> (ii) membership shall be open to persons of both sexes of not less than 18 years of age. Applications for membership, including both name and address, shall be in writing, signed by the applicant, and if deemed necessary such applications shall provide satisfactory references and proof of age.</p> |

- (iii) no person shall be admitted to membership until the expiration of at least 24 hours after such written application has been approved by the licensed proprietors.
- (iv) members shall be entitled on any one day to bring not more than one guest to accompany the member and the name of the guest shall be entered in the visitor's book and countersigned by the member.
- (v) tickets shall be sold only to members on the production of a membership card, and members shall, if required, sign an acknowledgement for the ticket or tickets issued.
- (vi) membership cards shall be personal to the member and shall not be transferable to any other person.
- (vii) neither membership tickets nor guest tickets shall be transferable.
- (viii) no member shall introduce as a guest any person under the age of 18 or any person whose application for membership has been refused.
- (ix) proof of identity, or of age, or of any particulars of any guest shall be produced by any member or guest if demanded by the proprietors.
- (x) an annual subscription shall be fixed for the club and shall run for 12 months from the date of registration.
- (ii) a subscription may not entitle the club member to attend other clubs under the same management unless the prior consent of the licensing authority has been obtained.
- (xii) on admission a member shall be bound by the rules of the club and by any byelaws and regulations made thereunder.

CE25: For the purposes of these conditions 'film' means any exhibition of moving pictures produced otherwise than by the simultaneous reception and exhibition of television programmes broadcast by the British Broadcasting Corporation or the Independent Broadcasting Authority or programmes included in a cable programme service which is, or does not require to be, licensed under section 4 of the Cable and Broadcasting Act 1984.



| Type of Premises: Restaurants                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| Minimum issues that the applicant should address by way of steps in the operating schedule |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Prevention Of Nuisance                                                                     | <p><u>Customer Noise</u><br/>NP57: Clear notices displayed at all points where customers leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.</p> <p><u>Signage</u><br/>WM7: Activities relating to the on-site disposal (<i>including placing into external receptacles</i>) and collection of refuse, bottles and recyclable materials shall only take place between (<i>insert hours and days as necessary</i>).</p> <p>WM8: The collection of refuse, bottles and recyclable materials shall only take place (<i>insert hours and days as necessary</i>).</p> <p>WM9: Activities relating to deliveries shall only take place between (<i>insert hours and days as necessary</i>).</p>                                                                                   |
| Prevention of underage sales                                                               | <p>SA02 An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as “Challenge 25” whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.</p> <p>(b) Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale.</p> |

| <b>Type of Premises: Alcohol Delivery Service</b>                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| <b>Minimum issues that the applicant should address by way of steps in the operating schedule</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Control and management of the sale of alcohol                                                     | <p>SA01 All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instance when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.</p> <p>SA08 All advertising and promotional material for the business, including the website, shall make it clear that it operates an approved proof of age scheme such as Challenge 25 with respect to sales of alcohol, tobacco and other age restricted products. This shall make it explicit that the buyer will be required to provide valid photographic proof of age before the goods are handed over by the delivery driver. The advertising and promotional material shall make it clear that if such proof of age cannot be provided then the delivery will be refused.</p> <p>SA09 All drivers shall carry a log book in which details of refused sales and other incidents are noted This shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. The time and date when the report was completed and by whom is to form part of the entry. These details shall be filed centrally at the end of each shift or as soon as practicable afterwards. In any case this shall be no later than the close of business on the day of the incident. The central file shall be kept at the premises and produced upon request to a constable or an authorized officer of the Licensing Authority.</p> <p>SA10 Alcohol must only be sold in sealed containers</p> <p>CV06 If the recipient of a delivery of alcohol or the collection or delivery of a takeaway meal which includes alcohol, appears under 25 years of age, recognised photographic identification will be requested before any intoxicating liquor is handed over. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.</p> |
| Staff Training                                                                                    | <p>TR05 A record of all staff training shall be maintained at the premises and made immediately available upon request to an authorised officer of the Council or the Police. The documentation relating to training should</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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|  | extend back to a period of three years and should specify the time, date and details of the persons both providing the training and receiving the training. |
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| <b>Type of Premises: Sexual Entertainment</b>                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Minimum issues that the applicant should address by way of steps in the operating schedule</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                                                                                   | <p>SE01: Striptease or adult types of entertainment will only take place in designated areas approved by the Licensing Authority. Arrangements for access to the dressing room shall be approved by the Licensing Authority and shall be maintained at all times whilst strip tease is taking place and immediately thereafter.</p> <p>SE02: Whilst striptease entertainment is taking place, no person aged under the age of 18 will be allowed on that part of the licensed premises where the striptease/entertainment is taking place and such part must not be visible from other parts of the premises. A clear notice shall be displayed at each entrance to the premises in a prominent position so that it can be easily read by persons entering the premises on the following terms: - "No person under 18 years will be admitted"</p> <p>SE03: Dancers not performing must not be in the in a state of undress in any area to which the public have access.</p> <p>SE04: Dancers shall only perform on the stage area or to seated customers.</p> <p>SE05: Performers shall be aged not less than 18 years.</p> <p>SE06: The premises licence holder must not permit the display outside of the premises of photographs or other images which indicate and suggest that striptease or similar dancing takes place on the premises.</p> <p>SE07: There shall be at least (Insert number) registered door supervisor(s) on the premises when the striptease entertainment is taking place.</p> <p>SE08: There shall be no physical contact between customer and the performer before, during or after the performance other than the placing of money or tokens into the hands of the dancer, or by the placing of notes by the customer in a garter worn by the performer for that purpose.</p> <p>SE09: The premises licence holder, performer and any person concerned in the organisation or management of the entertainment shall not encourage, or permit encouragement of the audience to throw money at or otherwise give gratuities to the performers (other than in accordance with SE8 above).</p> |

SE10: The performer shall at all times wear, for females a g-string and males appropriate clothing to cover their genitalia adequately and the clothing shall not be transparent or removed.

SE11: No performer shall at any time reveal any part of their genitalia or anus.

SE12: No sex act shall take place.

SE13: The area proposed for striptease shall:

a) be in a position where the performance cannot be seen from the street.

b) be in a designated area of the premises with segregation from the audience.

c) be in a position where the performers will have direct access to the dressing room without passing through or in close proximity to the audience.

SE14: The entertainment shall be given only by performers / entertainers and the audience shall not be permitted to participate.

SE15: Persons appearing on stage shall go directly between the dressing room and designated performance area without passing through or in close proximity to the audience.

SE16: Striptease / exotic / adult entertainment dancers (including table side / lap / pole dancers) must immediately dress at the conclusion of each performance.

SE17: Entertainment provided by topless (only) dancers to customers seated at tables may only take part in those parts of the premises approved by the Licensing Authority. No audience participation shall be permitted.

SE18: Should a customer attempt to touch a dancer, the dancer must withdraw and report the matter to her / his manager /supervisor.

SE19: No telephone number, address or information leading to any further meeting may be passed from customer to dancer or vice versa.

SE20: No dancer may perform if they are intoxicated.

SE21: No member of the public shall be admitted or allowed to remain in the dance area if they appear to be intoxicated.

SE22: All members of the public shall remain seated in the dance area other than when they arrive, depart, visit the toilet or go to the bar.

SE23: Signs must be displayed at the entrance to the dance area stating:

- (i) "Any customer attempting to make physical contact with a dancer will be asked to leave".
- (ii) Signs must be sufficient in size, legible and positioned so as to be read by all customers entering the dance area.

SE24: No dancer shall perform any sexually explicit or lewd act.

SE25: Whilst dancing takes place not less than (insert agreed number) of Door Supervisors registered Security Industry Authority or other accredited scheme recognised by the Licensing Authority shall be employed in the part of the premises used for dancing unless alternative arrangements are approved by the Licensing Authority.

SE26: CCTV shall be installed to cover all areas where dancing will take place. All cameras shall continually record whilst the premises are open to the public.

SE27: Striptease entertainment or any exotic entertainment involving full nudity shall not be permitted at the premises.



**BRISTOL CITY COUNCIL  
LICENSING AUTHORITY**

# **POOL OF CONDITIONS**

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# INTRODUCTION

- 1) This pool of conditions covers a wide range of topics that may be of concern to applicants for premises licences and Responsible Authorities who may be considering making representations on applications. Interested parties and local residents or local businesses may also seek to propose conditions in respect of applications or as a mean of addressing concern raised by the review process
- 2) Applicants for club premises certificates may adapt any of the conditions listed but should replace any reference to premises licence or premises licence holder with club premises certificate.
- 3) Where a condition contains an instruction to insert any fact, the information must be supplied by the applicant.
- 4) Please note that where conditions have been replicated, as they are relevant under different topic headings, they have retained the reference from their first occurrence.

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| <b>AD ADVERTISING</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| AD01                  | The premises licence holder shall take all reasonable precautions and exercise all due diligence to ensure that no licensable activity shall be advertised in a manner which contravenes the general law or cause a nuisance to the general public.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| AD02                  | In respect of promoted events, that is, any events involving the conduct of licensable activities at the premises that are organised by persons other than the premises licence holder or those under his direct control, the premises licence holder shall ensure that a register is maintained in a bound book kept for that purpose. The register shall be kept at the premises and shall be produced by the designated premises supervisor (or his nominated deputy in his absence) to an authorised officer of the Licensing Authority or a constable upon request. The register shall record the following:<br>(i) Date and time of event and brief description of it;<br>(ii) Name of the promoter(s), that is, the person(s) responsible for organising the event;<br>(iii) Where the promoter is a company, its registered number.<br>(iv) The proper address of the promoter<br>(v) Contact telephone number for promoter |

| <b>CA CAPACITY, CONTROL AND MANAGEMENT OF CUSTOMERS</b> |                                                                                                                                                                                                                                                                                                                                                                         |
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| CA01                                                    | The total capacity for the event shall be limited to <i>(insert number)</i> persons. This limit includes performers, guests, staff and officials.                                                                                                                                                                                                                       |
| CA02                                                    | There shall be no security passes for admission other than those issued to persons working on the site and to statutory authorities.                                                                                                                                                                                                                                    |
| CA03                                                    | Measures must be put in place to ensure that the capacity is not exceeded at any time.                                                                                                                                                                                                                                                                                  |
| CA04                                                    | All documentation pertaining to the proposed figure must be kept on the premises and must be available immediately on request to any authorised officer of the Licensing Authority or a constable.                                                                                                                                                                      |
| CA05                                                    | Admission shall be by ticket only. When presented for admission, the ticket shall be retained by the organisers.                                                                                                                                                                                                                                                        |
| CA06                                                    | Admission to the event shall be through the approved entrances. The entrances shall be manned by stewards who shall allow only persons with tickets or security passes into the concert area.                                                                                                                                                                           |
| CA07                                                    | Adequate procedures must be implemented to ensure overcrowding (such as that which may cause injury through crushing) does not occur in any part of the premises.                                                                                                                                                                                                       |
| CA08                                                    | The licence holder shall determine the occupant capacity of the premises on the basis of documented risk assessment(s).<br>(i) The risk assessment(s) must take into account all relevant factors including space, means of access and egress, toilet provision, load-bearing capacity of floors, ventilation, etc and must be reviewed regularly, and if circumstances |

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|      | <p>change.</p> <p>(ii) Where necessary separate occupancy levels must be set for different parts of the premises.</p> <p>(iii) The premises licence holder shall ensure that they consult the Public Health Services of Bristol City Council and any other relevant authority (for example the Fire Rescue Service regarding emergency evacuation limitations) as to the occupancy figure. Confirmation of the consultation and any outcomes shall form an integral part of the risk assessment on which the capacity figure is based.</p> <p>(iv) The capacity figure proposed by the premises licence holder shall be notified to the Licensing Authority in writing prior to the commencement of the licence.</p> <p>(v) Measures must be put in place to ensure that the capacity is not exceeded at any time.</p> <p>(vi) All documentation pertaining to the proposed figure must be kept on the premises and must be available immediately on request to any authorised officer of the Licensing Authority or a constable.</p> <p>(vii) The premises licence holder shall regularly review, update and amend any risk assessments particularly following any changes to the layout or operation of the venue. Such reviews etc shall be fully documented and form an integral part of the risk assessment.</p> |
| CA09 | Where necessary separate occupancy levels must be set for different parts of the premises. The proposed capacity figure must be notified to the Licensing Authority within ( <i>insert period</i> ) of the date of ( <i>insert either date of hearing or date of issue of licence</i> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| CA10 | There shall be no entry or re-entry to the premises after ( <i>Insert terminal hour for entry</i> ) hours. Appropriate signage shall be clearly displayed at each exit from the premises advising patrons that re-entry to the premises after ( <i>Insert terminal re-entry time</i> ) hours on any morning is prohibited and that this prohibition also applies to people wishing to leave the premises to smoke.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| CA11 | The occupancy shall be restricted to ( <i>Insert number</i> ) persons in the premises. ( <i>Limits may be also be appropriate for different rooms or floors of premises</i> ) The occupancy figure includes staff, performers and public. The Premises Licence Holder shall ensure that there are appropriate management controls to ensure that the occupancy figure is not exceeded at any time. Appropriate controls shall be put in place to ensure that the occupancy of the premises / specified areas are not exceeded at any time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| CA12 | Manual or automatic electronic number control systems shall be installed, used and maintained at the premises at all times the premises is open to the public.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| CA13 | The premises licence holder shall support any taxi marshalling initiative that operates in the environs of the premises. This may include any fair and proportionate financial support from the premises licence holder                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| CA14 | The premises will operate in line with the ( <i>Insert name of policy eg Health and safety, fire risk assessment and date submitted to the Licensing Authority</i> ) or                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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|  | any amended version in operation from time to time. The premises licence holder shall give to the Licensing Authority not less than seven days notice of any proposed amendment to the aforesaid policy (including its deletion or its replacement) and shall provide to the Licensing Authority a copy of any amended policy prior to the change being implemented in the premises. A copy of the policy current at the time shall be provided to an authorised officer of the Licensing Authority or a constable upon request. |
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| <b>CC CCTV</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| CC01           | <p>CCTV shall be in use at the premises.</p> <p>(i) Where a CCTV system is to be installed, extended or replaced, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. Where a CCTV system is to be installed it shall be fully operational by <i>(insert date)</i>. Where existing CCTV systems are to be replaced or extended the replacement or extension to the system shall be concluded by <i>(insert date)</i> and the system be fully operational on that date.</p> <p>(ii) The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards.</p> <p>(iii) The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority</p> <p>(iv) The correct time and date will be generated onto both the recording and the real time image screen.</p> <p>(v) If the CCTV equipment (Including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified.</p> <p>(vi) The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the justified request of an authorised officer of the Licensing Authority or a constable.</p> <p>(vii) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises.</p> |
| CC02 –<br>CC07 | Not in use – consolidated into CC01                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| CC08           | A minimum of <i>(Insert number)</i> head mounted mobile cameras (robo-cams) shall be in use at the premises from <i>(Insert commencement hours)</i> hours until closing on each day that the premises are open to the public. One such camera shall be permanently located at the entrance and in each <i>(Insert specified areas where appropriate)</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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| CC09 –<br>CC11 | Not in use consolidated into CC01                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| CC12           | The CCTV system shall include all external areas of the premises.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| CC13           | A plan of the premises shall be annotated to show the location of all CCTV cameras within the premises, such a plan to be submitted to the Licensing Authority by the (Insert date). Such a plan to be regularly updated in the event of any changes to the location of such cameras.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| CC14           | CCTV cameras shall monitor all areas used by patrons including any external smoking area to monitor numbers and prevent crime and disorder.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| CC15           | The CCTV covering any dedicated smoking area shall be fully installed and operational before the smoking area can be used.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| CC17           | <p>CCTV shall be in use at the premises.</p> <p>(i) Where a CCTV system is to be installed it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. Where a CCTV system is to be installed it shall be fully operational before the licence is used to authorise licensable activities.</p> <p>(ii) The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards.</p> <p>(iii) The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority</p> <p>(iv) The correct time and date will be generated onto both the recording and the real time image screen.</p> <p>(v) If the CCTV equipment (Including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified.</p> <p>(vi) The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable.</p> <p>(vii) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises.</p> |

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| <b>CE CINEMATOGRAPHIC / FILM EXHIBITIONS</b> |                                                                                                                                                                             |
| CE01                                         | <i>Careful consideration should be given as to the circumstances in which these conditions may be pertinent i.e. main use cinema or video juke boxes in pubs and clubs.</i> |

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|      | <p>No film shall be exhibited unless –</p> <p>(i) it has received a ;U', 'PG', '12A', '15' or '18' certificate of the British Board of Film Classifications; or</p> <p>(ii) it is a current newsreel, which has not been submitted to the British Board of Film Classification.</p> <p>(iii) no film classified as R18 may be exhibited in these premises.</p>                                                                                                                                                                                                                                                                                                                                                                                                                         |
| CE02 | <p>No person apparently under the age of eighteen years shall be admitted to any exhibition at which there is to be shown any film which has received an '18' certificate from the British Board of Film Classification. In such circumstances a "Challenge 25 policy should be adhered to and valid proof of age required before admittance.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| CE03 | <p>No person apparently under the age of fifteen years shall be admitted to any exhibition at which there is to be shown any film which has received an '15' certificate from the British Board of Film Classification.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| CE04 | <p>No person apparently under the age of twelve years shall be admitted to any exhibition at which there is to be shown any film which has received an '12A' certificate from the British Board of Film Classification unless accompanied by an adult.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| CE06 | <p>A representation or written statement of the terms of any certificate given by the British Board of Film Classification shall be shown on the screen immediately before the showing of any film to which it relates and the representation or statement shall be shown for long enough and in a form large enough for it to be read from any seat in the auditorium.</p>                                                                                                                                                                                                                                                                                                                                                                                                            |
| CE07 | <p>There shall be prominently exhibited at each public entrance whenever the premises are open to the public a notice indicating in tabular form and in clear bold letters and figures-</p> <p>(i) the title of each film to be shown on that day, other than trailers and films of less than five minutes duration;</p> <p>(ii) the approximate times of commencement of each such film;</p> <p>(iii) whether each such film has received a 'U', 'PG', '12A', '15' or '18' certificate from the British Board of Film Classification, and</p> <p>(iv) the effect of such 'U', 'PG', '12A', '15' or '18' certificates in relation to the admission of persons under the age of eighteen years.</p>                                                                                     |
| CE08 | <p>The notice shall be not less than 36 inches in dimensions and shall be in the form specified hereunder, the distinguishing initial letters 'U', 'PG', '12A', '15' and '18' being not less than 1 ½ inches in height.</p> <p>CATEGORY 'U': Passed for universal exhibition.</p> <p>CATEGORY 'PG': Passed for universal exhibition but parents are advised that the film contains some scenes which may be unsuitable for young children.</p> <p>CATEGORY '12A': Passed as suitable only for exhibition to persons of twelve years and over. Children under 12 must be accompanied by an adult.</p> <p>CATEGORY '15': Passed as suitable only for exhibition to persons of fifteen years and over.</p> <p>CATEGORY '18': Passed as suitable only for exhibition to adults. When a</p> |

