

## Appendix 2

# LACORS Best Practice Framework for the Review of Licensing Policy Statements (April 2010)

**LACORS Best Practice Framework  
for the Review of Licensing Policy Statements**

**April 2010**

***In offering this advice LACORS wishes to make it clear that:***

*Legislation may change over time and the advice given is based on the information available at the time the document was produced. It is not necessarily comprehensive and is subject to revision in the light of further information. Only the courts can interpret statutory legislation with any authority. This advice is not intended to be a definitive guide to, nor substitute for, the relevant law. Independent legal advice should be sought where appropriate.*

## Introduction

This document is designed to assist licensing authorities with the review and publication of their licensing policy statements as required under section 5 of the Licensing Act 2003.

The document aims to provide a framework outline for a policy which individual licensing authorities may then tailor, amend and augment according to local considerations and needs.

This is the third time that all licensing authorities have been required by statute to issue their statement of licensing policy since the introduction of the Licensing Act 2003 ("the Act"), and the role and legal status of licensing policy statements has become clearer over the last five years. LACORS suggests that licensing authorities use this opportunity to develop existing policies beyond this general framework and make use of local experience and aspirations to inform the policy beyond the key headings included within this document, which is intended to be a starting point rather than a comprehensive policy.

The headings are largely based around the paragraphs contained in Chapter 13 of the Guidance issued by the Secretary of State (SoS) under section 182 of the Act<sup>1</sup>. It is felt that adherence to the relevant sections given in the SoS Guidance is less likely to attract criticism of the policy but authorities do have a degree of discretion as to how this is achieved, especially when different paragraphs within the SoS Guidance appear to conflict, or when local circumstances would clearly justify a departure from the approach set out in the Guidance. Chapter 13 of the Guidance provides the core content of licensing policies to which authorities are free to add. The order of headings and sections in this document are entirely flexible.

Authorities should note that the DCMS has confirmed that all policies should be re-published by and take effect on **7 January 2011**. All current policies shall remain valid until that date irrespective of when they came into force.<sup>2</sup>

DCMS has also indicated that there is no legal obligation for authorities to undertake a lengthy consultation when reviewing their policies. It is however clear from s5(3) of the Licensing Act 2003 that consultation is required, and LACORS anticipates that most authorities will wish to conduct a 12 week consultation process in line with the BIS Code of Practice.

Most authorities will no doubt also seek to reflect any relevant changes in the revised SoS Guidance (March 2010), available [here](#).

Under section 5 of the Licensing Act 2003 the Secretary of State may make regulations governing the determination and revision of policies and the preparation and publication of policy statements. Therefore advice and information relating to licensing policies may be subject to change. LACORS will advise authorities of any such revisions.

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<sup>1</sup> All references to the Guidance relate to the revised edition which came into effect on 30<sup>th</sup> March 2010.

<sup>2</sup> Except new unitary authorities, who are not required to produce a new policy until 2014 as per the Local Government (Structural Changes) (Transitional Arrangements) (No. 2) Regulations 2008.

## Framework

### I. Executive Summary

LACORS suggests that licensing authorities incorporate an executive summary at the beginning of their licensing policy statement. The summary will give a brief overview of the framework and the policies incorporated in the main document. The summary is also useful for the purposes of readers who may not necessarily need all the information within the policy statement. It may also be appropriate to highlight some of the positive aspects of the legislation, for example: less red tape, more flexibility, the potential to expand and augment local economy, promote cultural issues etc, as well as any particular local challenges that inform the policy.

Now that licensing authorities have several years' experience of implementing and adapting their policies, it may also be appropriate to include more detail regarding how, at a local level, the licensing authority and its partners are implementing the policy, and what the challenges and aims are within the localities covered by the policy.

### II. Purpose and Scope of the Licensing Policy

See paragraphs 13.1 to 13.18 of the SoS Guidance for further details.

The policy should include an introduction and a statement outlining the licensing objectives (as set out in section 4 of the Act) e.g.

*This licensing authority must seek to promote the four licensing objectives contained in the Licensing Act 2003 when carrying out its licensing functions. These objectives are:*

- *The prevention of crime and disorder*
- *Public safety*
- *The prevention of public nuisance*
- *The protection of children from harm*

The policy should include a statement to the effect that each licence application will be considered on its own merits in the context of the four licensing objectives, and that unless relevant representations are received from responsible authorities or interested parties, there is no provision for a licensing authority to impose conditions on a licence other than those proposed within an application.

Furthermore, it should also be made clear that there is no provision for a licensing authority itself to make representations, and that in the absence of any relevant representations in respect of an application, the authority is obliged to issue the licence on the terms sought.