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|                                                                            | programme includes an '18' film no persons under eighteen years can be admitted.                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| CE09                                                                       | The nature of any certificate received in respect of a film from the British Board of Film Classification shall be clearly indicated by the figure 'U', 'PG', '12A', '15' or '18' in any advertisement of the film displayed at the premises.                                                                                                                                                                                                                                                                            |
| CE10                                                                       | No advertisement displayed at the premises of a film to be exhibited at the premises shall depict as a scene or incident in the film any scene or incident which is not included in the film as certified by the British Board of Film Classification or approved for exhibition by the licensing authority, as the case may be.                                                                                                                                                                                         |
| CE11                                                                       | Where the Licensing Authority has given notice in writing to the licensee of the premises objecting to an advertisement on the ground that, if displayed, it would offend against good taste or decency or be likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling that advertisement shall not be displayed at the premises except with the consent in writing of the Licensing Authority.                                                                                |
| CE12                                                                       | Where the Licensing Authority has given notice in writing to the licensee of the premises prohibiting the exhibition of a film on the ground that it contains matter which, if exhibited, would offend against good taste or decency or would be likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling, that film shall not be exhibited in the premises except with the consent in writing of the Licensing Authority.                                                     |
| CE13                                                                       | If the Licensing Authority request the licensee to exhibit to them any film shown or proposed to be shown by him, he shall do so at such time and to such persons as the Licensing Authority may direct.                                                                                                                                                                                                                                                                                                                 |
| CE14                                                                       | No persons shall be permitted to enter or continue within the licensed premises in a state of intoxication. All persons within the premises whose conduct is deemed by the licensee to be conducive to any breach of the peace, tumult or disorder shall be forthwith removed there from. The licensee shall be responsible for the maintenance of good order and decent behaviour in the licensed premises, and he shall by himself and his servants assist to the utmost in the capture and expulsion of any offender. |
| CE15                                                                       | There shall be fixed on each floor of the hall a special white signal light, to the approval of the Chief Constable, which shall be operated by a switch in the operator's box, and by a switch or switches fitted in an approved position in the hall. This light shall be used as a warning to attendants that an emergency exists and upon receiving the signal, attendants will take steps forthwith to control the movements of the audience and ensure the orderly and safe clearance of the hall.                 |
| <b>Conditions to be complied with when showing 'RESTRICTED (18)' films</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| CE16                                                                       | No films in the 'RESTRICTED (18)' category may be exhibited except in a                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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|      | cinema operating as a club in accordance with the conditions set out below.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| CE17 | No club showing films in the 'RESTRICTED (18)' category may operate in a multi-screen complex whilst persons under the age of 18 are being admitted to any performance given in that complex.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| CE18 | An exception may be made to the above condition only if the cinema club and all facilities adjacent thereto, including foyers, lavatories and refreshment areas, are wholly segregated and accessible only through a separate entrance and box office.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| CE19 | All registers of members and visitors books of their guests shall be available for immediate inspection by the licensing authority during any performance, or at any other reasonable time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| CE20 | Tickets shall in no circumstances be sold to persons other than members.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| CE21 | Front of house advertising for films in the 'RESTRICTED (18)' category will specify the category in which the film has been passed for exhibition but will include no pictorial material or other information about the names of performers or the plot. Newspaper advertisements for an exhibition will be limited to the inclusion of the titles of such films in the film listings column together with the category in which the film has been passed for exhibition.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| CE22 | No persons under 18 years of age shall be employed in any capacity at licensed premises which are operating as cinema clubs showing films in the 'RESTRICTED (18)' category.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| CE23 | Except with the prior consent of the licensing authority in writing, no intoxicating drinks shall be consumed, supplied or sold on the premises.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| CE24 | Membership rules for club cinemas shall include the following:<br>(i) only members and their guests shall attend exhibitions of moving pictures classified in the 'RESTRICTED (18)' category.<br>(ii) membership shall be open to persons of both sexes of not less than 18 years of age. Applications for membership, including both name and address, shall be in writing, signed by the applicant, and if deemed necessary such applications shall provide satisfactory references and proof of age.<br>(iii) no person shall be admitted to membership until the expiration of at least 24 hours after such written application has been approved by the licensed proprietors.<br>(iv) members shall be entitled on any one day to bring not more than one guest to accompany the member and the name of the guest shall be entered in the visitor's book and countersigned by the member.<br>(v) tickets shall be sold only to members on the production of a membership card, and members shall, if required, sign an acknowledgement for the ticket or tickets issued.<br>(vi) membership cards shall be personal to the member and shall not be transferable to any other person.<br>(vii) neither membership tickets nor guest tickets shall be transferable. |



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|      | <p>(viii) no member shall introduce as a guest any person under the age of 18 or any person whose application for membership has been refused.</p> <p>(ix) proof of identity, or of age, or of any particulars of any guest shall be produced by any member or guest if demanded by the proprietors.</p> <p>(x) an annual subscription shall be fixed for the club and shall run for 12 months from the date of registration.</p> <p>(xi) a subscription may not entitle the club member to attend other clubs under the same management unless the prior consent of the licensing authority has been obtained.</p> <p>(xii) on admission a member shall be bound by the rules of the club and by any byelaws and regulations made there-under.</p> |
| CE25 | <p>For the purposes of these conditions 'film' means any exhibition of moving pictures produced otherwise than by the simultaneous reception and exhibition of television programmes broadcast by the British Broadcasting Corporation or the Independent Broadcasting Authority or programmes included in a cable programme service which is, or does not require to be, licensed under section 4 of the Cable and Broadcasting Act 1984.</p>                                                                                                                                                                                                                                                                                                      |

| <b>CL CEILINGS</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| CL01               | <p>All ceilings and ornamental plasterwork in those parts of the premises to which the public are admitted shall be inspected at least once in every five years by a qualified person appointed by, or on behalf of the occupier of the premises free of expense to the Licensing Authority, and a certificate concerning the conditions of such ceilings and plasterwork shall, after each inspection, be forwarded to the Licensing Authority. Such inspections shall be made in the presence of an authorised officer of the Licensing Authority.</p>                                                                                                                                                                                                                                                                                                                                |
| CL02               | <p>The certificate required to be submitted by the previous paragraph of this conditions shall be in the following form: -</p> <p>"I/We hereby certify that the ceilings and ornamental plasterwork over all parts of the premises to which the public have access at (<i>insert name of premises</i>) have been inspected on (<i>insert date</i>) and these inspections indicate that such ceilings and plasterwork, so far as can be ascertained by visual or other examination, appear to be in a safe condition on this date.</p> <p>Signed .....</p> <p>Competent Technical Advisor(s) to the Licensee(s).      Date .....</p> <p>I/We hereby certify that I/We were present at the inspection referred to in this certificate and that the inspection was thoroughly carried out.</p> <p>Signed .....</p> <p>Technical Advisor(s) to the Licensing Authority.      Date .....</p> |
| CL03               | <p>It shall be competent for the Licensing Authority in any instance to require the provision of a certificate as to the safe condition of the aforesaid ceilings and plasterwork at such lesser intervals than five years as the Licensing Authority deem necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

| <b>CV CHILDREN AND VULNERABLE PERSONS</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| CV01                                      | All children shall vacate the premises by ( <i>Insert time</i> ) hours.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| CV02                                      | <p>No person under sixteen years of age shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:</p> <p>(i) He is the child of the holder of the premises licence.</p> <p>(ii) He resides in the premises, but is not employed there.</p> <p>(iii) He is in the bar solely for the purpose of passing to or from some part of the premises, which is not a bar, and to or from which there is no other convenient means of access or egress.</p> <p>(iv) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.</p> <p>In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and Intoxicating Liquor is only sold or supplied to persons as an ancillary to their table meals.</p> <p>(v) He is in the bar in the company of a person who is aged 18 years or over.</p> |
| CV03                                      | All open fireplaces or stoves must be protected when in use so as to prevent injury to vulnerable members of the public such as children, such as by the use of suitable fireguards                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| CV04                                      | Children must be accompanied by an adult.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| CV05                                      | Intoxicating liquor will only be sold and supplied to customers who are engaging in a sit down table meal, as an ancillary to that meal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| CV06                                      | If the recipient of a delivery of alcohol or the collection or delivery of a takeaway meal which includes alcohol, appears under 25 years of age, recognised photographic identification will be requested before any intoxicating liquor is handed over. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| CV07                                      | The premises licence holder shall ensure that suitable policies are implemented to ensure the safety of vulnerable persons, such as disabled persons, on the premises whilst the licensable activity is taking place.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| CV08                                      | The premises licence holder shall ensure that suitable measures are implemented to ensure the safety of disabled persons. Regard should be made to any particular aspect of the premises layout or nature of activities that may pose particular hazards for disabled persons.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| CV09                                      | <p>People with disabilities may be permitted, to sit in the auditorium in wheelchairs, other than petrol driven chairs, subject to the following conditions:</p> <p>(i) A section of the auditorium approved in writing by the Licensing Authority shall be set aside for the accommodation of wheelchairs.</p> <p>(ii) The section of the auditorium so set aside shall have easy and direct access</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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|      | <p>to the open air through an exit door additional to any exit door provided for use by other members of the audience.</p> <p>(iii) Where a person with disabilities requires the assistance of a helper, that helper shall be seated close at hand and be able to push the wheelchair, with its occupant, out into the open air in case of emergency, without difficulty.</p> <p>(iv) Petrol driven wheelchairs shall not be permitted on the premises.</p>                                                                                                                          |
| CV10 | The premise licence holder shall ensure that all open fireplaces or stoves must be protected when in use so as to prevent injury to vulnerable members of the public such as children, such as by the use of suitable fireguards.                                                                                                                                                                                                                                                                                                                                                     |
| CV11 | The premises shall not be permitted to be used for any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children, which prohibited uses include, among other things, nudity or semi-nudity, films for restricted age groups or any relevant entertainment (with the meaning of the third schedule to the Local Government (Miscellaneous Provisions) Act 1982 except where that is expressly permitted under a licence or waiver granted or given under that legislation. |
| CV12 | There shall be no events for persons under 18 years of age                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| CV13 | It shall be the responsibility of the premises license holder, to ensure that an appointed person shall be in charge of the premises when regulated entertainment is taking place to ensure the safety of disabled persons on the premises.                                                                                                                                                                                                                                                                                                                                           |
| CV14 | A till prompt system shall be installed to assist staff by reminding them to challenge for ID when a sale is made.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| CV15 | Documented delegation of authorisations to sell alcohol shall be maintained at the premises and shall be available on request by an authorised officer of the Licensing Authority or a constable.                                                                                                                                                                                                                                                                                                                                                                                     |
| CV16 | Publicity materials notifying customers of the offence of purchasing or attempting to purchase alcohol on behalf of under 18s shall be displayed at the premises on notices not smaller than A5 in size, at the entrance to the premises, and where practicable at each point of sale.                                                                                                                                                                                                                                                                                                |
| CV17 | The premises licence holder shall notify the Licensing Authority in writing at least one month prior to the premises being used for any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children, which are proposed to take place under the occasional exemption. Such uses include but are not limited to, among other things, nudity or semi-nudity, or films for restricted age groups.                                                                              |

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| <b>DA DRUG ACTION</b> |                                                                                                                                                                                                                                |
| DA01                  | Where there is reasonable suspicion that drugs, defined as Class A,B or C controlled substances under the Misuse of Drugs Act, or weapons are being carried, the premises licence holder shall ensure that the outer clothing, |

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|      | pockets and bags of those entering the premises are searched by door security personnel. In any event where controlled substances or weapons are found, the premises licence holder shall ensure that the designated premises supervisor or nominated person shall immediately inform the Police.                                                                                                                                                                                                                                                                           |
| DA02 | The premises licence holder shall ensure that a clearly visible notice will be placed on the premises advising those attending, that the Police will be informed if anyone is found in possession of controlled substances or weapons.                                                                                                                                                                                                                                                                                                                                      |
| DA03 | The premises licence holder shall ensure that documented security arrangements are implemented at the premises to discourage the sale and consumption of controlled substances. Security arrangements shall include having a member of staff regularly check toilet areas, the date and times of all checks to be recorded in a bound book kept for that purpose and to be produced upon request to an authorised officer of the Licensing Authority or a constable. Signage shall also be placed in the toilet areas advising patrons that checks are conducted regularly. |
| DA04 | Not in use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| DA05 | The premises licence shall ensure that, with regard to controlled substances, harm reduction information is displayed within the venue and that there are suitably experienced members of staff, or outreach workers from a local drugs agency, dedicated to providing harm reduction information and to dealing with drug related incidents or emergencies appropriately.                                                                                                                                                                                                  |
| DA06 | The premises licence holder shall ensure that rest facilities are provided when required, to the satisfaction of the Licensing Authority, which are cooler, quieter and preferably separate from the main dance area(s). These 'chill out' areas should offer adequate seating.                                                                                                                                                                                                                                                                                             |
| DA07 | Not in use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| DA08 | Not in use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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| <b>DC DOOR CONTROL / STEWARDING</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| DC01                                | Door supervisors who have been approved by the Security Industry Authority or any accreditation scheme recognised by the Licensing Authority, shall be used to vet customers and maintain public order. The vetting process must include implementation of the premises' proof of age policy. All door supervisors must ensure that identification bearing the customers photograph, date of birth and integral holographic mark or security measure is produced before allowing entry and where it is not, entry shall be refused. Suitable means of identification would include PASS approved proof of age card, photo-card driving licences and passports. |
| DC02                                | There shall be a minimum of (insert number) door supervisors, who have been accredited by the Security Industry Authority or any accreditation scheme recognised by the Licensing Authority, on duty from (Insert hours) hours on                                                                                                                                                                                                                                                                                                                                                                                                                              |

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|                | each trading day and who shall remain on duty until the premises closes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| DC03           | <p>[A] The premises licence holder shall ensure that the following details for each door supervisor, are contemporaneously entered into a bound register kept for that purpose:</p> <ul style="list-style-type: none"> <li>(i) Full name,</li> <li>(ii) SIA Certificate number and or badge number, or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation),</li> <li>(iii) The time they began their duty</li> <li>(iv) The time they completed their duty.</li> </ul> <p>This register is to be kept at the premises at all times and shall be so maintained as to enable an authorised officer of the Licensing Authority or a constable to establish the particulars of all door stewards engaged at the premises during the period of not less than 31 days prior to the request and shall be open to inspection by authorised officers of the Licensing Authority or a constable upon request.</p> <p>[B] The premises licence holder shall ensure that the following details for each door supervisor are entered into a bound register kept for that purpose to include the following details:</p> <ul style="list-style-type: none"> <li>(i) Name</li> <li>(ii) Date of birth</li> <li>(iii) Address</li> <li>(iv) Contact telephone numbers</li> <li>(iv) SIA Certificate number, or registration number of any accreditation scheme recognised by the Licensing Authority.</li> <li>(v) Commencement date of performing duties at the premises.</li> <li>(vi) The full details of any agency through which they have been allocated to work at the premises if appropriate</li> </ul> <p>These details should be easily accessible to any authorised officer of the Licensing Authority or a constable.</p> |
| DC04           | Not in use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| DC05           | The premises licence holder shall ensure that all door supervisors on duty at the premises wear a current identification badge, issued by the Security Industry Authority or any accreditation scheme recognised by the Licensing Authority, in a conspicuous position to the front of their upper body.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| DC06 -<br>DC09 | Not in use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| DC10           | The Premises Licence Holder shall require the Designated Premises Supervisor, or in his/ her absence other responsible person, to keep an "Incident report register" in a bound book, in which full details of all incidents are recorded. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The register is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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| DC11 | The premise licence holder shall require the designated premises supervisor, or in his/her absence other responsible person to identify by name, those persons performing duty as door security personnel to an authorised officer of the Licensing Authority or a Constable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| DC12 | Not in use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| DC13 | The Door Stewards shall be responsible for preventing the admission and ensuring the departure from the premises of persons who are drunk and disorderly in such a manner as not to cause further disorder.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| DC14 | Door Stewards shall prevent access to the premises of any excluded individual (subject to Court bans or bans imposed by the licence holder).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| DC15 | Where queuing is allowed outside of a premises door steward(s) shall maintain an orderly queue of patrons.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| DC16 | Where there is provided in any building regulated entertainment for children, or regulated entertainment at which the majority of the persons attending are children, then, if the number of children attending the regulated entertainment exceeds one hundred, it shall be the duty of the person providing the entertainment to station and keep stationed, wherever necessary, a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the premises, or any part thereof, than the premises or part can properly accommodate, and to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and to take all reasonable precautions for the safety of the children. |
| DC17 | In pursuit of the proper co-ordination of stewarding of the site and provision of the required level of assistance in the event of an emergency situation arising, the premises licence holder shall ensure that a suitably competent person from amongst the door supervisors/security staff is attached to the emergency services team at all appropriate times as a liaison point for stewards and security staff.                                                                                                                                                                                                                                                                                                                                                                                                             |
| DC18 | The minimum number of door supervisors provided at venues, holding regulated entertainment for less than 500 persons, shall be based on a risk assessment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| DC19 | The minimum number of door supervisors provided at venues, holding regulated entertainment for more than 500 persons, shall be based on a risk assessment. The risk assessment shall follow the recommendations as laid out in the Health and Safety Executive's guidance in respect of events or any other similar guidance recognised by the Licensing Authority.                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| DC20 | The premises licence holder shall ensure that appropriate measures are employed at the premises to verify the ages of customers obtaining alcohol. Any measures that are to be used shall be approved by the Licensing Authority                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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|      | in consultation with the Police.                                                                                                                                                                                                                                                                                                                                                 |
| DC21 | <i>Please note that this condition is directed specifically at problem premises.</i><br>Door supervisors shall be provided at the premises to a ratio of 1:85 patrons. Where the premises incorporates a dedicated smoking area within its curtilage a minimum of (Insert number) door supervisors shall permanently monitor the smoking area during (Insert appropriate hours). |
| DC22 | A minimum of (insert number) door supervisors shall be permanently stationed at each entrance/exit [excluding fire exits] to the premises.                                                                                                                                                                                                                                       |
| DC23 | Door Supervisors shall be on duty at the premises on each trading day from (Insert commencement hours) until (Insert terminal hours).                                                                                                                                                                                                                                            |
| DC24 | All door supervisors shall be capable of communicating instantly with one another by way of radio or other simultaneous system of communication.                                                                                                                                                                                                                                 |
| DC25 | <i>Please note that this condition is directed specifically at problem premises.</i><br>All door supervisors shall wear distinctive clothing or insignia to clearly identify them as door supervisors. Door supervisors on duty at the front door shall wear some form of 'high visibility' clothing (such as a jacket or waistcoat).                                            |
| DC26 | Not in Use                                                                                                                                                                                                                                                                                                                                                                       |
| DC27 | When licensable activities occur on a Sunday before a Bank Holiday, SIA registered door staff shall be employed during all trading hours.                                                                                                                                                                                                                                        |

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| <b>EL ELECTRICAL FITTINGS AND INSTALLATIONS AND GAS</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| EL01                                                    | Temporary electrical wiring and distribution systems shall not be provided without notification to the Licensing Authority at least 10 days before the commencement of works and a prior inspection by a suitably qualified electrician. A record shall be kept by the premises holder.                                                                                                                                                                                                                                                                                                        |
| EL02                                                    | The fixed electrical wiring installation and any portable electrical appliances should be inspected & tested by a competent person at the appropriate frequency specified in the Regulations for the Electrical Equipment of Buildings issued by the Institution of Electrical Engineers (BS 7671 or any British Standard replacing or amending the same) for that type of premises and equipment. Records of this inspection shall be maintained by the licence holder and made available at the premises for inspection by any authorised officer of the Licensing Authority or a constable. |
| EL03                                                    | All temporary electrical wiring and distribution systems shall comply with the recommendations of British Standard no 7671 or where applicable British Standard No 7909 or any British Standard replacing or amending the same                                                                                                                                                                                                                                                                                                                                                                 |
| EL03<br>EL04                                            | – Not in use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| EL06 | The premise licence holder shall ensure that a Residual Current Device protection, sensitive to tripping currents of not more than 30 milli-amperes, are fitted to all power circuits supplying sockets that may be used by entertainers / members of the public for plugging in electrical equipment. These should be regularly tested to ensure they are still functioning as required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| EL07 | With regard to premises with outdoor areas, a Residual Current Device protection sensitive to tripping currents of not more than 30 milli-amperes, must be fitted to power circuits supplying outdoor sockets and also indoor sockets that might be expected, with the use of plug-in extension leads, to power outdoor circuits.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| EL08 | Proper means of access for maintenance of all electrical fittings or apparatus shall be provided.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| EL09 | Electrical installation in areas used by members of the public shall be subject to the following:<br>(i) Any alterations made to electrical installations, including the use of temporary wiring and distribution systems, shall comply with the relevant edition of the Regulations for the Electrical Equipment of Buildings issued by the Institution of Electrical Engineers (BS 7671 or any British Standard replacing or amending the same).<br>(ii) All electrical equipment and installations shall be subject to regular visual checks to ensure that they are safe and in good working order, as well as formal routine tests by a competent person as advised in the aforementioned BS 7671 guidance.<br>(iii) A Residual Current Device protection sensitive to tripping currents of not more than 30 milli-amperes, must be fitted to power circuits supplying outdoor sockets and also indoor sockets that might be expected, with the use of plug-in extension leads, to power outdoor circuits. |
| EL10 | Gas installations or boilers<br>A gas safety inspection shall be carried out on all gas pipework and appliances (mains or cylinder) at intervals determined by an engineer who is suitably registered by Gas Safe. The gas safety certificate shall be retained for inspection.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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| <b>EX EXTERNAL AREAS</b> |                                                                                                                                                                                                                                                                                                  |
| EX01                     | The (insert name of area ie beer garden, upper patio, etc) shall only be open to customers (Insert days) from (insert commencement time) until 22.00 hours. Adequate notices shall be displayed in appropriate locations to ensure that this information is brought to the attention of patrons. |
| EX02                     | All outside areas must be closed and cleared of customers by 22.00 hours. Adequate notices shall be displayed to inform patrons of this requirement.                                                                                                                                             |
| EX03 –<br>EX04           | Not in use                                                                                                                                                                                                                                                                                       |
| EX05                     | The premises licence holder shall investigate and propose measures to enclose the garden area to a sufficient height to prevent patrons or members of                                                                                                                                            |