The licensing authority should also include a statement on the scope of the legislation, e.g;

*The Licensing Act 2003 regulates the following activities:*

- *The sale by retail of alcohol*
- *The supply of alcohol by or on behalf of a club, or to the order of a member of the club*
- *The provision of regulated entertainment*
- *The provision of late night refreshment*

The policy document should also explain the role of the authority's statement of licensing policy itself in decision making, i.e. that the authority will take its own licensing policy into account if its discretion is engaged (i.e. at a hearing following representations).

The policy may include a glossary where terms such as 'regulated entertainment' or 'late night refreshment' can be expanded and defined.

It may also provide an overview of Licensing Act 2003 procedures for interested parties, in order to clarify terms such as "relevant representation" (which can include positive/supportive representations as well as "objections" – see

<http://www.lacors.gov.uk/lacors/ContentDetails.aspx?authCode=92A49D&id=15112>, as well as clarification regarding councillors making representations as interested parties (see <http://www.lacors.gov.uk/lacors/ContentDetails.aspx?authCode=30B1CC5&id=23187>).

Authorities are reminded that any statement in the licensing policy will be relevant to all licensed premises unless otherwise stated.

This section may also include:

- A description of the authority's area, its conurbations, town centres, villages, and its population profile.
- A description of the council's aspirations for the local night time economy, for example its long term goals for the development of the area's nightlife, and mention of any schemes/strategies that the council is aiming towards (or has already commenced), e.g. Purple Flag, Beacon Status, Best Bar None etc.
- Background regarding licensing and entertainment in the area, including a breakdown of types of premises, the type of licensed activities, where these are focused, and how these impact both positively, and where appropriate, negatively on the area. This may be too detailed for policy statements, therefore LACORS would encourage licensing authorities not to necessarily include all this information but where relevant refer applicants to where further information on these issues can be found.
- Date that the policy was reviewed and when it comes into force.
- A statement that the licensing process can only seek to control those measures within the control of the licensee, and 'in the vicinity' of a premises. A statement clarifying what area will be seen as 'in the vicinity' where an authority has adopted such a policy and why the authority has adopted such a policy. It should also contain a statement to the effect that licensing law is not a mechanism for the general control of anti social behaviour by individuals once they are away from the premises and beyond the direct control of the licence holder (see also section VIII below on Cumulative Impact and 13.18 SoS Guidance).
- A statement regarding who was consulted on the policy, the methods of consultation engaged, and that due consideration was given to all those who responded. This may include the length of time of the consultation.

### III. Duplication

See paragraph 13.19 of the SoS Guidance for further details.

Policy statements should include a firm commitment to avoid duplication with other regulatory regimes and the control measures contained in any conditions sought are already provided for in other legislation, they cannot be imposed in the context of licensing law. The policy should contain a statement to the effect that it is not intended to duplicate existing legislation and regulatory regimes that already places obligations on employers and operators e.g. The Health & Safety at Work Act 1974 and the Regulatory Reform (Fire Safety) Order 2005.

#### **IV. Crime Prevention**

See paragraphs 13.56 of the SOS Guidance for further details.

The policy should indicate that in cases where conditions may be attached to licences, the conditions will reflect local crime prevention strategies. Examples may then be given and/or a reference to the relevant conditions in the SoS Guidance's pool of conditions.

Specific reference may also be made to considerations relating to particular types of licence eg. Personal Licences.

#### **V. Cultural Strategies<sup>3</sup>**

See paragraphs 13.57 to 13.60 of the SoS Guidance for further details.

The SoS Guidance states that the policy should include a statement indicating that the authority will monitor the impact of licensing on regulated entertainment, particularly live music and dancing. It also states that where there is any indication that such events are being deterred by licensing requirements, the policy should be revisited with a view to investigating how the situation might be reversed. The policy should state that only necessary, proportionate and reasonable conditions should be imposed on such events. The National Association of Local Government Arts Officers (NALGAO) represents local government arts interests, authorities that do not have arts specialists or arts development officers may wish to contact NALGAO for practical help and advice. Details of how to contact NALGAO can be found in Annex 2. The policy should refer applicants to any cultural strategy that the council may have adopted.

#### **VI. Live Music, Dancing and Theatre**

See paragraphs 13.70 to 13.75 of the SoS Guidance for further details.

The policy should include a statement recognising that as part of implementing local authority cultural strategies, proper account should be taken of the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of communities generally.

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<sup>3</sup> There are a number of other policies, objectives and guidance which licensing authorities should take into account when compiling their statement of licensing policy. These are listed at Annex 1 to this document.

The SoS Guidance states that the policy should also state that only conditions strictly necessary for the promotion of the licensing objectives should be attached to licences for activities of this nature. The SoS Guidance (e.g. para 2.34) states that the policy should state that the authority is aware of the need to avoid unnecessary or disproportionate measures that could deter live music, dancing and theatre by imposing indirect costs of a substantial nature.