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|      | the public accessing or egressing the garden areas over the existing boundary within 3 months of the date of the hearing (i.e. Insert date). Such proposals to be implemented subject to the applicants' best endeavours to obtain planning permission. It is anticipated that the works to be completed within one year of the date of the hearing (i.e. by (Insert date)). |
| EX06 | A risk assessment shall be conducted and regularly reviewed to assess the numbers of persons that the outside area can safely accommodate. The premises licence holder shall ensure that there are measures in place to monitor the external area to ensure that a safe occupancy figure is not exceeded.                                                                    |

| <b>FA FIRST AID</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| FA01                | For events where it is anticipated that more than 100 persons will be in attendance or where an activity is taking place that is likely to give rise to personal injury (e.g. indoor sporting events/ use of special effects/ etc), the premises licence holder shall ensure that first aid provision is available at all times that licensable activity is taking place and shall have a suitably qualified first-aider on the premises during that period.                                                                                                                                                                                                                                                                                                                                                                                                               |
| FA02                | The minimum standard of first aid provision for events of more than 500 persons shall be in accordance with a risk assessment. The risk assessment shall take into account the recommendations of the Health and Safety Executive's Event Safety Guide or any other guidance recognised by the Licensing Authority.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| FA03                | The premises licence holder shall provide medical facilities, which are adequate for the purpose by the Ambulance Service. Details of the organisation of these services shall be provided to the Licensing Authority not less than 14 days prior to an event. The medical facilities shall include:<br>(i) sufficient means of communication between the first aid post(s) and the main control point on the site and/or stewards, and an adequate standby point for ambulances.<br>(ii) adequate medical facilities within the pit area/backstage area.<br>(iii) a facility within the concert area serving as the main medical facility provided by the approved contractor for medical facilities.<br>Persons wearing distinctive dress shall staff the first aid post(s), and the first aiders on site shall be available to offer assistance through the whole site. |
| FA04                | Individual toilet units, not available for general public use shall be sited adjacent to the first aid post(s).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| FA05                | The premises licence holder shall notify the Great Western Ambulance NHS Trust (or equivalent) of the first-aid agencies operating on site, prior to the event and of the on site telephone contact point for the said agency. The Great Western Ambulance NHS Trust shall certify to the satisfaction of the Licensing Authority that adequate arrangements have been made with the first-aid agency operating on the site to deal with emergencies.                                                                                                                                                                                                                                                                                                                                                                                                                      |
| FA06                | Adequate medical facilities shall be available on site from the time when it is                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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|  | first occupied by the public to the time when it is vacated. The level of provision shall be as advised by the Ambulance Service and the time at which the provision ceases shall be subject to the agreement of the Licensing Authority. |
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**FE FIRE FIGHTING EQUIPMENT AND FIRE PRECAUTIONS**  
*Please note that there are no conditions in this section as potential conditions have been superseded by the Regulatory Reform Order relating to Fire Safety.*

| <b>GS GENERAL SAFETY AND EVACUATION</b> |                                                                                                                                                                                                                                                                                                                                                                     |
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| GS01                                    | All doors and fastenings shall at all times be kept in proper working order.                                                                                                                                                                                                                                                                                        |
| GS02                                    | Any door not usable by the public to be marked "PRIVATE", notices bearing the words "NO EXIT" or "NO WAY OUT" shall not be used.                                                                                                                                                                                                                                    |
| GS03                                    | A door or gate shall not open immediately upon a step or steps. A landing having a width of not less than 900 mm shall be provided between the door and gate and the step or steps.                                                                                                                                                                                 |
| GS04                                    | Barriers for checking or controlling admission shall not be used without permission of the Licensing Authority.                                                                                                                                                                                                                                                     |
| GS05                                    | Temporary barriers, other than rope barriers of a type approved by the Licensing Authority, shall not be provided. Rope barriers approved by the Licensing Authority shall be fitted with automatic catches or slip connections and shall be arranged so as not to trail on the floor when parted, and the fittings shall not project into the gangway or exit way. |
| GS06                                    | Curtains shall not be hung across gangways or over staircases; where hung over doorways or across corridors they shall draw easily from the centre and slide freely and shall be clear of the floor. All hangings, curtains and temporary decorations shall be maintained in a flame retardant condition                                                            |
| GS07                                    | All curtains, hangings and temporary decorations are arranged so as not to cause any obstruction.                                                                                                                                                                                                                                                                   |
| GS08                                    | Any temporary decorations are not used without prior notification to the Licensing Authority                                                                                                                                                                                                                                                                        |
| GS09                                    | Stairways, corridors or gangways shall not be used as cloakrooms and no pegs for hanging hats, cloaks or other articles shall be fitted therein. All escape routes shall be kept free of any obstruction. Where cloakrooms are provided, they shall be so situated that the persons using them shall not interfere with the free use of any exit route.             |
| GS10                                    | The public shall be permitted to leave by all exit and entrance doors after each performance, entrances being considered and treated as exits for all purposes,                                                                                                                                                                                                     |

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|      | provided that they are not revolving doors or fitted with turnstiles                                                                                                                                                                                                                                                                                                                                                                                                                       |
| GS11 | Adequate means of escape shall be provided from all dressing rooms                                                                                                                                                                                                                                                                                                                                                                                                                         |
| GS12 | Gangways shall be of adequate width for the number of persons served, and in no case shall be less than 1.1 m wide.                                                                                                                                                                                                                                                                                                                                                                        |
| GS13 | There shall be no projection, which would diminish the clear width of the gangway.                                                                                                                                                                                                                                                                                                                                                                                                         |
| GS14 | No person shall be permitted to sit or stand in any gangway, unless by express permission of the Licensing Authority who shall stipulate the space allowed for standing and the number of persons permitted to stand.                                                                                                                                                                                                                                                                      |
| GS15 | Emergency exits will be kept clear of obstructions at any time when licensable activities are taking place.                                                                                                                                                                                                                                                                                                                                                                                |
| GS16 | A continuous handrail shall be securely fixed on each side of all staircases, steps and landings at a height of not less than 840 mm nor more than 1 metre, measured vertically from the pitch line, except that only one such handrail need be provided to such staircases, flights of steps or landings which are less than 1 m wide. Where a staircase is 1.8 metres or more in width, a central handrail shall, in addition, be provided, properly supported and secured to the steps. |
| GS17 | The premises licence holder shall provide training for all staff to ensure that they are familiar with all means of ingress and egress and the appropriate procedures in case of any emergencies that require an immediate evacuation of the premises. A record of the training shall be maintained and shall be available upon request by an authorised officer of the Licensing Authority or a constable.                                                                                |
| GS18 | Paper decorations, not being decorations the whole surface of which is directly affixed to walls or ceilings, shall not be permitted.                                                                                                                                                                                                                                                                                                                                                      |
| GS19 | Predetermined arrangements shall be made for alerting staff in the event of any emergency. These arrangements shall be of such a nature not to alarm the public.                                                                                                                                                                                                                                                                                                                           |
| GS20 | All employees or persons involved in the organisation and control of events shall have allotted to them specified duties to be performed in the event of fire, panic or other emergency. Such duties shall aim at the avoidance of panic and the safe evacuation of the premises where necessary rather than the extinction of fire.                                                                                                                                                       |
| GS21 | All exit doors shall be easily opened without the use of key, card, code or similar means.                                                                                                                                                                                                                                                                                                                                                                                                 |
| GS22 | Doors of such exits are to be regularly checked to ensure that the doors function satisfactorily and a record of the check is kept in a log book for that purpose.                                                                                                                                                                                                                                                                                                                         |

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| GS23 | Arrangements must be in place to ensure that all parts of the premises that members of the public may use, whether this be regularly or only in case of emergency are suitably illuminated during times of use (this includes internal and external areas, for example such as corridors, lobbies, emergency exits, car parks, etc.).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| GS24 | Where the premises is part of a shared property and members of the public may require access through areas not under the direct control of the premises licence holder (such as escape routes), the premises licence holder must ensure that he has liaised with the appropriate persons and has in place such arrangements as are necessary to ensure that the safety of members of the public is not compromised by the use of these shared areas and that none of the other licensing conditions may be breached.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| GS25 | Where the premises, or parts of the premises may be hired out by third parties or be used by events promoters, the premises licence holder must ensure that there are appropriate arrangements in place that will ensure that as far as is possible, the third party is aware of the licensing conditions and has in place their own arrangements which will ensure that the licensing objectives are not compromised.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| GS26 | <p>All traffic routes used by members of the public (including entrance ways, gangways, lobbies, corridors, passages and exit routes and all steps and stairways) should have:</p> <p>(i) Nosings of the treads of steps in a contrasting colour to the remainder of the tread. The nosings shall show up clearly under emergency lighting conditions.</p> <p>(ii) Any changes in level clearly visible to members of the public, such as by using contrasting colours or additional lighting.</p> <p>(iii) Mats more than 1 cm thick sunk to floor level unless of rubber with wide bevelled edges.</p> <p>A continuous handrail securely fixed on each side of all staircases, steps and landings at a height of not less than 840 mm nor more than 1 metre, measured vertically from the pitch line, except that only one such handrail need be provided to such staircases, flights of steps or landings which are less than 1 m wide. Where a staircase is 1.8 metres or more in width, a central handrail shall, in addition, be provided, properly supported and secured to the steps.</p> |
| GS27 | Heavy Fittings. Heavy fittings such as projectors, stage lights, etc must have not less than two independent means of suspension e.g. clamp and chain.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| GS28 | Smoking Area. If patrons are to be allowed to use the area for smoking then the following conditions must apply:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|      | <p>(i) The area must be adequately monitored by door staff and CCTV to ensure that patrons do not cause a nuisance, patrons do not obstruct access to adjoining premises and risk of crime and disorder in this area is adequately controlled.</p> <p>(ii) If there is a risk that patrons may acquire illegal items such as drugs or weapons whilst in this area then they must be searched before being allowed to re-enter the premises.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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|      | <p>(iii) Patrons must not be allowed to take drinks to the smoking area.</p> <p>(iv) The area must be provided with suitable ashtrays/bins, the use of which is monitored by door staff.</p> <p>(v) The area must be regularly swept to remove cigarette ends</p> <p>(vi) Adequate arrangements must be made to prevent overcrowding or disorder on the (<i>insert location</i>), particularly if patrons exiting towards the smoking area whilst others are queuing for entrance in/on the (<i>insert location</i>).</p> |
| GS29 | All gangways, passages, staircases and exit ways must at all times be kept entirely free from chairs or any other obstructions and from any article or substance which may cause a person to slip, trip or fall.                                                                                                                                                                                                                                                                                                          |
| GS30 | <p>Barriers for checking or controlling admission shall not be used save in accordance with a documented policy that includes the following</p> <p>(i) Risk assessments,</p> <p>(ii) Details of type to include design, construction materials, size – e.g. height</p> <p>(iii) Precise location of all elements of the barrier</p> <p>Said document having been provided to the Licensing Authority, to be kept with the licence records.</p>                                                                            |
| GS31 | The floors of all gangways, lobbies, corridors, passages and other exit routes and the tread of all steps and stairways shall be non-slippery and flat. The nosings of the treads of steps, changes of level and stairways shall be of a contrasting colour to the remainder of the tread. The nosings shall show up clearly under emergency lighting conditions. (Premises may be exempt from this requirement where the premises is a listed building or similar)                                                       |

| <b>GB GLASS / BOTTLES</b> |                                                                                                                                                                                                                             |
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| GB01                      | The Licensee shall ensure that any bottles or glasses are removed from persons leaving the premises.                                                                                                                        |
| GB02                      | No bottles containing beverages of any kind whether opened or sealed shall be given to customers on the premises for consumption by those persons on the premises whether at the bar or by staff service away from the bar. |
| GB03                      | The contents of any bottled beverage shall be decanted into a plastic / PTE / glass before service to any customer.                                                                                                         |
| GB04                      | The premises licence holder shall ensure that all drinking glasses used within the premises are of toughened or safety glass to the appropriate safety standard, in that they shall not produce sharp shards when broken.   |
| GB05                      | No customer carrying open or sealed beverage containers shall be admitted to the premises at such times as they are open to the public                                                                                      |
| GB06                      | Bottles containing wine may only be sold in connection with a table meal to customers who are seated in an area for the consumption of food that is away from the main bar                                                  |

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| GB07 | Not in use                                                                                                                                                                                                    |
| GB08 | Items of glass-wear (such as glasses, bottles, etc) shall not be permitted in the outdoor area/ dance-floor area* [*delete as appropriate].                                                                   |
| GB09 | Glazing. Windows and mirrors must be of safety glass or adequately protected from breakage, particularly when they are in safety critical locations. They must also be marked to make their presence obvious. |
| GB10 | Not in use                                                                                                                                                                                                    |
| GB11 | All beverages (including alcoholic and non alcoholic drinks) shall only be dispensed in polycarbonate, plastic or non-glass containers.                                                                       |
| GB12 | The contents of all glass bottles shall be decanted by bar staff into polycarbonate, plastic or non-glass containers. All glass bottles are to be retained behind the bar for safe disposal.                  |
| GB13 | The premises licence holder shall ensure that any bottles or glasses are removed from persons leaving the premises.                                                                                           |

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| <b>HF LATE NIGHT REFRESHMENT [HOT FOOD]</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| HF01                                        | It shall not be lawful to make any charge for or in connection with the entertainment of persons in the refreshment house during the hours of late opening, whether for the supply of food or drink, for admission, for service of any description or for any other matter, except any reasonable charge for use of cloakroom or toilet facilities unless:<br>(i) A tariff or charges made in the refreshment house is during those hours kept displayed in such position and in such manner that it can be conveniently read by persons frequenting the refreshment house and can be so read by any such person before entering; and<br>(ii) The charge is specified for the matter in question in the tariff; and<br>(iii) The charge is no more than that stated in the tariff |
| HF02                                        | It shall not be lawful to seek to obtain custom for the refreshment house by means of personal solicitation outside or in the vicinity of the refreshment house.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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| <b>IS INDOOR SPORTS ENTERTAINMENT</b> |                                                                                                                                                                                                                                                                                                                           |
| IS01                                  | An appropriately qualified medical practitioner is to be present throughout a sports entertainment, which consists of boxing, wrestling, judo, karate or other indoor sports entertainment of similar nature unless the licensing authority specifically exempts a particular sports entertainment from this requirement. |
| IS02                                  | Where a ring is involved it shall be constructed and supported by a competent person and is inspected by a competent authority. Any material used to form a skirt around the ring is to be flame retardant.                                                                                                               |

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| IS03 | Where any structure is used in relation to any contact sport it shall be constructed and supported by a competent person and is inspected by a competent authority. Any materials used in relation to the structure shall be flame retardant.                                                                                                                                                                                                                                     |
| IS04 | At any indoor sports entertainment consisting of wrestling or entertainments of a similar nature the public shall be prevented from occupying any seat or place within 2.5 metres of the ring or sporting area.                                                                                                                                                                                                                                                                   |
| IS05 | Water sports entertainments shall have an adequate number of staff who are adequately trained in rescue and life safety procedures. Such staff are to be stationed and are to remain within the vicinity of the water at all material times. With regard to swimming pools, there shall be provided an adequate number of qualified life-savers, in strict accordance with guidance contained in any publication issued by the Health and Safety Executive or the Sports Council. |

| <b>NP NOISE PRECAUTIONS</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| NP01                        | <i>Whilst it is recognised that short-term exposure is unlikely to cause long term hearing damage, it is recognised that it may cause short-term health problems such as tinnitus, acoustic trauma or temporary threshold shift if the noise levels are excessive.</i><br>The premises licence holder shall ensure that:<br>(i) Speakers are not placed in positions where members of the public can stand within close proximity to them.<br>(ii) Consumer-friendly signs that give advice about hearing protection shall be appropriately displayed.<br>Earplugs are either available free of charge or that they are available for purchase by patrons. |
| NP02                        | Amplified music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| NP03                        | Except for access and egress all doors and windows shall be kept closed during periods of entertainment associated with the Premises Licence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| NP04                        | No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| NP05                        | Alarms shall be fitted to (Specify location of external windows/fire doors) to alert staff when (they are)(it is) opened without authorisation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| NP06                        | No music or speech shall be relayed via external speakers other than for events where the prior approval of the licensing authority has been obtained.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| NP07                        | The specification, location and orientation of all permanently fixed speakers shall be agreed with an authorised officer of the Licensing Authority.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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| NP08 | No repositioning or replacement of speakers or any amplification equipment shall be carried out without consultation with and the agreement of an authorised officer of the Licensing Authority.                                                                                                                                                                                                                                                              |
| NP09 | Noise from music and associated sources shall not be audible in noise sensitive premises ( <i>between the hours of 23.00 and 07.00 the next day</i> )( <i>at any time</i> ).                                                                                                                                                                                                                                                                                  |
| NP10 | In order to improve the sound attenuation of the premises the ( <i>door(s)</i> ) ( <i>window(s)</i> ) at ( <i>specify</i> ) shall be fitted with ( <i>double</i> ) ( <i>secondary</i> ) glazing to the satisfaction of the Licensing Authority by ( <i>insert date</i> ).                                                                                                                                                                                     |
| NP11 | ( <i>Doors</i> ) ( <i>Windows</i> ) ( <i>Openings</i> ) ( <i>Ventilators</i> ) ( <i>Airbricks</i> ( <i>fans</i> )) in the external fabric of the premises shall be acoustically ( <i>sealed</i> ) ( <i>treated</i> ) to the satisfaction of the Licensing Authority by ( <i>insert date</i> ).                                                                                                                                                                |
| NP12 | A (sound trap lobby/acoustic door/automatic door closer) shall be installed at (describe the location) to the satisfaction of the Licensing Authority by (insert date).                                                                                                                                                                                                                                                                                       |
| NP13 | Noise Limiting devices<br>If officers of the City Council of Bristol witness noise at a level that causes unreasonable disturbance to the occupants of any properties in the vicinity then a noise-limiting device shall be used in relation to all sound amplification equipment used in conjunction with the premises.                                                                                                                                      |
| NP14 | A noise limiting device shall be used in relation to all sound amplification equipment used in conjunction with the premises licence.                                                                                                                                                                                                                                                                                                                         |
| NP15 | The noise limiting device shall be installed and set at a level approved by the Licensing Authority (in consultation with the Pollution Control Section of the City Council of Bristol) within 1 month of notification, for it's requirement, from either the Licensing Authority or the Pollution Control Section of the City Council of Bristol.                                                                                                            |
| NP16 | The noise limiting device can only be reset with the authority of an officer of the City Council of Bristol.                                                                                                                                                                                                                                                                                                                                                  |
| NP17 | The noise limiting device shall be reset by an officer of the City Council of Bristol, if deemed necessary.                                                                                                                                                                                                                                                                                                                                                   |
| NP18 | The noise limiting device shall be properly secured so that it can not be tampered with.                                                                                                                                                                                                                                                                                                                                                                      |
| NP19 | Monitoring<br>The manager, licence holder or other competent person shall carry out observations in the vicinity of the properties at ( <i>insert location</i> ), on at least ( <i>insert time period e.g. hourly</i> ) intervals between ( <i>insert start time</i> ) and ( <i>insert finish time</i> ) whilst the Premises Licence is being exercised in order to establish whether there is a noise breakout from the premises. If the observation reveals |



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|      | noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that does not cause disturbance. A record of such observations shall be kept in a book for that purpose, such a book shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise breakout and any action taken to reduce noise breakout. Such book to be made available at all times upon request to an authorised officer of the Licensing Authority or a constable.                                                             |
| NP20 | Sound Insulation Works<br>A detailed scheme of sound insulation works shall be submitted to and approved in writing by the Licensing Authority. The approved details shall be implemented in full prior to the commencement of the premises licence.                                                                                                                                                                                                                                                                                                                                                                                                                  |
| NP21 | A report shall be submitted detailing and recommending a scheme of sound insulation works for the separating structure between the licensed premises and the ( <i>adjacent</i> ) residential use ( <i>above</i> ). The report shall consider: the potential for noise breakout from the building and the volume and nature of the music likely to be desired by the premises. The report shall be approved in writing by the City Council of Bristol. All recommended works shall be completed prior to the commencement of the premises licence.                                                                                                                     |
| NP22 | A report shall be submitted detailing the potential for noise from ( <i>specify</i> ) ( <i>amplified music</i> ) ( <i>refrigeration</i> ) ( <i>heating</i> ) ( <i>ventilation</i> ) ( <i>air conditioning plant</i> ) ( <i>other</i> ) at the premises from affecting neighbouring noise sensitive properties at ( <i>insert address</i> ). If the assessment indicates that noise from the premises is likely to affect neighbouring noise sensitive properties then the report shall include a detailed scheme of noise mitigation to show that nuisance will not be caused to the occupiers of neighbouring noise sensitive properties from the licensed premises. |
| NP23 | The report shall be approved in writing by the City of Council and all recommended works completed prior to the commencement of the premises licence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| NP24 | All entrances are lobbied with 2 separate self-closing doors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| NP25 | All internal speakers are attached to independent wall linings and not to the ceiling                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| NP26 | All speakers are mounted on speaker brackets that incorporate isolating rubber mounts.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| NP27 | Any bass bins are installed within acoustic enclosures that isolate the speaker from the building structure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| NP28 | Not in use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| NP29 | The premises licence holder shall take all reasonable steps to ensure that patrons using any outside areas (such as terraces and beer gardens) do so in a                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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|                      | quiet and orderly fashion.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                         |                         |                         |               |       |       |                    |      |      |                      |      |      |
| NP30                 | <p>Noise from the premises shall not result in exceedences of the following noise levels expressed as [x minute LAeq] at [stated location];</p> <table border="1"> <tr> <td>Frequency Range</td> <td>From a hours to b hours</td> <td>From y hours to z hours</td> </tr> <tr> <td>[Whole range]</td> <td>x dBA</td> <td>y dBA</td> </tr> <tr> <td>[63Hz octave band]</td> <td>x dB</td> <td>y dB</td> </tr> <tr> <td>[125 Hz octave band]</td> <td>x dB</td> <td>y dB</td> </tr> </table>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Frequency Range         | From a hours to b hours | From y hours to z hours | [Whole range] | x dBA | y dBA | [63Hz octave band] | x dB | y dB | [125 Hz octave band] | x dB | y dB |
| Frequency Range      | From a hours to b hours                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | From y hours to z hours |                         |                         |               |       |       |                    |      |      |                      |      |      |
| [Whole range]        | x dBA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | y dBA                   |                         |                         |               |       |       |                    |      |      |                      |      |      |
| [63Hz octave band]   | x dB                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | y dB                    |                         |                         |               |       |       |                    |      |      |                      |      |      |
| [125 Hz octave band] | x dB                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | y dB                    |                         |                         |               |       |       |                    |      |      |                      |      |      |
| NP31                 | <p>Sound Insulation Works</p> <p>A detailed scheme of sound insulation works shall be submitted to and approved in writing by the Council through an authorised officer of the Pollution Control Team. The approved works shall be provided in full prior to commencement of any regulated entertainment should the Premises Licence be granted.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                         |                         |                         |               |       |       |                    |      |      |                      |      |      |
| NP32                 | <p>A report shall be submitted detailing and recommending a scheme of sound insulation works for the partition between the licensed premises and adjacent residential useage. The report shall also consider the noise leakage from the building and also consider the volume and nature of the music likely to be desired by the premises. The report shall be submitted to and approved in writing by the Council through an authorised officer of the Pollution Control Team and all recommended works carried out in full prior to the commencement of any regulated entertainment should the Premises Licence be granted.</p> <p><i>Guidance</i></p> <p><i>The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of PPG 24 Planning Policy Guidance: Planning and Noise, BS4142: 1997. "Method of rating industrial noise affecting mixed residential and industrial areas" and BS 8233: 1999 "Sound Insulation and Noise Insulation for Buildings - Code of Practice".</i></p> <p><i>The recommended design criteria for dwellings are as follows:</i></p> <p><i>Daytime (07.00 – 23.00) LAeq(16 hours) 35 dB &amp; Noise Rating Curve NR35 in all rooms. Nighttime (23.00 – 07.00) LAeq(8 hours) 30 dB &amp; Noise Rating Curve NR20 to NR25 in bedrooms</i></p> |                         |                         |                         |               |       |       |                    |      |      |                      |      |      |
| NP33                 | <p>(i) A report shall be submitted detailing the potential for noise from (<i>insert - amplified music, refrigeration, heating, ventilation and air conditioning plant etc</i>) at the premises from affecting neighbouring noise sensitive properties at (<i>insert</i>).</p> <p>(ii) If the assessment indicates that noise from the premises is likely to affect neighbouring noise sensitive properties then it shall include a detailed scheme of noise mitigation measures to show that nuisance will not be caused to the occupiers of neighbouring noise sensitive properties by noise from the licensed premises.</p> <p>(iii) The report shall be submitted to and approved in writing by the Council through an authorised officer of the Pollution Control Team and all recommended works carried out in full prior to the commencement of any</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                         |                         |                         |               |       |       |                    |      |      |                      |      |      |

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|      | <p>regulated entertainment should the Premises Licence be granted.</p> <p><i>Guidance</i><br/> <i>The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of PPG 24 Planning Policy Guidance: Planning and Noise, BS4142: 1997. "Method of rating industrial noise affecting mixed residential and industrial areas" and BS 8233: 1999 "Sound Insulation and Noise Insulation for Buildings - Code of Practice".</i><br/> <i>The recommended design criteria for dwellings are as follows:</i><br/> <i>Daytime (07.00 – 23.00) LAeq(16 hours) 35 dB &amp; Noise Rating Curve NR35 in all rooms. Nighttime (23.00 – 07.00) LAeq(8 hours) 30 dB &amp; Noise Rating Curve NR20 to NR25 in bedrooms</i></p>                                                                                                                                                                                                                                                                           |
| NP34 | In order to improve the sound attenuation of the premises the [doors / windows] at [specify] shall be fitted with [double /secondary] glazing to the satisfaction of an authorised officer of the Pollution Control Team.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| NP35 | [Openings / specify] in the external fabric of the premises must be acoustically sealed to the satisfaction of an authorised officer of the Pollution Control Team                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| NP36 | A [sound trap lobby / acoustic door / automatic door closer] shall be installed at [describe the location] to the satisfaction of an authorised officer of the Pollution Control Team                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| NP37 | <p>Noise Limiting Device<br/> <i>Limiter required from commencement of Premises Licence – This condition may be required where representations are submitted or if the licence is being reviewed.</i></p> <p>(i) A noise limiting device shall be used in relation to all sound amplification equipment used in conjunction with the Premises Licence.</p> <p>(ii) The noise limiting device shall be installed and set at a level approved by the Council through its authorised environmental health officer prior to the opening of the premises in conjunction with the premises licence.</p> <p>(iii) The noise limiting device shall be properly secured so that it cannot be tampered with.</p> <p>(iv) The noise limiting device shall only be reset with the authority of the Council through an authorised officer of the Pollution Control Team.</p> <p>If deemed necessary, the noise limiting device shall be reset to a level approved by the Council through an authorised officer of the Pollution Control Team within 14 days of notification.</p> |
| NP38 | Not in use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| NP39 | <p><i>(Condition regarding limiter only triggered if nuisance witnessed)</i></p> <p>(i) If officers of the council witness noise at a level that causes unreasonable disturbance to the occupants of any properties in the vicinity then a noise limiting device shall be used in relation to all sound amplification equipment used in conjunction with the Premises Licence.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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|      | <p>(ii) The noise limiting device shall be installed and set at a level approved by the Council through an authorised officer of the Pollution Control Team within 1 month of notification, for it's requirement, from the Licensing Authority.</p> <p>(iii) The noise limiting device shall be properly secured so that it cannot be tampered with.</p> <p>(iv) The noise limiting device shall only be reset with the authority of the Council through an authorised officer of the Pollution Control Team.</p> <p>(v) If deemed necessary, the noise limiting device shall be reset to a level approved by the Council through an authorised officer of the Pollution Control Team within 14 days of notification.</p>                                                                                                            |
| NP40 | <p><i>(Limiter already set)</i></p> <p>(i) A noise limiting device shall be used in relation to all sound amplification equipment used in conjunction with the Premises Licence.</p> <p>(ii) The noise limiting device shall be kept at the settings approved by the Council through an authorised officer of the Pollution Control Team on <i>(Date)</i>.</p> <p>(iii) The noise limiting device shall be properly secured so that it can not be tampered with.</p> <p>(iv)The noise limiting device shall only be reset with the authority of the Council through an authorised officer of the Pollution Control Team.</p> <p>(v) If deemed necessary, the noise limiting device shall be reset to a level approved by the Council through an authorised officer of the Pollution Control Team within 14 days of notification.</p> |
| NP41 | <p>Monitoring</p> <p>(i) The manager, licensee or other competent person shall carry out observations in the vicinity of the properties at <i>[insert]</i>, on at least <i>[insert]</i> intervals between <i>[insert]</i> and <i>[insert]</i> whilst live music, karaoke or DJ's playing recorded music is taking place to establish whether there is a noise breakout from the premises.</p> <p>(ii) If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that does not cause disturbance.</p>                                                                                                                                                                                                      |
| NP42 | <p>(i) A record of such observations shall be kept in a book for that purpose, such a book shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise break out and any action taken to reduce noise breakout.</p> <p>(ii) Such book to be made available at all times upon request to a police officer or an officer of the local authority.</p>                                                                                                                                                                                                                                                                                                                                                                                                         |
| NP43 | <p>One Off Events</p> <p>The Organiser shall appoint a suitably qualified and experienced noise control consultant approved by the Council through an authorised officer of the Pollution Control Team no later than <i>(insert)</i> weeks prior to the event. The noise control consultant shall liaise between all parties including the promoter and sound engineer and the licensing authority etc on all matters relating to noise control prior to and during the event. The consultant must be experienced in noise propagation and control, particularly from music events.</p>                                                                                                                                                                                                                                              |

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| NP44 | The control limits set at the mixer position shall be adequate to ensure that Music Noise Level (MNL) shall not exceed LAeq (15 mins) of (insert) over a 15 minute period at the nearest noise sensitive premises throughout the duration of the event.                                                                                                         |
| NP45 | A noise propagation test shall be undertaken at a time to be agreed prior to the start of the event in order to set appropriate control limits at the sound mixer position. The sound system shall be configured and operated in a similar manner as intended for the event.                                                                                    |
| NP46 | The organiser shall ensure that the promoter, sound supplier and all individual sound engineers are informed of the sound control limits.                                                                                                                                                                                                                       |
| NP47 | A logging noise level meter shall remain at the mixing desk so that the noise consultant and sound engineers can ensure that the predetermined noise levels are not exceeded. The results of the monitoring shall be provided to the licensing authority within 10 working days following the event.                                                            |
| NP48 | During the events the noise consultant shall monitor noise levels at (insert) and at any other sites deemed necessary by the Council during the event.                                                                                                                                                                                                          |
| NP49 | The consultant shall be able to contact the mixer desk and advise the sound engineer accordingly to ensure that the licensing authority can contact the consultant and sound engineer throughout the events and during the sound checks. The results of the monitoring shall be provided to the licensing authority within 10 working days following the event. |
| NP50 | The exact times of all sound checks and performances shall be submitted to, and approved by the licensing authority no later than 10 working days before the events. (In order to prevent disturbance to the occupiers of (insert) no sound checks shall be carried out before (insert) hours.)                                                                 |
| NP51 | Details of the time, date and duration of set up and dismantling of the stage and other associated noise generating activities (refuse disposal, provision and emptying of toilets, generators etc) outside the times of the performances shall be submitted to, and approved by the Licensing Authority no later than 10 working days before the events.       |
| NP52 | All local residents likely to be affected by noise from the event shall be informed in writing as to:<br>(i) The exact times of all performances and sound checks.<br>(ii) A contact name and telephone number should they wish to make a complaint of noise.                                                                                                   |
| NP53 | The occupiers of premises, detailed below, shall be informed in writing, no later than 10 days before the event of the exact times that the event will operate and a contact name and telephone number should they wish to make a complaint of noise. (insert addresses)                                                                                        |
| NP54 | Whilst the event is being held, the licensee, event organiser or other competent                                                                                                                                                                                                                                                                                |

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|      | person shall carry out observations in the immediate area around the event, to assess the level of noise. Should such observations confirm that noise is disturbing to the occupiers of premises in the vicinity, then appropriate steps shall be taken to control noise levels in order to prevent disturbance to local residents. |
| NP55 | Orientation of speakers be such that all sound is directed away from residential properties and towards (insert).                                                                                                                                                                                                                   |
| NP56 | Customer Noise<br>Except for access and egress all doors and windows shall be kept closed after (Insert) hours.                                                                                                                                                                                                                     |
| NP57 | Clear notices displayed at all points where customers leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.                                                                                                                                                    |
| NP58 | The [garden / patio] must not be used by customers after the hours of (Insert).                                                                                                                                                                                                                                                     |
| NP59 | The car park must be securely locked to prevent access to customers cars between (Insert) and (Insert) providing the locking of the car park does not effect any means of escape or any evacuation plan.                                                                                                                            |
| NP60 | There shall be no consumption of beverages purchased from the premises outside of the premises                                                                                                                                                                                                                                      |
| NP61 | There shall be no consumption of beverages in any outside areas/specific after (Insert) hours                                                                                                                                                                                                                                       |
| NP62 | Any outdoor areas to (the front/rear of) the premises must not be used by customers or staff after 22.00 hours.                                                                                                                                                                                                                     |
| NP63 | The premises supervisor, manager or other competent person shall manage any outdoor area to ensure that customers do not behave in a noisy, rowdy or offensive manner.                                                                                                                                                              |
| NP64 | Clear notices must be displayed at prominent points in all outdoor areas (informing them as to the requirements of points (insert & insert i.e. no drinks, hours of use, above and) requesting that they respect the needs of local residents and behave in a quiet and orderly manner.                                             |
| NP65 | A clear notice shall be displayed at any exit to the premises to instruct customers to respect the needs of local residents and leave the premises and the area quietly.                                                                                                                                                            |
| NP66 | There shall be no consumption of beverages purchased from the premises in open containers outside at the front of the premises.                                                                                                                                                                                                     |
| NP67 | No inflatable play equipment shall be used without the agreement of the Licensing Authority with respect to its hours of use and other conditions as may                                                                                                                                                                            |

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|      | be appropriate.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| NP68 | <p>Noise from plant &amp; equipment<br/>Noise from any ventilation, refrigeration or air conditioning plant or equipment shall not cause nuisance to the occupants of any properties in the vicinity.<br/>Recommendation:<br/>(a) The Rating Level of any noise from any fixed plant shall not exceed the background noise level by more than 0dB at the nearest noise sensitive property as determined by BS 4142: 1997 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas at any time.<br/>(b) Anti vibration mounts should be used to isolate plant from fixed structures and a flexible connector used to connect the flue to the fan if there is a potential to transmit vibration to any noise sensitive property. Any systems will also need regular maintenance so as to reduce mechanical noise.<br/><i>Guidance on the above can be gained at 'Guidance on the Control of Odour &amp; Noise from Commercial Kitchen Exhaust System' Published electronically by Department for Environment, Food and Rural Affairs. Product Code PB10527.</i></p> |
| N69  | Signage. Signs shall be prominently displayed at the premises requesting that patrons respect local residents and leave the premises quietly.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

**OA OPEN AIR REGULATED ENTERTAINMENT**  
**Unique conditions will be attached to an open air event to meet the specific requirements of the Licensing Authority or its Responsible Authorities dependant on the site, the type of entertainment to be held and the anticipated audience.**

| <b>PP PERFORMANCE OF PLAYS</b> |                                                                                                                                                                                                                                                                                            |
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| PP01                           | Not in use                                                                                                                                                                                                                                                                                 |
| PP02                           | All scenery which expression includes all cloths, draperies, gauze cloths, hangings, curtains, fabric decorations and all floral decorations, and all properties of whatsoever kind on the stage shall be non-flammable and shall be available for test by officers of the Fire Authority. |
| PP03                           | Scenery (except that in use for the current production) shall only be kept in an appropriate scene and property store.                                                                                                                                                                     |
| PP04                           | Ropes attached to counterweights shall be tested by a competent person appointed by the premises licence holder at such intervals as may be necessary to guard against failure, and in any event not less than once every twelve months.                                                   |
| PP05                           | Where smoking is essential to the action of the performance, such additional precautions as may be required by the Licensing Authority shall be strictly observed                                                                                                                          |
| PP06                           | The safety curtain to the proscenium opening shall be lowered and raised in the presence of each audience.                                                                                                                                                                                 |

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| PP07 | In the event of the safety curtain being out of order, the licensee shall immediately notify the Chief Fire Officer.                                                                      |
| PP08 | Whenever the safety curtain is lowered, sufficient lights shall be immediately lighted to give good general illumination of the auditorium.                                               |
| PP09 | No scenery or apparatus of whatsoever kind shall at any time during the performance cross the plane of descent of the safety curtain, or in any circumstances interfere with its descent. |
| PP10 | Except with the consent of the Licensing Authority scenery or properties shall not be placed on the auditorium side of the safety curtain.                                                |

| <b>PS PREMISES - SECURITY</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| PS01                          | Outdoor lighting shall be positioned, so far as is reasonably practicable, so as to limit its intrusion into residential accommodation in the vicinity of the licensed premises whilst maintaining an adequate level of lighting for the safe access and egress of customers and persons employed at the premises.                                                                                                                                   |
| PS02                          | The premises licence holder shall ensure that the car park of the premises shall be illuminated at all appropriate times but that outdoor lighting shall be positioned, so far as is reasonably practicable, so as to limit its intrusion into residential accommodation in the vicinity of the licensed premises whilst maintaining an adequate level of lighting for the safe access and egress of customers and persons employed at the premises. |
| PS03                          | The premises licence holder shall ensure that the barrier to the car park shall be properly secured at all appropriate times, providing that securing of the barrier does not effect any means of escape or any evacuation plan.                                                                                                                                                                                                                     |
| PS04                          | The premises holder shall ensure that the burglar alarm shall be maintained and implemented at the premises.                                                                                                                                                                                                                                                                                                                                         |
| PS05                          | The premises holder shall ensure that the premises are a member of any locally operating Pub Watch scheme.                                                                                                                                                                                                                                                                                                                                           |
| PS06                          | The premises licence holder shall ensure that signage is appropriately displayed in the premises advising all customers not to leave any belongings unattended.                                                                                                                                                                                                                                                                                      |
| PS07                          | The premises licence holder shall ensure that a documented search policy is implemented at the premises. Any searches shall only be conducted by same sex. Staff training is to be given in the correct procedures and records are to be kept in a bound book. All documentation shall be produced to an authorised officer of the Licensing Authority or a constable upon request.                                                                  |
| PS08                          | Drugs and weapons seized will be placed in a locked receptacle set aside for this purpose. The means for securing or unlocking the receptacle will be retained by the premises licence holder or the designated premises supervisor.                                                                                                                                                                                                                 |



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|      | or in their absence any other responsible person. A record shall be made of the seizure, the time, date and by whom, and to whom the items were handed on to in a bound book specifically kept for that purpose. Such a book to be produced to an authorised officer of the Licensing Authority or a constable upon request. The premises licence holder shall make suitable arrangements with the Police for the collection of any seized items.                                                                                                          |
| PS09 | <i>This condition is aimed at problematic premises</i><br>Hand held metal detecting scanners shall be in use at the premises during all trading hours, other metal detecting scanners may be used such as fixed metal detectors at all entrances. Detectors shall be operated by door supervisors or by suitably trained staff when no door supervisors are on duty, and such detectors shall be operative when any licensable activity is taking place. Fixed detectors shall be installed to the satisfaction of the Licensing Authority and the Police. |
| PS10 | An incident report logbook shall be held at the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable immediately upon request. It shall contain the details of persons involved, incident description, time and date, actions taken and final outcome of the situation.                                                                                                                                                                                                                          |
| PS11 | Spirits shall be located (insert location), and all other alcoholic beverages to be located on display in such a position that it is not obscured from the constant view of the cashier / staff by other fixtures. (If this is not reasonably practical because of refrigeration or other limitations, the Licensing Authority shall be consulted regarding other suitable locations in the premises).                                                                                                                                                     |
| PS12 | The requirement for the presence of a security officer shall be subject to consultation and review with the Licensing Authority and the police. On those occasions when security staff are deemed to be required they shall be at the premises between the hours of (Insert hours) hours daily.                                                                                                                                                                                                                                                            |
| PS13 | The need for security guards shall be assessed by the licence holder / designated premises supervisor on a regular basis and security guards shall be employed when and where the assessment requires. However, as a minimum, one dedicated SIA registered (or other accredited scheme recognised by the Licensing Authority) security guard shall be employed at the premises.                                                                                                                                                                            |
| PS14 | The premises licence holder shall provide contact details for any security personal employed at the premises to an authorised officer of the Licensing Authority or a constable upon request.                                                                                                                                                                                                                                                                                                                                                              |

| <b>PW POLICE LIAISON, PUB WATCH OR SIMILAR SCHEMES</b> |                                                                                                                                               |
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| PW01                                                   | The premises licence holder shall ensure participation in any Pub Watch or similar scheme operating in the locality of the licensed premises. |
| PW02                                                   | Subject to reasonable notice being given which save in an emergency shall be                                                                  |

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|                | not less than seven days, the premises licence holder shall ensure attendance at any meeting convened by the Police to discuss any matters relating to the premises. |
| PW03 –<br>PW04 | Not in use                                                                                                                                                           |

| <b>RL RADIO LINKS</b> |                                                                                                                                                                                               |
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| RL01                  | The premises shall be incorporated into Bristol Night Radio Net or similar scheme operating within the City of Bristol Council area.                                                          |
| RL02                  | The radio equipment shall be kept in working order at all times                                                                                                                               |
| RL03                  | The radio equipment shall be made available to and be monitored by the designated premises supervisor or a responsible member of staff at all times that the premises are open to the public. |
| RL04                  | Any Police instruction/direction received via the radio scheme shall be complied with whenever given.                                                                                         |
| RL05                  | All instances of crime or disorder are reported via the radio equipment by the designated premises supervisor or a responsible member of staff to an agreed police contact point.             |

| <b>SA CONTROLS FOR SALE OF ALCOHOL</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| SA01                                   | All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instance when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.                                                                                                                                                                                                                                                                                                           |
| SA02                                   | (a) An approved proof of age scheme shall be adopted, implemented and advertised within the premise such as “Challenge 25” whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.<br>(b) Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale. |
| SA03                                   | The premises licence holder shall require the designated premises supervisor, or in his/her absence other responsible person, to keep an 'incident/refusals logbook in a bound book in which full details of all incidents are recorded. This                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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|      | shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required.                                                                                                         |
| SA04 | The premises shall be cleared of customers within 30 minutes of the last supply of alcohol on any day.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| CV05 | Intoxicating liquor will only be sold and supplied to customers who are engaging in a sit down table meal, as an ancillary to that meal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| SA05 | <i>The following condition is directed at those premises licensed for 'off' sales only which are subject to review due to problems of underage sales.</i><br>All items of alcohol sold from the premises shall be clearly labelled with the name of the store or place from which it was sold.                                                                                                                                                                                                                                                                                                                                                                                   |
| SA06 | There shall be no sale of beer lager or cider with an ABV of more than 5.5 except for any premium brands agreed with the licensing authority and police. Such agreement shall be in writing and shall be provided prior to the products being offered for sale.                                                                                                                                                                                                                                                                                                                                                                                                                  |
| SA07 | The premises licence holder or other responsible person shall ensure that there is a policy in place to prevent the sale of alcohol to customers who are drunk. The premises licence holder or other responsible person shall ensure the policy is reviewed and updated on a regular basis. The policy shall be available to the police or authorised officer of the council on request.                                                                                                                                                                                                                                                                                         |
| SA08 | All advertising and promotional material for the business, including the website, shall make it clear that it operates an approved proof of age scheme such as Challenge 25 with respect to sales of alcohol, tobacco and other age restricted products. This shall make it explicit that the buyer will be required to provide valid photographic proof of age before the goods are handed over by the delivery driver. The advertising and promotional material shall make it clear that if such proof of age cannot be provided then the delivery will be refused                                                                                                             |
| SA09 | All drivers shall carry a log book in which details of refused sales and other incidents are noted This shall give details of the persons involved, incident description, time and date, actions taken and final outcome of the situation. The time and date when the report was completed and by whom is to form part of the entry. These details shall be filed centrally at the end of each shift or as soon as practicable afterwards. In any case this shall be no later than the close of business on the day of the incident. The central file shall be kept at the premises and produced upon request to a constable or an authorized officer of the Licensing Authority |
| SA10 | Alcohol must only be sold in sealed containers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| <b>SE PROVISIONS RELATING TO ADULT ENTERTAINMENT</b> |                                                                                                                                                         |
| SE01                                                 | Striptease or adult types of entertainment will only take place in designated areas approved by the Licensing Authority. Arrangements for access to the |

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|      | dressing room shall be approved by the Licensing Authority and shall be maintained at all times whilst strip tease is taking place and immediately thereafter.                                                                                                                                                                                                                                                                                                                                   |
| SE02 | Whilst striptease entertainment is taking place, no person aged under the age of 18 will be allowed on that part of the licensed premises where the striptease/entertainment is taking place and such part must not be visible from other parts of the premises. A clear notice shall be displayed at each entrance to the premises in a prominent position so that it can be easily read by persons entering the premises on the following terms: - "No person under 18 years will be admitted" |
| SE03 | Dancers not performing must not be in the in a state of undress in any area to which the public have access.                                                                                                                                                                                                                                                                                                                                                                                     |
| SE04 | Dancers shall only perform on the stage area or to seated customers                                                                                                                                                                                                                                                                                                                                                                                                                              |
| SE05 | Performers shall be aged not less than 18 years.                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| SE06 | The premises licence holder must not permit the display outside of the premises of photographs or other images which indicate and suggest that striptease or similar dancing takes place on the premises.                                                                                                                                                                                                                                                                                        |
| SE07 | There shall be at least ( <i>Insert</i> number) registered door supervisor(s) on the premises when the striptease entertainment is taking place.                                                                                                                                                                                                                                                                                                                                                 |
| SE08 | There shall be no physical contact between customer and the performer before, during or after the performance other than the placing of money or tokens into the hands of the dancer, or by the placing of notes by the customer in a garter worn by the performer for that purpose.                                                                                                                                                                                                             |
| SE09 | The premises licence holder, performer and any person concerned in the organisation or management of the entertainment shall not encourage, or permit encouragement of the audience to throw money at or otherwise give gratuities to the performers (other than in accordance with SE8 above).                                                                                                                                                                                                  |
| SE10 | The performer shall at all times wear, for females a g-string and males appropriate clothing to cover their genitalia adequately and the clothing shall not be transparent or removed.                                                                                                                                                                                                                                                                                                           |
| SE11 | No performer shall at any time reveal any part of their genitalia or anus.                                                                                                                                                                                                                                                                                                                                                                                                                       |
| SE12 | No sex act shall take place.                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| SE13 | The area proposed for striptease shall: <ul style="list-style-type: none"> <li>a) be in a position where the performance cannot be seen from the street.</li> <li>b) be in a designated area of the premises with segregation from the audience.</li> <li>c) be in a position where the performers will have direct access to the dressing room without passing through or in close proximity to the audience.</li> </ul>                                                                        |

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| SE14 | The entertainment shall be given only by performers / entertainers and the audience shall not be permitted to participate.                                                                                                                                                                                                          |
| SE15 | Persons appearing on stage shall go directly between the dressing room and designated performance area without passing through or in close proximity to the audience.                                                                                                                                                               |
| SE16 | Striptease / exotic / adult entertainment dancers (including table side / lap / pole dancers) must immediately dress at the conclusion of each performance.                                                                                                                                                                         |
| SE17 | Entertainment provided by topless (only) dancers to customers seated at tables may only take part in those parts of the premises approved by the Licensing Authority. No audience participation shall be permitted.                                                                                                                 |
| SE18 | Should a customer attempt to touch a dancer, the dancer must withdraw and report the matter to her / his manager /supervisor.                                                                                                                                                                                                       |
| SE19 | No telephone number, address or information leading to any further meeting may be passed from customer to dancer or vice versa.                                                                                                                                                                                                     |
| SE20 | No dancer may perform if they are intoxicated.                                                                                                                                                                                                                                                                                      |
| SE21 | No member of the public shall be admitted or allowed to remain in the dance area if they appear to be intoxicated.                                                                                                                                                                                                                  |
| SE22 | All members of the public shall remain seated in the dance area other than when they arrive, depart, visit the toilet or go to the bar.                                                                                                                                                                                             |
| SE23 | Signs must be displayed at the entrance to the dance area stating:<br>"Any customer attempting to make physical contact with a dancer will be asked to leave".<br>Signs must be sufficient in size, legible and positioned so as to be read by all customers entering the dance area.                                               |
| SE24 | No dancer shall perform any sexually explicit or lewd act.                                                                                                                                                                                                                                                                          |
| SE25 | Whilst dancing takes place not less than (insert agreed number) of Door Supervisors registered Security Industry Authority or other accredited scheme recognised by the Licensing Authority shall be employed in the part of the premises used for dancing unless alternative arrangements are approved by the Licensing Authority. |
| SE26 | CCTV shall be installed to cover all areas where dancing will take place. All cameras shall continually record whilst the premises are open to the public.                                                                                                                                                                          |
| SE27 | Striptease entertainment or any exotic entertainment involving full nudity shall not be permitted at the premises.                                                                                                                                                                                                                  |
| CV14 | The premises shall not be permitted to be used for any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the                                                                                                                                                                      |

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|                                                                                                                                                                                            | premises that may give rise to concern in respect of children, which prohibited uses include, among other things, nudity or semi-nudity, films for restricted age groups or any relevant entertainment (with the meaning of the third schedule to the Local Government (Miscellaneous Provisions) Act 1982 except where that is expressly permitted under a licence or waiver granted or given under that legislation. |
| <b>Conditions to be complied with when showing 'RESTRICTED (18)' films</b>                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| No films in the 'RESTRICTED (18)' category may be exhibited except in a cinema operating as a club in accordance with the conditions set out below.<br>CE16 – CE 25 above shall be applied |                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| <b>SF SANITARY FACILITIES</b> |                                                                                                                                                                                                                                                                                                                      |
| SF02                          | Adequate sanitary accommodation shall be provided at the premises in accordance with either the District Surveyors Technical Standards for places of entertainment or the BS6465 standard for sanitary provisions or any British Standard replacing or amending the same.                                            |
| SF04                          | In respect of temporary sanitary facilities the premises licence holder shall ensure that the servicing of sanitary accommodation takes place on a continuous basis throughout the event to ensure the sanitary accommodation is kept in a usable condition at all times when the public require it to be available. |
| SF05                          | In respect of temporary sanitary facilities the premises licence holder shall ensure that the removal of sewage takes place hygienically and appropriately at the conclusion of the event or as required.                                                                                                            |

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| <b>ST SEATING</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| ST01              | In any part of the premises which is regularly used for a closely-seated audience all seats shall be securely fastened to the floor. In premises not so regularly used chairs, if provided, shall be securely fastened together in lengths of not less than four nor more than twelve chairs whenever more than 200 persons are to be accommodated. There shall be a space of not less than twelve inches between the back of one seat and the front of the one behind, measured in perpendiculars, provided that in premises erected before 4 October 1948, the space shall be not less than may be allowed by the Licensing Authority. Except with the consent of the Licensing Authority, no seat shall be more than 4 metres from a gangway. Any upholstered seating and furniture which is either purchased, provided or replaced during the period of the licence shall meet the current British Standard. All upholstered seating and furniture shall be properly maintained and be in good condition. |

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| <b>SM SMOKING AREAS</b> |                                                                                                                                                                                                                   |
| SM01                    | Dedicated smoking areas within the curtilage of premises.<br>The smoking area shall be permanently monitored by a minimum of (Insert number) SIA or other accredited scheme recognised by the Licensing Authority |

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|      | <p>registered door staff during (Insert Hours) hours. The amount of people in this area will not exceed (Insert occupancy number) persons; this shall be monitored with (insert method of monitoring occupancy number) from a position (insert positions from which monitoring is to take place). The numbers and location shall be permanently monitored by a SIA or other accredited scheme recognised by the Licensing Authority registered (or other accredited scheme recognised by the Licensing Authority) door staff located at (insert location from which door staff can conduct this duty).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| SM02 | <p><i>This condition is aimed at problematic premises where there are external smoking areas which may be viewed as areas of potential concern</i></p> <p>Where smoking areas within curtilages of premises abut areas to which the public have access then the following condition will be deemed as appropriate.</p> <p>(i) A safety netting, mesh or screen (of a gauge that satisfies the requirements for the 50% rule for enclosed space walling under smoking legislation), shall be fitted and maintained in order to prevent objects being passed from the outside into the smoking area.</p> <p>(ii) Intoxicating liquor shall not be permitted into the access walkways leading to and within the smoking area.</p> <p>(iii) Any bottle or bin stores located near an external smoking facility shall be enclosed and secured.</p> <p>(iv) There shall be no furniture in the outside areas, with the exception of the appropriate wall mounted receptacles for tobacco waste materials.</p> <p>(v) Public access areas outside of the smoking area shall have PIR lights operated and maintained in order to draw attention to persons moving around outside the smoking area.</p> <p>(vi) Calculations regarding the smoking area shall be deemed as forming a part of the premises licence:</p> <p>(vii) The smoking area shall be thoroughly cleaned, provided with adequate lighting and painted so as to clearly designate this area as the smoking area.</p> <p>(viii) The floor of the smoking area shall be level.</p> <p>(ix) An adequate number of wall-mounted ashtrays shall be provided in the smoking area.</p> <p>(x) Staff shall be instructed to clean the smoking area and adjacent pavements of smoking-related litter before and after each period of use.</p> |

|                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>SX SPECIAL EFFECTS, NOVEL AND ONE OFF PROMOTIONS</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| SX01                                                    | <p>(i) All special effects, equipment and mechanical installations shall be selected, arranged, stored and used so as to minimise any risk to the safety of the audience, performance and staff. This must be on the basis of a written risk assessment.</p> <p>(ii) 'Special effects' include:<br/>dry ice machines, cryogenic fog machines, smoke machines and any other type of fog generators, pyrotechnics including fireworks, explosives and other highly flammable substances, real flame, firearms, motor vehicles, strobe lighting, lasers, foam, any other unusual or novel effect.</p> <p>(iii) Furthermore written permission must be sought from the licensing authority <u>before</u> using any of the above - for the first time and after any significant changes have been made to the venue, usage of the effect or the equipment</p> |

|      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|      | itself.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| SX02 | No outdoor fireworks or other pyrotechnics shall be used other than with the prior consent of an officer of the Pollution Control team.                                                                                                                                                                                                                                                                                                                                                                                                                       |
| SX03 | A documented risk assessment of promotional or one-off 'entertainment' events shall be conducted by the management of the venue and such risk assessment shall be available upon request by an authorised officer of the Council or the Police. Promotional or one-off events shall be notified to the Licensing Authority and the Police at least one month prior to the proposed event.                                                                                                                                                                     |
| SX04 | Use of premises by third parties. Where the premises, or parts of the premises may be hired out by third parties or be used by events promoters, the premises licence holder must ensure that there are appropriate procedures in place that will ensure that as far as is possible, the third party is aware of the licensing conditions and has in place their own procedures / arrangements which will ensure that the licensing objectives are not compromised.                                                                                           |
| SX05 | Except where expressly permitted no lasers, smoke producing effects, light shows (strobe lights) or pyrotechnics shall be used at any time when licensable activity is taking place                                                                                                                                                                                                                                                                                                                                                                           |
| SX06 | Except where expressly permitted, explosives or highly flammable substances shall not be brought on to or used in the premises at any time when any licensable activity is taking place                                                                                                                                                                                                                                                                                                                                                                       |
| SX07 | Acts and Performances. No act or performance where there may be a risk of injury from fire; falling objects or people; impact; moving equipment; animals or any other source should take place within the venue unless it is done safely and without risk to the public. Control measures must be decided on the basis of a written risk assessment, which must be submitted to the licensing authority at least 14 days before the event. Written permission of the licensing authority must be given before the act or performance can go ahead.            |
| SX08 | Unless the express consent of the Licensing Authority is obtained and subject to any conditions attached to such consent, no person shall give at the premises (otherwise than as provided by Section 5 of the Hypnotism Act, 1952) any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any person any form of induced sleep or trance in which the susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. |

|                     |                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>TL TELEPHONE</b> |                                                                                                                                                                                                                                                                                                                                                                               |
| TL01                | The premises licence holder shall ensure the designated premises supervisor, or nominated deputy in their absence, provides unhampered use of a telephone on the premises for use in an emergency, while licensable activity entertainment is taking place. In premises that do not have the benefit of a permanent phone installation then a mobile phone must be available. |



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| <b>TR TRAINING</b> |                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TR01 –<br>TR02     | Not in use                                                                                                                                                                                                                                                                                                                                                                                               |
| TR03               | The premises license holder shall provide training for all staff to ensure that they are familiar with all means of ingress and egress and the appropriate procedures in case of any emergencies that require an immediate evacuation of the premises. A record of the training shall be maintained and shall be available upon request by authorised members of the Licensing Authority or a constable. |
| TR04               | All staff are to be trained with respect to underage sales, such training to be updated as necessary when legislation changes and should include training in how to refuse sales to difficult customers.                                                                                                                                                                                                 |
| TR05               | A record of all staff training shall be maintained at the premises and made immediately available upon request to an authorised officer of the Council or the Police. The documentation relating to training should extend back to a period of three years and should specify the time, date and details of the persons both providing the training and receiving the training.                          |
| TR06               | Not in use                                                                                                                                                                                                                                                                                                                                                                                               |

| <b>VN VENTILATION</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| VN01                  | All parts of the licensed premises used by members of the public shall be effectively and suitably ventilated by a sufficient quantity of fresh or purified air. The air within the premises shall be maintained at a reasonable and comfortable temperature immediately before and during their use by patrons. Guidance on this should be sought from Guide B 'Heating, Ventilation, Air conditioning and refrigeration' issued by the CIBSE (Chartered Institute for Building Services Engineers) or any document replacing the same. |

| <b>WM WASTE MANAGEMENT / ODOURS</b> |                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| WM1                                 | No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the premises except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.                                                    |
| WM2                                 | The premises licence holder shall ensure that adequate measures are in place to prevent the escape of odours from the premises. This includes odour from food preparation and refuse storage.                                                                                                                       |
| WM3                                 | The licence holder shall ensure that adequate measures are in place to remove litter or waste arising from their customers and to prevent such litter from accumulating in the immediate vicinity of their premises. In particular, where necessary the premises licence holder shall ensure that adequate measures |

|      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|      | are in place to provide customers with sufficient receptacles for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter, etc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| WM4  | The premises licence holder shall ensure that a sufficient number of suitable receptacles are located in appropriate locations for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter, etc. by customers.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| WM5  | The premises licence holder, premises supervisor or event manager, shall ensure that measures shall be put in place to remove litter or waste arising from customers and to prevent such litter from accumulating in the immediate vicinity of the premises or neighbouring premises.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| WM6  | An adequate number of waste receptacles for use by patrons shall be provided in positions agreed with the licensing authority and it shall be the responsibility of the licensee to empty and dispose of the collected refuse at a frequency to be agreed with the licensing authority                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| WM7  | Activities relating to the on site disposal ( <i>including placing into external receptacles</i> ) and collection of refuse, bottles and recyclable materials shall only take place between ( <i>insert hours and days as necessary</i> ).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| WM8  | The collection of refuse, bottles and recyclable materials shall only take place ( <i>insert hours and days as necessary</i> ).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| WM9  | Activities relating to deliveries shall only take place between ( <i>insert hours and days as necessary</i> ).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| WM10 | <p>Odour from any flue used for the dispersal of cooking smells serving the building shall not cause nuisance to the occupants of any properties in the vicinity.</p> <p>Recommendation: It is recommended that any flues for the dispersal of cooking smells shall either:</p> <p>(i) Terminates at least 1 metre above the ridge height of any building in the vicinity, with no obstruction of upward movement of air or:</p> <p>(ii) Have a method of odour control such as activated carbon filters, electrostatic precipitation or inline oxidation.</p> <p><i>Guidance on the above can be gained at 'Guidance on the Control of Odour &amp; Noise from Commercial Kitchen Exhaust System' Published electronically by Department for Environment, Food and Rural Affairs. Product Code PB10527.</i></p> <p><a href="http://www.defra.gov.uk/environment/noise/research/kitchenexhaust/pdf/kitchenreport.pdf">http://www.defra.gov.uk/environment/noise/research/kitchenexhaust/pdf/kitchenreport.pdf</a></p> |
| WM11 | The premises licence holder shall ensure that all packaging provided with takeaway food is marked in some way as to show its point of origin.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| WM12 | Foul water arising from the operation of the premises shall be disposed of in an appropriate manner.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

|      |                                                                                                                                                                                                                                     |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| WM13 | Where a premises ie mobile unit is regularly removed from site the premises licence holder shall ensure that site is properly cleaned and that any accumulations of surface grease are properly cleansed and removed from the site. |
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**BRISTOL CITY COUNCIL**

**LICENSING ACT 2003 (THE ACT)**

**CUMULATIVE IMPACT ASSESSMENT POLICY**

**To have effect for the three year period beginning  
with 1 August 2020**

## Contents

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## **Introduction**

1. The Licensing Act gained Royal Assent on 10 July 2003 and replaced regimes previously administered by either the Licensing Justices or the local authority with a unified system of licensing under the control of the local authority. The new regime came into effect on 24 November 2005. The Council set up a Licensing Committee as part of these changes.
2. Cumulative impact assessments' were introduced in the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018. The amendments require the Licensing Authority to review any Cumulative Impact Assessment (CIA) within three years of its publication. From 1 August 2020 the Licensing Authority's Statement of Licensing Policy will include a summary of any CIA in force. Full details of any CIA will then be included in this Policy document.

## **Purpose and Scope**

3. A cumulative impact assessment must set out the evidence for the authority's opinion and before publishing it, the licensing authority must consult with relevant parties, including the responsible authorities, businesses and the public. The assessment must be reconsidered every three years and any review must be consulted upon before deciding whether it remains or can be removed. A licensing authority must publish any revision of a cumulative impact assessment along with the evidence.

## **Cumulative Impact**

4. A cumulative impact assessment must set out the evidence for the authority's opinion and before publishing it, the licensing authority must consult with relevant parties, including the responsible authorities, businesses and the public. The assessment must be reconsidered every three years and any review must be consulted upon before deciding whether it remains or can be removed. A licensing authority must publish any revision of a cumulative impact assessment along with the evidence.
5. The cumulative impact of the number, type and density of premises in particular areas, such as the city centre, may lead to them becoming saturated with premises of a certain type making them a focal point for large groups of people together leading to severe or chronic problems of public nuisance and anti-social behaviour. The licensing authority may consider publishing a cumulative impact assessment (CIA) to help limit the number of types of licence applications granted in such areas if it is satisfied that it is appropriate to include an approach to

cumulative impact in its Licensing Policy Statement. It will take the decision only after it is satisfied that there is evidence to support such a decision.

6. The effect of adopting a CIA of this kind is to create a rebuttable presumption if relevant representations to that effect are received, that applications for new premises authorisations or club premises certificates or material variations will normally be refused, unless it can be demonstrated that the operation of the premises involved will be unlikely to add to the cumulative impact already being experienced. What constitutes a material variation will depend upon the policy in place and the reasons for the area being designated as suitable for adoption of a special policy.
7. The Secretary of State's guidance encourages applicants to address the CIA in their Operating Schedules in order to rebut such a presumption. Any CIA will stress that the presumption does not relieve responsible authorities or other persons of the need to make a relevant representation before the local authority may lawfully consider giving effect to its CIA.
8. The Licensing Authority recognises that many different kinds and styles of premises sell alcohol, serve food and provide entertainment. It recognises that some applications in a CIA area will be unlikely to add to the problems arising from saturation. Where it can exercise discretion in determining applications in an area where a CIA is in force, that is, where relevant representations have been received, it will have full regard to the impact different premises may have on the local community.
9. The Licensing Authority must grant any application in a CIA area subject only to conditions that are consistent with the operating schedule submitted by the applicant if it receives no relevant representation.
10. The Licensing Authority will keep cumulative impact assessments under review. Cumulative impact assessments' were introduced in the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018. The amendments require the Licensing Authority to review the CIA within three years of its publication.
11. The absence of a CIA does not prevent any responsible authority or other person making evidence based relevant representations on a new application for the grant of an authorisation on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.
12. Cumulative impact assessments are intended to be strictly applied. Applications which would seek to be allowed as an exception to a special cumulative impact policy will generally be favourably considered if they are judged to encourage a greater variety of types of entertainment than currently exists in these areas. It is important to be clear that this does not mean that an applicant who believes their offer is different to what already exists in the area can assume a favourable outcome. "Greater variety" must be understood in the context of the licensing objectives. In particular, the Licensing Authority welcomes those proposals which

can be viewed as more family friendly and which offer a wider range of entertainment than that which is currently available because it is considered that such proposals will not usually add to the stress in the area and undermine the licensing objectives.

However matters such as for example,

- the premises will not add people to the area;
- longer hours will create slower dispersal;
- history of good management;
- premises are well run;
- premises application is small in nature
- alcohol is not sold;
- clientele are a cut above the usual;

will not be considered exceptional circumstances, as the issue is crime and disorder/public nuisance in the area as a whole rather than that associated with individual premises and the promotion of the licensing objectives.

Existing licensees who wish to materially alter and/or extend the premises to which the authorisation relates are required to seek a new authorisation. This is because the Act prohibits the use of a variation application to substantially alter the premises to which the authorisation relates. Where the only change is to the physical extent or material layout of the premises themselves (i.e. in the absence of additional features such as change in style of operation, capacity etc.) it is highly unlikely this would trigger the special policy. Of course this policy cannot restrict the right of any responsible authority or other person to make relevant representations in that regard and if such are forthcoming they will be diligently considered, but the policy expectation is that the application should be granted unless the relevant representations demonstrate the change will be likely to add to the cumulative impact being experienced. Where other change is envisaged then the presumption may arise.

Applicants are reminded that they are entitled to seek a provisional statement in such circumstances.

Applicants who have the benefit of a provisional statement and who have completed their works substantially in line with that statement should not have the assessment applied to them. This is because the CIA could (indeed may) have been raised and considered prior to the provisional statement having been granted.

13. The publication of a CIA should not be understood to be an absolute bar to new authorisations being issued or granting significant variations to existing licenses. Applicants are entitled to seek any of the permissions available to them in the Act



and the Council does not in this policy intend to prevent applicants from exercising their statutory rights. Each application will be considered on its own merits, within the constraints of the legislation and having due regard to the relevant guidance and policy.

### **Interpreting the extent of a Cumulative Impact Assessment**

14. In respect of past policy, issues have occasionally arisen with regard to whether or not a particular premises that is located abutting or just outside of the indicated boundary for each CIA should be considered as being covered by the assessment. Through this policy the Council seeks to clarify that each CIA boundary line is intended to be indicative of the area that is affected by the stress underpinning the cumulative impact for the area concerned. The CIA purpose is to prevent that stress from worsening and to reduce it over time. That policy purpose is frustrated if premises such as those referred to above are automatically considered as being outside of the CIA.

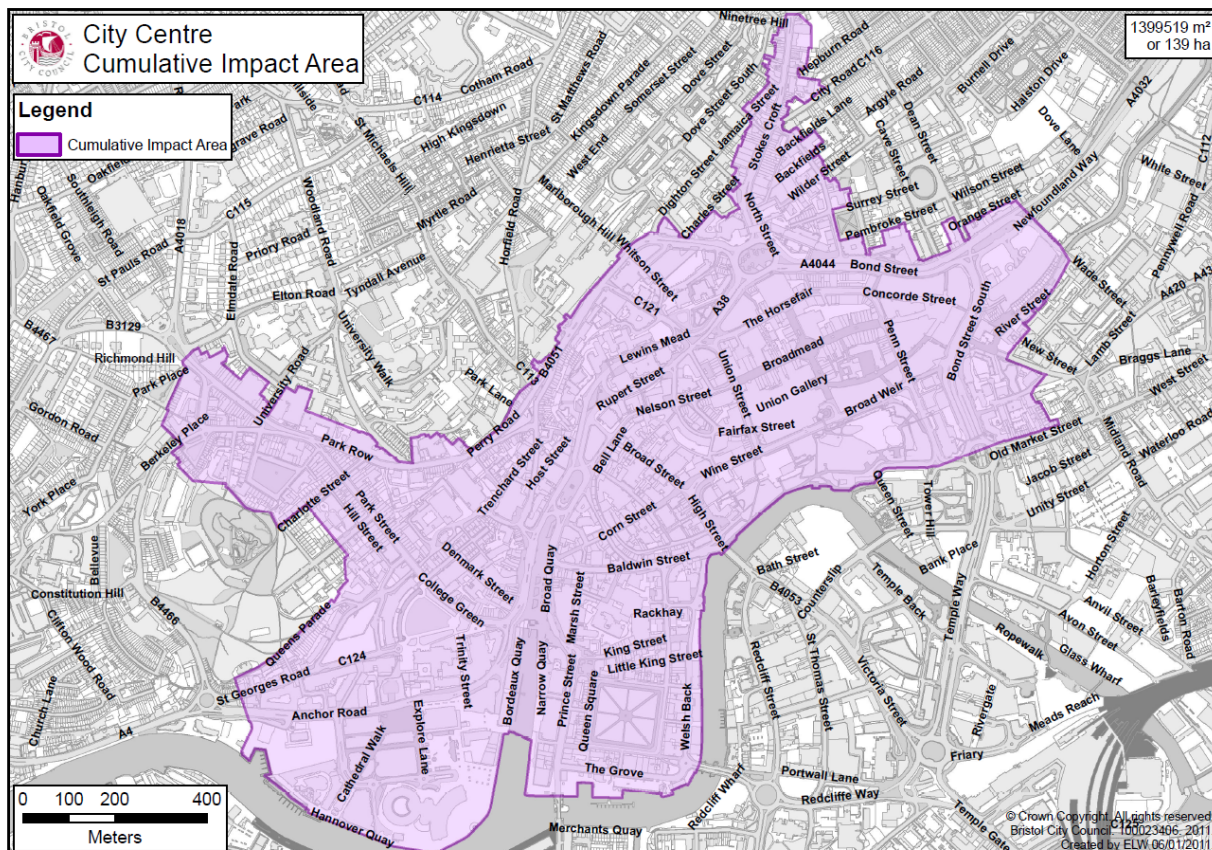
It is intended that the wording of the cumulative impact assessments should be understood by the decision taker in a way that best ensures the purpose of the assessment is achieved. This is sometimes called a purposive interpretation. Each application that falls to be considered at a hearing will be assessed on its own individual facts and merit. Where relevant representations are received in respect of an application for any premises that is adjoining or is in close proximity to (but not within) the CIA defined boundary and where those representations raise a material impact on the CIA then the CIA may be triggered if the sub-committee reasonably judges that to grant the particular application would add to the cumulative impact being suffered in the defined area.

15. Having had regard to the guidance referred to above, consulted upon the issue, taken into account the views of respondents and considered the evidence the Council has adopted a CIA in respect of five areas of Bristol, namely:

*It is anticipated that this part of the policy may change as a result of the formal consultation. The Licensing Authority is required under new legislation to undertake an evidence based review of any CIAs*

## City Centre CIA

The central area within the Cabot Sector as identified by Avon and Somerset Police and as extended to include the Welsh Back area, Stokes Croft and Cabot Circus.

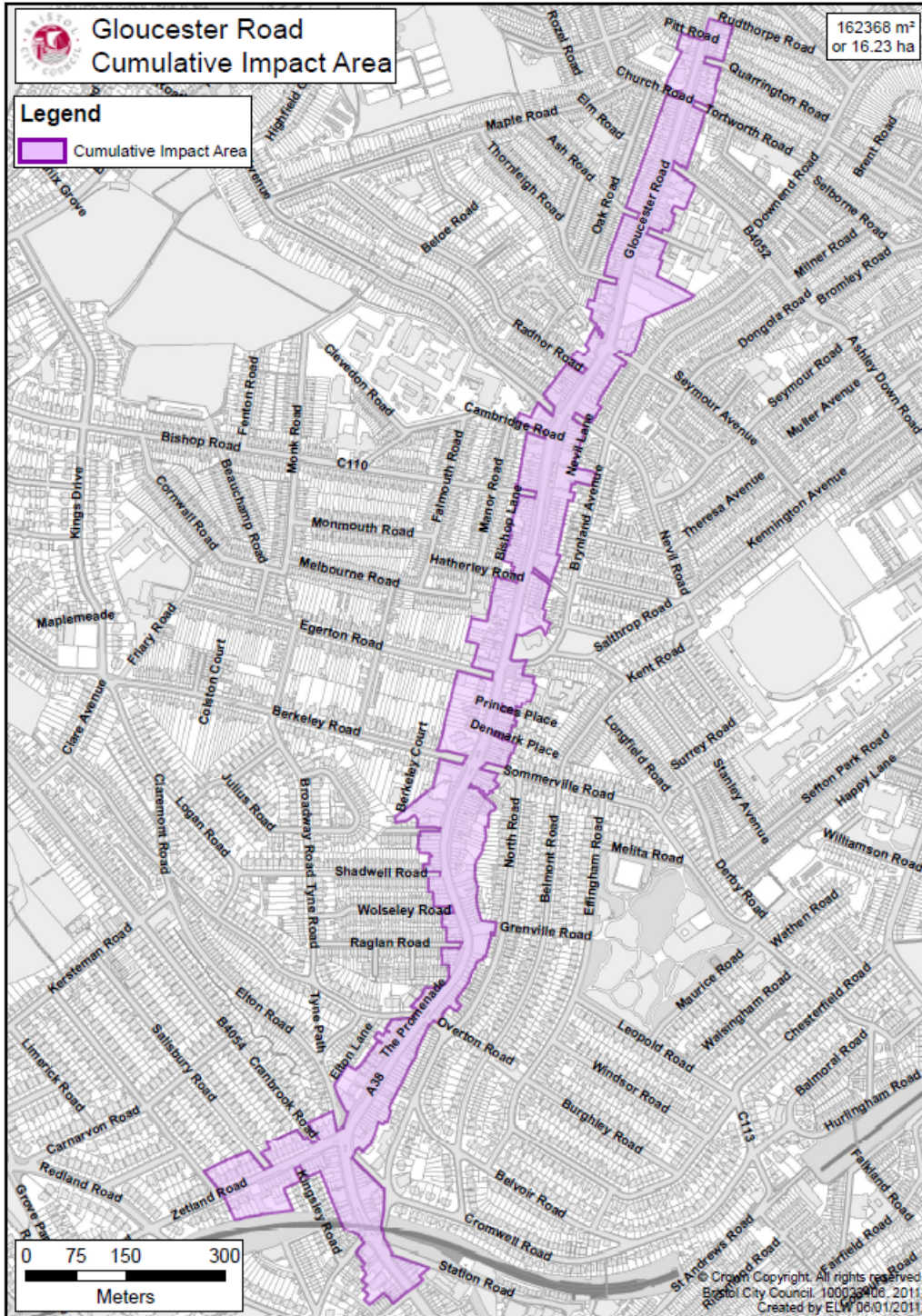


### Reason for Assessment

The Avon and Somerset Police produced evidence to support their request that the central area of Bristol be designated a CIA. It remains at saturation point and the Police produced evidence for extending the area to which the special policy should apply so as to include Stokes Croft and Cabot Circus. In particular the area, which has a significant concentration of alcohol led late night venues, witnesses a high number of assaults and other related crime and disorder including public nuisance and risk to public safety. The CIA will apply to further applications for the grant of new licenses or significant variations of existing licenses in respect of premises that primarily sell alcohol for consumption on the premises, other late night uses, restaurants and take away outlets. The main focus of the assessment is likely to be on alcohol led establishments and premises that keep customers in the area at times when the promotion of the licensing objectives is most challenging (for example late night refreshment from “fast food” outlets).

# Gloucester Road CIA

The area covers a stretch of Gloucester Road from its junction with Pitt Road and Rudthorpe Road to the Arches on Cheltenham Road and also includes a section of Zetland Road.



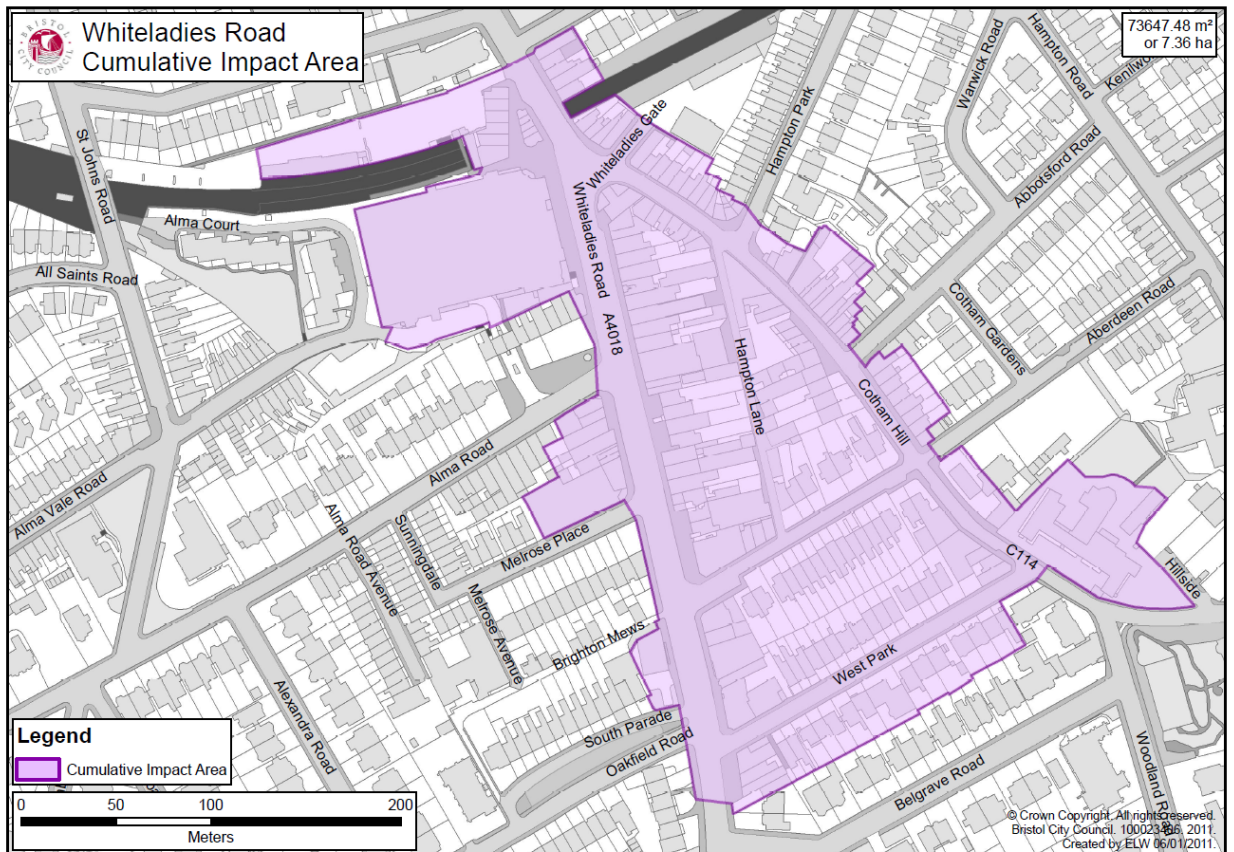
## **Reason for Assessment**

This stretch of Gloucester Road, which is a major transport route in and out of the city, features a mix of retail and leisure uses with primarily residential areas behind the frontages. The request for a CIA to be introduced was made by the Police and supported by local residential amenity groups. The potential for increased public nuisance and crime and disorder arising from further licenses being granted is a major concern for local residents in this area and the Police. In particular the area, which has a significant concentration of alcohol led late night venues, witnesses a high number of assaults and other related crime and disorder including public nuisance and risk to public safety.

The ability to prevent further encroachment into the normal sleeping times of local residents is also a key aspect of this CIA. The assessment will apply to further applications for the grant of new licenses or significant variations of existing licenses in respect of premises that primarily sell alcohol for consumption on the premises, other late night uses, restaurants and take away outlets. The main focus of the assessment is likely to be on alcohol led establishments and premises that keep customers in the area at times when the promotion of the licensing objectives is most challenging (for example late night refreshment from “fast food” outlets)

## Whiteladies Road CIA

The area bounded by West Park and that length of Whiteladies Road which extends from its junction with West Park to its junction with Imperial Road and that length of Cotham Hill extending from its junction with Whiteladies Road to its junction with West Park.

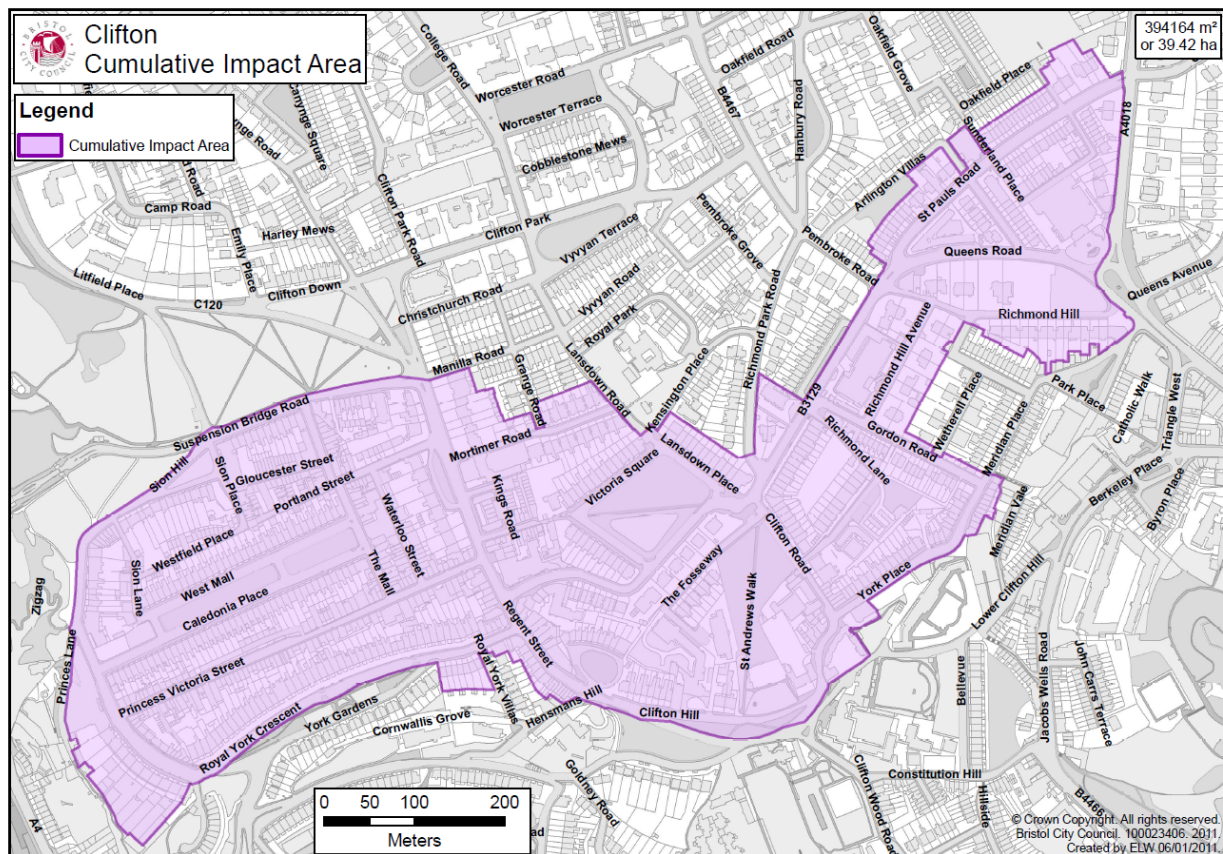


### Reason for Assessment

This stretch of Whiteladies Road is predominantly characterised by properties with A3 leisure uses behind which are sited residential areas. The request for the CIA to be implemented was made by local amenity groups and supported by the Redland Sector of Avon and Somerset Police. This area differs from the city centre in that there is a greater emphasis on the need to promote the prevention of public nuisance objective. The ability to prevent further encroachment into the normal sleeping times of local residents is a key aspect of this policy. The policy will apply to the consideration of applications for the grant of new authorisations or for significant variations of existing authorisations in respect of premises that primarily sell alcohol for consumption on the premises, other late night uses, restaurants and take away outlets.

## Clifton CIA

An area comprising of Clifton Village and extending to Queens Road and Whiteladies Road.

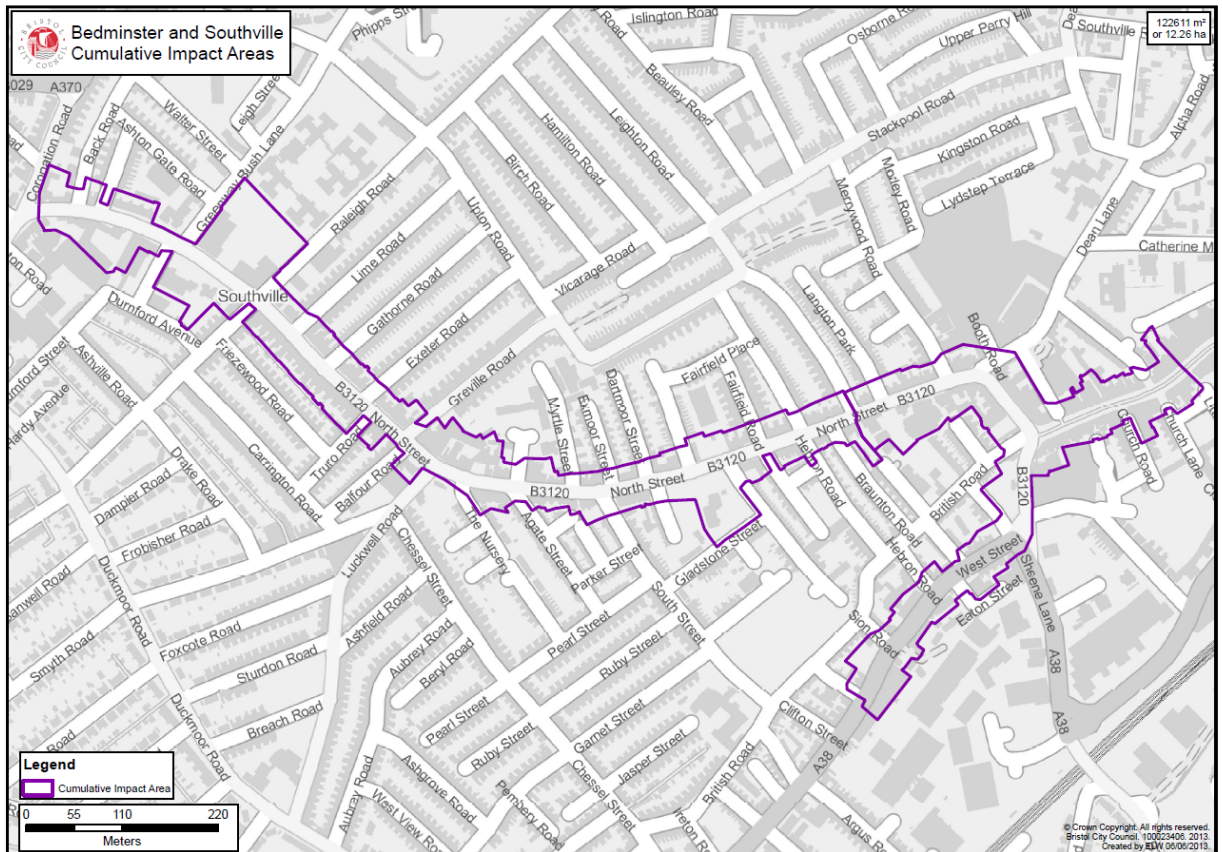


### Reason for Assessment

Clifton Village and the surrounding area has seen a rapid growth in restaurants, bars and cafes. These A3 uses are mixed with residential areas and have led to an increase in public nuisance. The request for the CIA was made by the Clifton and Hotwells Improvement Society and is supported by local residents and Avon and Somerset Constabulary. Clifton Village is a popular destination with a vibrant day and night time economy. The CIA will help to protect the residential amenity and ensure that further expansion with licensed premises is not to the detriment of this important and iconic part of Bristol. The CIA, when triggered, will apply to applications for the grant of new licenses or significant variations of existing licenses in respect of premises that primarily provide alcohol for supply on the premises, restaurants and takeaway outlets. Applicants for licenses in the CIA area will need to be able to demonstrate that they can offer something different from what is currently available without adding to the impact already being experienced.

## Bedminster and Southville CIA

The CIA comprises of two adjacent areas that have different characteristics. The North Street section places a greater emphasis on seeking to prevent public nuisance whilst the Cannon street area has more of an emphasis on preventing crime and disorder.



### North Street (From the junction with Ashton Road to the junction with Greville Street)

#### Reason for Assessment

This stretch of North Street is characterised by a varied range of food, drink and entertainment offers leading to a busy area, which has resulted in anti-social behaviour and loss of amenity for local residents. The CIA will help to protect residential amenity from being harmed by public nuisance and will, when triggered by the receipt of relevant representations, give rise to a presumption of refusal of applications for the grant of new premises licences or for significant variation of existing licenses particularly where such proposals could increase anti-social behaviour. The CIA is not designed to preclude high-quality food-led developments that are commensurate with the community's longer term ambitions for the area.

**Cannon Street Area (Cannon Street, North Street (from junction of Grenville Street to junction with Cannon Street), East Street (from junction with Little Paradise to junction with West Street/Sheene Road and West Street (from junction with East Street to junction with Victor Road)**

### **Reason for Assessment**

The Cannon Street locality comprises of a close concentration of late night 'destination' bars, take away food outlets and premises supplying alcohol for consumption away from the premises (off-licences) that has resulted in a cumulative adverse impact on the promotion of the licensing objectives, in particular those concerning the prevention of crime and disorder and the prevention of public nuisance. The CIA, when triggered by the receipt of relevant representations, will apply to applications for the grant of new premises licences or for significant variation of existing licenses and is intended to prevent the further proliferation of the type of premises on offer in this locality. In order to rebut the presumption of refusal applicants for licences will be expected to demonstrate through the operating schedule accompanying the application that what they propose is a significantly different type of operation than that which is currently on offer; a proposal that will result in a greater variety of range of venues and that it is demonstrated will not add to the problems currently being experienced which this policy aims to address. The CIA is intended to be strictly applied, i.e. to refuse applications with operating schedules that could enable a venue to operate as an additional late night alcohol led venue, or as a late night food take away outlet, or as an "off-licence".



## **APPENDIX A - List of persons who responded to the consultation**

- A List of persons who made representations to the Council in its consultation exercise prior to determination of this policy; (To follow on completion of consultation)

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## Bristol City Council Equality Impact Assessment Form

(Please refer to the Equality Impact Assessment guidance when completing this form)



|                              |                                                  |
|------------------------------|--------------------------------------------------|
| Name of proposal             | Cumulative Impact Assessment Policy              |
| Directorate and Service Area | Growth and Regeneration –<br>Regulatory Services |
| Name of Lead Officer         | Nick Carter – Regulatory Services<br>Manager     |

### Step 1: What is the proposal?

Please explain your proposal in Plain English, avoiding acronyms and jargon. This section should explain how the proposal will impact service users, staff and/or the wider community.

#### 1.1 What is the proposal?

Bristol City Council (The Council) is the 'Licensing Authority' for all licensable activities under Licensing Act 2003 within Bristol. Licensable activities are:

- The sale of alcohol by retail
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment

The Licensing Act 2003 (The Act) is prescriptive with regard to how policy should be formulated and guidance is provided by the Secretary of State for local authorities to use when developing licensing policies. The Council are required to have a Statement of Licensing Policy which identifies the Councils approach to meeting the four licensing objectives under the act, namely the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.

The last review of the Council's full licensing policy took place in 2014/15 and came into effect in August 2015. The Council's current policy includes reference to a number of Cumulative Impact Areas. When the policy was published in August 2015 cumulative impact was a concept introduced in the Government's Section 182 Guidance issued under the Licensing Act 2003. The

Policing and Crime Act 2017, with effect from 6 April 2018, introduced cumulative impact policies into law so that they now have a legal footing.

The Licensing Act 2003 now states a licensing authority may publish a document (a Cumulative Impact Assessment) stating that it considers that the number of premises licences or club premises certificates is at such a level that it would be inconsistent with the promotion of the licensing objectives to grant any further licences or certificates in that area and restrict changes to licensable activities of existing licences.

A Cumulative Impact Assessment must set out the evidence for the authority's opinion and before publishing the assessment the authority must consult with those affected, including the public, businesses and responsible authorities. The assessment must be reviewed every three years.

This is an Equality Impact Assessment of Bristol City Council's Cumulative Impact Assessment Policy.

### **Function of the policy**

The cumulative impact of the number, type and density of premises in particular areas, such as the city centre, may lead to them becoming saturated with premises of a certain type making them a focal point for large groups of people together leading to severe or chronic problems of public nuisance and anti- social behaviour. The licensing authority may consider publishing a cumulative impact policy assessment (CIA) to help limit the number of types of licence applications granted in such areas if it is satisfied that it is appropriate to do so. It will take the decision only after it is satisfied that there is evidence to support such a decision.

The effect of adopting a CIA of this kind is to create a rebuttable presumption if relevant representations to that effect are received, that applications for new premises authorisations or club premises certificates or material variations will normally be refused, unless it can be demonstrated that the operation of the premises involved will be unlikely to add to the cumulative impact already being experienced. What constitutes a material variation will depend upon the policy in place and the reasons for the area being designated as suitable for adoption of a special policy.

## **Development of the policy**

Only Full Council can make licensing policy decisions, no delegation is permitted to committees or officers of these tasks.

On 7 February 2019 the Licensing Committee approved the establishment of a member /officer working group to commence a review of the Council's Statement of Licensing Policy in order to assist Full Council in connection with the discharge of its' functions under section 5 of the Licensing Act 2003, with the following terms of reference:

- To consider current policy and engage with stakeholders in line with the directions of the Council's licensing committee and produce a draft policy for Full Council consideration by 21 May 2019.
- Subject to Full Council approval, carry out full public consultation on the draft policy. The results of the consultation to be brought back before the member/officer working group for consideration prior to a final policy being presented to Full Council on 11 February 2020, with implementation in August 2020.

The report for Full Council has been delayed to 16 July 2019 to provide more time for the members of the working group to hear evidence from interested parties to inform the draft policy and public consultation.

## **Step 2: What information do we have?**

Decisions must be evidence-based, and involve people with protected characteristics that could be affected. Please use this section to demonstrate understanding of who could be affected by the proposal.

### **2.1 What data or evidence is there which tells us who is, or could be affected?**

The Councils current statement of Licensing Policy includes CIAs located in the following areas:

- City Centre
- Gloucester Road
- Clifton
- Whiteladies Road
- Bedminster and Southville

The full consultation to be carried out will gather evidence to ascertain if the retention of these CIAs is appropriate or if new CIAs are required for other areas.

The operation of a CIA can however impact on those who do not live in its geographical area, for example those impacted may wish to open a business in the area or frequent licensed premises in the area.

### **General:**

Quality of Life (QOL) survey - Public safety

The 2018-19 QOL survey indicates that:

- 14.4% of respondents to QOL survey reported that they have been victims of crime in the past 12 months. This figure has reduced from 18% in 2017-18.
- BME people (39.2%) and disabled people (39.3%) are more likely to agree that anti-social behaviour is a problem in their neighbourhood compared to the average of 35.3% in Bristol.
- 64.2% respondents feel safe outdoors after dark compared to 69.5% in 2015. However some groups are less likely than average to feel safe outdoors after dark e.g. disabled people (46.8%), women (57.6%), young people aged 16-24 (58.4%) and BME people (58.8%).

Of the respondents that considered that public safety was a problem in their neighbourhood disabled people, Black and minority ethnic groups, and people living in deprived areas were more likely to fear for their personal safety.

### **Licence holders**

There are approximately 1,800 holders of Premises Licences in the city, each licence permits a range of regulated activity including the supply of alcohol and provision of regulated entertainment. There is no data available specifically in respect of the demography of licence holders in Bristol. This is primarily because the application forms are prescribed by the Home Office and currently do not request equalities information. Furthermore licence holders are often businesses. Having said that many licences are held by business organisations, particularly large entertainment venues (cinemas, night clubs etc.). The largely anecdotal information and observation from officers indicates that holders of

Licences for premises such as off licences, restaurants and takeaways are in the majority from the BME community. Therefore when considering the impact on licence holders and the public we need to rely on data covering the whole of the city whilst bearing in mind that spatially the demography of Bristol varies.

### **Night time Economy**

We have no data concerning the demographics of who makes use of the night time economy in Bristol.

### **Age**

The 2011 Census tells us that;

- The median age of people living in Bristol is 33 compared to the UK median of 39. The age profile of people using the NTE would be the median age and younger.
- 8.3% of students make up the population in Bristol,

### **Health and lifestyle Related Data**

The Smoking, Drinking and Drug Use survey 2016 estimates that 44% of pupils aged 11-15 had drunk alcohol at least once (15% at age 11, and 73% at age 15 years). 10% of pupils said they drank alcohol at least once a week, of these the mean average was 9.6 units. 38% of pupils said that they drank alcohol at least a few times a year. This increased sharply by age, from 8% of 11 year olds to 68% of 15 year olds, and therefore, the age profile of current drinkers is heavily weighted towards older pupils. Current drinkers were most likely to buy alcohol from friends or relatives (22%), someone else (16%), an off-licence (10%) or a shop or supermarket (8%). 61% of current drinkers said they never buy alcohol. The figures would suggest that a number of young people are attempting to buy alcohol from premises that hold an off licence (inc supermarkets and smaller independent stores/off licences).

### **Gender**

- 49.8% of population of Bristol are male and 50.2% female (Census 2011)
- Anecdotal observations by officers suggest that premises licence holders

are often male.

- There is a link between alcohol and severities of abuse against women. In 2011 98% of MARAC cases were women, 23% were BME women (Equalities and Community Cohesion Annual report 2011). For 2013/14 referrals to MARAC were 97% women.

Alcohol misuse is much more prevalent in men (23%) than women (18%). Males were more likely to be admitted to hospital with alcohol related diseases, injuries and conditions than females, with 65% of the overall admissions being male patients however amongst under 16s, the opposite is true where females were more likely to be admitted to hospital with alcohol related diseases, injuries and conditions than males, with females accounting for 55% of all admissions (Source: 2014, The Health and Social Care Information Centre).

### **Ethnicity**

- The 2011 Census shows us that about 16% of the Bristol population are from minority ethnic groups compared to 8% from the 2001 Census.
- Alcohol misuse is more prevalent (popular) in the White British and White Irish populations than in many of the other ethnic groups. Other ethnicities do not have such high level of alcohol misuse prevalence, and some have very low levels of misuse due to cultural and physiological reasons. Evidence from the World Health Organisation shows us that Eastern Europeans have higher numbers of abstinent people in their populations, but of those who do drink alcohol they consume more alcohol than the UK average.

### **Disability**

- 16.8% of the population of Bristol have a disability or long term health problem (Census 2011).

### **Sexual Orientation**

- Around 4% of respondents to the Bristol Quality of Life survey said they were Lesbian, Gay or Bisexual. Based on city population estimates this suggests there may be around 27,000 LGB adults in Bristol.
- There are two main areas of gay night-time economy (or 'scene') in

Bristol – the ‘Strip’ which is focused around the Frogmore Street area and the ‘Village’ which is in Old Market. These are highly frequented and popular areas for LGB and T people in the city. The level of binge drinking is higher in the LGB community than the UK average level (The Lesbian, Gay, Bisexual and Trans Public Health Outcomes Framework Companion Document 2013)

- Lesbian and bisexual women are considered to drink more alcohol and binge-drink more often than heterosexual women  
[http://www.stonewall.org.uk/documents/prescription\\_for\\_change.pdf](http://www.stonewall.org.uk/documents/prescription_for_change.pdf) (page 4-8)

The Public Health England - Lesbian, Gay, Bisexual and Trans Public Health Outcomes Framework Companion Document 2013 highlights that:

- 42% of gay and bisexual men drink alcohol on three or more days a week compared to 35% of men in general
- 41% of lesbian and bisexual women drink on three or more days in a week compared to 36% of women in general

### **Transgender**

The Public Health England - Lesbian, Gay, Bisexual and Trans Public Health Outcomes Framework Companion Document 2013 highlights that:

- 64% of Trans people have experienced domestic violence and abuse, compared to 29% of non-trans respondents.
- 53% of Trans people have self-harmed at some point, with 11% currently self-harming.
- 62% of transgender people may be dependent or engage in alcohol misuse.

### **Religion and belief**

- Some religions preach abstinence and are not allowed in venues where alcohol is being served. Jainism, Islam, Sikhism, Buddhism generally avoid alcohol; Hinduism, Christianity and Judaism allow modest levels of alcohol consumption.



- 46.8% of the population of Bristol identified as Christian in 2011 Census. Compared to 62.1% 2001 Census.
- 37.4% of population of Bristol identified that they have no religion and 5.0% as Muslim (Census 2011).
- Some events in places of religious worship do not require a licence

## 2.2 Who is missing? Are there any gaps in the data?

As detailed above there is no data available specifically in respect of the demography of licence holders in Bristol. This is primarily because the application forms are prescribed by the Home Office and currently do not request equalities information.

## 2.3 How have we involved, or will we involve, communities and groups that could be affected?

A 'Call for Evidence' was undertaken in respect of the Cumulative Impact Areas included in the Council's current Statement of Licensing Policy. This ran from 21 March until 30 April 2019 and was sent to residents associations, business groups, and a number of equalities groups. A number of parties who had been instrumental in the introduction of the Cumulative Impact Areas were also invited to present their views to the members of the Working Group (made up of Councillors and Council Officers) with a view to informing the full consultation due to take place between August to October 2019 (subject to Full Council approval).

If approved the August to October consultation will seek the views of all parties that could be affected, including, licence holders, residents, equalities groups and trade organisations.

### **Step 3: Who might the proposal impact?**

Analysis of impacts on people with protected characteristics must be rigorous. Please demonstrate your analysis of any impacts in this section, referring to all of the equalities groups as defined in the Equality Act 2010.

3.1 Does the proposal have any potentially adverse impacts on people with protected characteristics?

**Age**

No negative impact anticipated but each licence application, where representations are made, will be considered against the four key Licensing Act objectives, namely public safety, prevention of public nuisance, protection of children from harm and the prevention of crime and disorder.

This policy will have a Positive impact on age. Actions and objectives are stated in the policy that will help protect vulnerable and young people.

The policy at 6.6 outlines what the licensing authority expects from licence holders in respect of protecting young people from harm. Measures to reduce underage drinking identify the Challenge 25 scheme as a way to protect under-18s. Paragraphs 6.7 and 6.8 of the policy outline expectations from applicants when submitting applications to show films with regard to protecting young people.

The policy makes provision for Children and Young Peoples services to act as the responsible authority for matters relating to the protection of children from harm and enables them to comment on variations/new applications and request reviews of licences.

**Disability**

No positive or negative impact anticipated but each licence application, where representations are made, will be considered against the four key Licensing Act objectives, namely public safety, prevention of public nuisance, protection of children from harm and the prevention of crime and disorder

In the policy applicants are requested to have regard to the type of people that are likely to visit their premises in their application when identifying the steps they will take to promote the licensing objectives. Applicants will be expected to propose steps to ensure that the physical layout of the premises does not present any risks to 'vulnerable' people, some of whom may be disabled.

## **Ethnicity**

Anecdotally licences for a significant proportion of off-licences and food outlets are held by BME people. Some aspects of the policy may restrict the ability to gain a licence in some localities with a high BME population which could have a disproportionate impact on this group. However such provisions will be designed to maximise public safety and will not be as a result of any other factor. The policy includes the setting of a number of cumulative impact zones, including one for the City Centre. The application of this aspect of the policy will generally restrict the granting of new licences unless the offer is different from the prevalent alcohol-led premises that dominate the area, therefore some potential BME businesses may be adversely affected by this provision, but this could be justified on the basis of public safety. The CIA provisions provide an CIA is different and reflects the locality. Obtaining a licence is an applicant led opportunity for a different type of offer in areas such as the city centre and the policy will include a statement of how important it is to promote the diverse life of Bristol (1.12). Each process and each application is considered on its own merits. Decisions must be taken with a view to promoting the four statutory licensing objectives. Applicants may demonstrate in their application how the operation of the premises will not have a negative impact on the objectives. Any person may make a representation in relation to an application and representations can be negative or positive. The policy will ensure that all services are aware of the need to abide by the Equality Act (2010).

## **Gender**

Women will benefit from a better managed NTE environment when the various approaches set out in the policy to restrict alcohol related violence are applied. Women are more severely harmed, emotionally and physically, in alcohol related violence in the NTE and in the home and any activities to lessen such violence is of benefit to women. Better managed premises also benefit women who have drunk harmful amounts of alcohol because such premises will put in place measures to promote a safe drinking environment which restricts serving to people who have consumed harmful levels of alcohol. They will also have procedures in place to assist vulnerable people leaving venues.

Better management of licensed venues will also benefit men who may be deterred from alcohol related violence. Men are more likely to commit crimes when under the influence of alcohol. Nearly a fifth (19%) of all adult binge

drinkers reported committing an offence in the previous year compared with 6% of other regular drinkers and 3% of those who occasionally or never drank alcohol (Source: General Lifestyle Survey, 2011)

### **Pregnancy & maternity**

No impact identified at this stage

### **LGBT**

Old Market has a limited number of drinking-only licensed premises and the overall mix of premises in Old Market is varied. The area has a diverse customer base. Again a well-managed NTE is to the benefit of LGBT customers as the area can be targeted for hate crime.

### **3.2 Can these impacts be mitigated or justified? If so, how?**

Whilst some aspects of the policy may restrict the ability to gain a licence in some localities which could have a disproportionate impact on members of the BME community, this approach can be justified as such provisions will be designed to maximise public safety and will not be as a result of any other factor.

As detailed above the policy includes the setting of a number of cumulative impact zones, including one for the city centre. The application of this aspect of the policy will generally restrict the granting of new licences unless the offer is different from the prevalent alcohol led premises that dominate the area, therefore some potential BME businesses may be adversely affected by this provision, but can be justified on the basis of public safety. The CIA provisions provide an opportunity for a different type of offer in areas such as the city centre and the policy will include a statement of how important it is to promote the diverse life of Bristol (1.12). The policy will ensure that all services are aware of the need to abide by the Equality Act (2010).

### **3.3 Does the proposal create any benefits for people with protected characteristics?**

As set out above a well-managed NTE is to the benefit of LGBT customers who could otherwise suffer from hate crime.

Women will also benefit from a better managed NTE environment when the

various approaches set out in the policy to restrict alcohol related violence are applied. Better managed premises also benefit women who have drunk harmful amounts of alcohol because such premises will put in place measures to promote a safe drinking environment which restricts serving to people who have consumed harmful levels of alcohol. They will also have procedures in place to assist vulnerable people leaving venues.

Better management of licensed venues will also benefit men who may be deterred from alcohol related violence.

### 3.4 Can they be maximised? If so, how?

If adopted the Cumulative Impact Assessment Policy will promote the licensing objectives contained within the Licensing Act 2003, namely;

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

By ensuring that the grant of a new licence will not add to the cumulative impact already being experienced in the area. The Council hopes that residents and visitors to Bristol will be able to enjoy their leisure time safely without fear of violence, intimidation or disorder while at licensed premises. In addition, and in response to concerns about the impact of longer trading hours on behaviour and disturbance at night, we give the protection of local residents a central place in our strategy.

An effective CIA Policy, alongside other initiatives, works to promote the positive aspects of the flexibility afforded to applicants under the Act, such as promotion of tourism, increased leisure provision and encouraging the regeneration of both the city centre and local centres. It also facilitates control of the negative impacts such as increase in noise, nuisance, anti-social behaviour and crime and disorder.

A key issue for the Council is to achieve a balance that ensures the promotion of the licensing objectives across a variety of urban settings. Bristol has a rich mix of cultural diversity, epitomised by events such as the Bristol Harbour Festival, which is the largest free event in the South West and attracts over 250,000 visitors, St Pauls Carnival and Bristol Pride which all contribute to a

vibrant leisure scene and night time economy. The Council is keen to promote the cultural life of Bristol and so licensing is approached with a view to encouraging forms of licensable activity consistent with the licensing objectives.

A CIA policy will ensure that any new licences granted will not have an adverse impact on the NTE and as such maximise the benefits highlighted above to those with protected characteristics.

#### **Step 4: So what?**

The Equality Impact Assessment must be able to influence the proposal and decision. This section asks how your understanding of impacts on people with protected characteristics has influenced your proposal, and how the findings of your Equality Impact Assessment can be measured going forward.

4.1 How has the equality impact assessment informed or changed the proposal?

The EqIA has highlighted that a disproportionate number of BME businesses could be affected. This needs to be reviewed regularly by officers responsible for the policy to ensure they are aware of complaints and can review mitigations if needed. This is in line with the council's duty to eliminate discrimination and foster good relations.



4.2 What actions have been identified going forward?

This EqIA details the potential impacts for equalities groups that we are currently aware of at this stage. Any subsequent issues that are highlighted as part of subsequent public consultation, or by BME or other businesses when it is considered by the Working Group will be updated prior to final approval of the policy.

4.3 How will the impact of your proposal and actions be measured moving forward?

The next stage is for the report to be considered by the Working Group and if the draft policy is approved a report will be presented to Full Council

recommending that the policy be adopted.

|                                                                                                                 |                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| Service Director Sign-Off:<br> | Equalities Officer Sign Off:<br><br>Duncan Fleming |
| Date: 25/6/2019                                                                                                 | Date: 3/6/2019                                                                                                                      |

## Bristol City Council Equality Impact Assessment Form

(Please refer to the Equality Impact Assessment guidance when completing this form)



|                              |                                               |
|------------------------------|-----------------------------------------------|
| Name of proposal             | Statement of Licensing Policy                 |
| Directorate and Service Area | Growth and Regeneration – Regulatory Services |
| Name of Lead Officer         | Nick Carter – Regulatory Services Manager     |

### Step 1: What is the proposal?

Please explain your proposal in Plain English, avoiding acronyms and jargon. This section should explain how the proposal will impact service users, staff and/or the wider community.

#### 1.1 What is the proposal?

This is an Equality Impact Assessment of Bristol City Council's draft Statement of Licensing Policy and a proposed consultation on the policy.

Bristol City Council (The Council) is the 'Licensing Authority' for all licensable activities under Licensing Act 2003 within Bristol. Licensable activities are:

- The sale of alcohol by retail
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment

The Licensing Act 2003 (The Act) is prescriptive with regard to how policy should be formulated and guidance is provided by the Secretary of State for local authorities to use when developing licensing policies. The Council are required to have a Statement of Licensing Policy which identifies the Councils approach to meeting the four licensing objectives under the act, namely the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.

The last review of the Council's full licensing policy took place in 2014/15 and came into effect in August 2015.



### **Function of the policy**

The licensing policy may be referred to by officers and members of committees when determining licensing applications and is available for all parties when applying for licences and submitting representations. As mentioned above this policy is relevant to various permissions and authorisations under the Licensing Act relating to alcohol and entertainment, there are separate policies for other areas of licensing e.g. street trading, taxis and sexual entertainment venues.

### **Development of the policy**

Only Full Council can make licensing policy decisions, no delegation is permitted to committees or officers of these tasks.

On 7 February 2019 the Licensing Committee approved the establishment of a member /officer working group to commence a review of the Council's Statement of Licensing Policy in order to assist Full Council in connection with the discharge of its' functions under section 5 of the Licensing Act 2003, with the following terms of reference:

- To consider current policy and engage with stakeholders in line with the directions of the Council's licensing committee and produce a draft policy for Full Council consideration by 21 May 2019.
- Subject to Full Council approval, carry out full public consultation on the draft policy. The results of the consultation to be brought back before the member/officer working group for consideration prior to a final policy being presented to Full Council on 11 February 2020, with implementation in August 2020.

The report for Full council has been delayed to 16 July 2019 to provide more time for the members of the working group to hear evidence from interested parties to inform the draft policy and public consultation.

## Step 2: What information do we have?

Decisions must be evidence-based, and involve people with protected characteristics that could be affected. Please use this section to demonstrate understanding of who could be affected by the proposal.

### 2.1 What data or evidence is there which tells us who is, or could be affected?

The Councils Licensing Policy covers the whole of Bristol and includes special policies such as Cumulative Impact Areas (CIA's) that relate to particular areas of the city.

#### **General:**

Quality of Life (QOL) survey - Public safety

The 2018-19 QOL survey indicates that:

- 14.4% of respondents to QOL survey reported that they have been victims of crime in the past 12 months. This figure has reduced from 18% in 2017-18.
- BME people (39.2%) and disabled people (39.3%) are more likely to agree that anti-social behaviour is a problem in their neighbourhood compared to the average of 35.3% in Bristol.
- 64.2% respondents feel safe outdoors after dark compared to 69.5% in 2015. However some groups are less likely than average to feel safe outdoors after dark e.g. disabled people (46.8%), women (57.6%), young people aged 16-24 (58.4%) and BME people (58.8%).

Of the respondents that considered that public safety was a problem in their neighbourhood disabled people, Black and minority ethnic groups, and people living in deprived areas were more likely to fear for their personal safety.

#### **Licence holders**

There are approximately 1,800 holders of Premises Licences in the city, each licence permits a range of regulated activity including the supply of alcohol and provision of regulated entertainment. There is no data available specifically in respect of the demography of licence holders in Bristol. This is primarily because the application forms are prescribed by the Home Office and currently do not request equalities information. Furthermore licence holders are often

businesses. Having said that many licences are held by business organisations, particularly large entertainment venues (cinemas, night clubs etc.). The largely anecdotal information and observation from officers indicates that holders of Licences for premises such as off licences, restaurants and takeaways are in the majority from BME communities. Therefore when considering the impact on licence holders and the public we need to rely on data covering the whole of the city whilst bearing in mind that spatially the demography of Bristol varies.

### **Night time Economy**

We have no data concerning the demographics of who makes use of the night time economy in Bristol.

### **Age**

The 2011 Census tells us that;

- The median age of people living in Bristol is 33 compared to the UK median of 39. The age profile of people using the NTE would be the median age and younger.
- 8.3% of students make up the population in Bristol,

### **Health and lifestyle Related Data**

The Smoking, Drinking and Drug Use survey 2016 estimates that 44% of pupils aged 11-15 had drunk alcohol at least once (15% at age 11, and 73% at age 15 years). 10% of pupils said they drank alcohol at least once a week, of these the mean average was 9.6 units. 38% of pupils said that they drank alcohol at least a few times a year. This increased sharply by age, from 8% of 11 year olds to 68% of 15 year olds, and therefore, the age profile of current drinkers is heavily weighted towards older pupils. Current drinkers were most likely to buy alcohol from friends or relatives (22%), someone else (16%), an off-licence (10%) or a shop or supermarket (8%). 61% of current drinkers said they never buy alcohol. The figures would suggest that a number of young people are attempting to buy alcohol from premises that hold an off licence (including supermarkets and smaller independent stores/off licences).

### **Gender**

- 49.8% of population of Bristol are male and 50.2% female (Census 2011)

- Anecdotal observations by officers suggest that premises licence holders are often male.
- There is a link between alcohol and severities of abuse against women. In 2011 98% of MARAC cases were women, 23% were BME women (Equalities and Community Cohesion Annual report 2011). For 2013/14 referrals to MARAC were 97% women.

Alcohol misuse is much more prevalent in men (23%) than women (18%). Males were more likely to be admitted to hospital with alcohol related diseases, injuries and conditions than females, with 65% of the overall admissions being male patients however amongst under 16s, the opposite is true where females were more likely to be admitted to hospital with alcohol related diseases, injuries and conditions than males, with females accounting for 55% of all admissions (Source: 2014, The Health and Social Care Information Centre).

### **Ethnicity**

- The 2011 Census shows us that about 16% of the Bristol population are from minority ethnic groups compared to 8% from the 2001 Census.
- Alcohol misuse is more prevalent (popular) in the White British and White Irish populations than in many of the other ethnic groups. Other ethnicities do not have such high level of alcohol misuse prevalence, and some have very low levels of misuse due to cultural and physiological reasons. Evidence from the World Health Organisation shows us that Eastern Europeans have higher numbers of abstinent people in their populations, but of those who do drink alcohol they consume more alcohol than the UK average.

### **Disability**

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### **Sexual Orientation**

- Around 4% of respondents to the Bristol Quality of Life survey said they were Lesbian, Gay or Bisexual. Based on city population estimates this suggests there may be around 27,000 LGB adults in Bristol.
- There are two main areas of gay night-time economy (or 'scene') in

Bristol – the ‘Strip’ which is focused around the Frogmore Street area and the ‘Village’ which is in Old Market. These are highly frequented and popular areas for LGB and T people in the city. The level of binge drinking is higher in the LGB community than the UK average level (The Lesbian, Gay, Bisexual and Trans Public Health Outcomes Framework Companion Document 2013)

- Lesbian and bisexual women are considered to drink more alcohol and binge-drink more often than heterosexual women  
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### **Religion and belief**

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- Some events in places of religious worship do not require a licence

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If approved the August to October consultation will seek the views of all parties that could be affected, including, licence holders, residents and equalities groups.

### Step 3: Who might the proposal impact?

Analysis of impacts on people with protected characteristics must be rigorous. Please demonstrate your analysis of any impacts in this section, referring to all of the equalities groups as defined in the Equality Act 2010.

3.1 Does the proposal have any potentially adverse impacts on people with protected characteristics?

#### **Age**

No negative impact anticipated but each licence application, where representations are made, will be considered against the four key Licensing Act objectives, namely public safety, prevention of public nuisance, protection of children from harm and the prevention of crime and disorder.

This policy will have a positive impact on age. Actions and objectives are stated in the policy that will help protect vulnerable and young people.

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In the policy applicants are requested to have regard to the type of people that are likely to visit their premises in their application when identifying the steps they will take to promote the licensing objectives. Applicants will be expected

to propose steps to ensure that the physical layout of the premises does not present any risks to 'vulnerable' people, some of whom may be disabled.

### **Ethnicity**

Anecdotally licences for a significant proportion of off licences and food outlets are held by BME people. Some aspects of the policy may restrict the ability to gain a licence in some localities with a high BME population which could have a disproportionate impact on this group. However such provisions will be designed to maximise public safety and will not be as a result of any other factor. The policy includes the setting of a number of cumulative impact zones, including one for the city centre. The application of this aspect of the policy will generally restrict the granting of new licences unless the offer is different from the prevalent alcohol led premises that dominate the area, therefore some potential BME businesses may be adversely affected by this provision, but this can be justified on the basis of public safety. The CIA provisions provide an opportunity for a different type of offer in areas such as the city centre and the policy will include a statement of how important it is to promote the diverse life of Bristol (1.12). Each CIA is different and reflects the locality. Obtaining a licence is an applicant led process and each application is considered on its own merits. Decisions must be taken with a view to promoting the four statutory licensing objectives. Applicants may demonstrate in their application how the operation of the premises will not have a negative impact on the objectives. Any person may make a representation in relation to an application and representations can be negative or positive. The policy will ensure that all services are aware of the need to abide by the Equality Act (2010).

### **Gender**

Women will benefit from a better managed NTE environment when the various approaches set out in the policy to restrict alcohol related violence are applied. Women are more severely harmed, emotionally and physically, in alcohol related violence in the NTE and in the home and any activities to lessen such violence is of benefit to women. Better managed premises also benefit women who have drunk harmful amounts of alcohol because such premises will put in place measures to promote a safe drinking environment which restricts serving to people who have consumed harmful levels of alcohol. They will also have procedures in place to assist vulnerable people leaving venues.



Better management of licensed venues will also benefit men who may be deterred from alcohol related violence. Men are more likely to commit crimes when under the influence of alcohol. Nearly a fifth (19%) of all adult binge drinkers reported committing an offence in the previous year compared with 6% of other regular drinkers and 3% of those who occasionally or never drank alcohol (Source: General Lifestyle Survey, 2011)

### **Pregnancy & maternity**

No impact identified at this stage.

### **LGBT**

Old Market has a limited number of drinking only licensed premises and the overall mix of premises in Old Market is varied. The area has a diverse customer base. Again a well-managed NTE is to the benefit of LGBT customers as the area can be targeted for hate crime.

### **3.2 Can these impacts be mitigated or justified? If so, how?**

Whilst some aspects of the policy may restrict the ability to gain a licence in some localities which could have a disproportionate impact on members of the BME community, this approach can be justified as such provisions will be designed to maximise public safety and will not be as a result of any other factor.

As detailed above the policy includes the setting of a number of cumulative impact zones, including one for the city centre. The application of this aspect of the policy will generally restrict the granting of new licences unless the offer is different from the prevalent alcohol led premises that dominate the area, therefore some potential BME businesses may be adversely affected by this provision, but this can be justified on the basis of public safety. The CIA provisions provide an opportunity for a different type of offer in areas such as the city centre and the policy will include a statement of how important it is to promote the diverse life of Bristol (1.12). The policy will ensure that all services are aware of the need to abide by the Equality Act (2010)

### **3.3 Does the proposal create any benefits for people with protected characteristics?**

As set out above a well-managed NTE is to the benefit of LGBT customers who could otherwise suffer from hate crime.

Women will also benefit from a better managed NTE environment when the various approaches set out in the policy to restrict alcohol related violence are applied. Better managed premises also benefit women who have drunk harmful amounts of alcohol because such premises will put in place measures to promote a safe drinking environment which restricts serving to people who have consumed harmful levels of alcohol. They will also have procedures in place to assist vulnerable people leaving venues.

Better management of licensed venues will also benefit men who may be deterred from alcohol related violence.

#### 3.4 Can they be maximised? If so, how?

The Statement of Licensing Policy's aim is to promote the licensing objectives contained within the Licensing Act 2003, namely;

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

As stated in the policy itself the Council hopes that residents and visitors to Bristol will be able to enjoy their leisure time safely without fear of violence, intimidation or disorder while at licensed premises. In addition, and in response to concerns about the impact of longer trading hours on behaviour and disturbance at night, we give the protection of local residents a central place in our strategy.

An effective Licensing Policy, alongside other initiatives, works to promote the positive aspects of the flexibility afforded to applicants under the Act, such as promotion of tourism, increased leisure provision and encouraging the regeneration of both the city centre and local centres. It also facilitates control of the negative impacts such as increase in noise, nuisance, anti-social behaviour and crime and disorder.

A key issue for the Council is to achieve a balance that ensures the promotion

of the licensing objectives across a variety of urban settings. Bristol has a rich mix of cultural diversity, epitomised by events such as the Bristol Harbour Festival, which is the largest free event in the South West and attracts over 250,000 visitors, St Pauls Carnival and Bristol Pride which all contribute to a vibrant leisure scene and night time economy. The Council is keen to promote the cultural life of Bristol and so licensing is approached with a view to encouraging forms of licensable activity consistent with the licensing objectives.

A robust, well thought out, Statement of Licensing Policy will maximise the benefits highlighted above to those with protected characteristics.

#### **Step 4: So what?**

The Equality Impact Assessment must be able to influence the proposal and decision. This section asks how your understanding of impacts on people with protected characteristics has influenced your proposal, and how the findings of your Equality Impact Assessment can be measured going forward.

4.1 How has the equality impact assessment informed or changed the proposal?

The EqIA has highlighted that a disproportionate number of BME businesses could be affected. This needs to be reviewed regularly by officers responsible for the policy to ensure they are aware of complaints and can review mitigations if needed. This is in line with the council's duty to eliminate discrimination and foster good relations



4.2 What actions have been identified going forward?

This EqIA details the potential impacts for equalities groups that we are currently aware of at this stage. Any subsequent issues that are highlighted as part of subsequent public consultation, or by BME or other businesses when it is considered by the Working Group will be updated prior to final approval of the policy.

4.3 How will the impact of your proposal and actions be measured moving forward?

The next stage is for the report to be considered by the Working Group and if the draft policy is approved a report will be presented to Full Council

recommending that the policy be adopted.

|                                                                                                                 |                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| Service Director Sign-Off:<br> | Equalities Officer Sign Off:<br><br>Duncan Fleming |
| Date: 25/6/2019                                                                                                 | Date: 3/6/2019                                                                                                                      |



# Full Council

16<sup>th</sup> July 2019

**Report of:** Tim O’Gara, Director – Legal & Democratic Services

**Title:** **Information Report – Decisions Taken Under Special Urgency Provisions**

**Ward:** Citywide

## RECOMMENDATION

Full Council is asked to note the use of special urgency provisions (APR 16) in relation to a decision that was taken by Cabinet on the 2<sup>nd</sup> July 2019 in respect of Arnside and Glencoyne Square regeneration.



## Background / information

1. Statute and the Council’s Constitution provide that notification of key decisions that are intended to be taken by the Executive must be published 28 days before the decision is taken, and that the papers in relation to that decision must be published not less than 5 working days before the decision to be taken.
2. There are, however, exceptions in law and the Constitution to these timescales so that shorter notice can be given in certain circumstances.
3. The Constitution provides (Access to Information rules APR15), that if a matter which is likely to be a key decision has not been included in the Forward Plan ( to give 28 days’ notice), the decision may still be taken if:
  - (a) The decision must be taken by such a date that it is impracticable for it to be deferred until it can be included in the next Forward Plan;
  - (b) The Proper Officer has given notice to the chair and members of a relevant Overview and Scrutiny body in writing, of the matter to which the decision is to be made;
  - (c) The Proper Officer has made copies of that notice available to the public at the offices of the Council; and
  - (d) At least five clear working days have elapsed since the Proper Officer complied with (a) and (b).
4. If an urgent decision needs to be taken and 5 clear working days cannot be given as set out in APR 15 above, APR 16 provides that in cases of special urgency a decision may still be taken if the decision taker obtains the agreement of the chair of a relevant Overview and Scrutiny body that the taking of the decision cannot be reasonably deferred. Councillor Gollop gave his agreement on the 27<sup>th</sup> June 2019.
5. The Constitution also requires that cases where special urgency provisions (APR 16) have been required will be reported to the Full Council for information.
6. This report informs Full Council of the following decision taken under special urgency provisions at the cabinet meeting on the 2nd July 2019.

### **APR 16 – Arnside and Glencoyne Square Regeneration**

#### **Decision:**

- 1. To Accept and invest Housing Infrastructure Fund (Marginal Viability) funding award of up to £3.6m to support the delivery of new homes, infrastructure and regeneration in central Southmead.**