The SoS Guidance states that local authorities should “consider establishing a policy of seeking premises licences from the licensing authority for public spaces within the community in their own name”. LACORS has produced guidance for licensing authorities that choose to licence their own land. Please [click this link](#) for further information. If the licensing authority does licence public spaces, the policy statement could indicate where these are and what activities are licensed. The statement could also reference the [DCMS register of local authority licensed register of public spaces](#).

The policy could also set out the authority's approach to circuses, and the circumstances in which it would consider it necessary for a circus to apply for a premises licence, and whether it has licensed public land for the purposes of circuses and other forms of entertainment, as above.

## **VII. Planning**

See 13.64 to 13.68 of the SoS Guidance for further details.

The policy should make clear that planning and licensing regimes will be properly separated to avoid duplication and inefficiency.

It should state that licensing applications will not be a re-run of the planning application and that licensing decisions will not cut across decisions taken by the planning committee or permissions granted on appeal. It should be noted, however, that there is no legal basis for the licensing authority to refuse a licence application because it does not have planning permission.

The policy should state that proper integration with the planning committee will be assured. This will include, where appropriate, providing regular reports to the planning committee on the situation regarding licensed premises in the area, including the general impact of alcohol related crime and disorder.

The policy should also refer to any supplementary planning guidance.

## **VIII. Temporary Event Notices**

See Chapter 7 of the SoS Guidance for further details.

As regards temporary events, it is advisable for the policy to include a statement outlining a preferred minimum time period for submitting a notice. This is because the statutory period of 10 working days gives very little time for the licensing authority to process the application and for the police to respond. It is important for an authority to make clear though that the preferred time frame is not stipulated by the legislation and is only an expectation of the authority. It

should be made clear that the licensing authority cannot insist on its own time frame for receiving temporary event notices. It would be also helpful to applicants to provide in this section details of where the police copy of the application should be served.

For DCMS advice on the definition of '10 working days' and on the postal service of applications please see the following LACORS website articles:

"Working Days - Clarification from DCMS"

"Working Days – Additional Information"

## **IX. Cumulative Impact and Special Policies**

See paragraphs 13.24 to 13.39 of the SoS Guidance for further details, as well as the cases listed under "relevant case law" below.

The licensing statement may contain a cumulative impact policy because an area is already "saturated" with certain types of premises. The effect of adopting such a policy is to create a rebuttable presumption that a licence application which is likely to add to the existing cumulative impact will normally be refused **following relevant representations**.

If the existing licensing policy statement contains such a policy, it should also be reviewed to ensure that it is valid. The cumulative impact policy should be aligned with other policies such as planning and also other relevant strategies such as any late night economy strategy. Paragraph 13.28 of the SoS Guidance sets out the steps that should be followed by licensing authorities when adopting a cumulative impact policy:

- Identify concern about crime and disorder or public nuisance.
- Consider whether there is good evidence that crime and disorder or nuisance are happening and are caused by the customers of licensed premises, or that the risk of cumulative impact is imminent.
- Identify the boundaries of the area where problems are occurring.
- Consult with those specified in section 5(3) of the 2003 Act, and those who are subject to the outcome of the consultation.
- Include and publish details of special policy in the licensing policy statement.

Once the licensing authority has adopted a special policy it could include within its policy statement the following:

- A comprehensive explanation as to why the cumulative impact policy has been adopted, including what problems there are and their causes, and why these cannot be resolved other than by restricting further licensed premises.
- The policy should also clearly specify the geographical area where the cumulative impact policy is to apply.
- The policy statement must make clear that the special policy is not absolute and that the circumstances of each application will be considered on its merits.
- There should be a clear statement regarding the difference between commercial need and the cumulative impact of premises in an area. Need is a matter for the planning committee and for market forces, the cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for the licensing authority and its committee to consider.

- The policy must not impose quotas of premises or licences.
- Although the SoS Guidance states that a special cumulative impact policy must not include provisions for a terminal hour in a particular area (see paragraph 13.67), it is possible for cumulative impact policies to be used as the basis for refusing applications that go beyond a specified time within a cumulative impact area. (See *R (xp JD Wetherspoon) v. Guildford BC* ID9910). Evidence should be collated to support any restrictive approach to hours, and should be summarised in the policy, along with clear reasons for adopting the policy.
- The policy should include other mechanisms outside the licensing regime that are available for addressing the impact of anti-social behaviour and nuisance once consumers are away for the vicinity of premises. A list of these is contained in paragraph 13.39 of the SoS Guidance and may include other local initiatives such as those to improve public transport, and littering.
- Although paragraph 13.33 of the SoS Guidance states that “it would normally not be justifiable to adopt a special policy on the basis of a concentration of shops, stores or supermarkets selling alcohol for consumption off the premises”, several authorities have introduced cumulative impact policies that include off licences. If off licences are to be included within a cumulative impact policy, then it is recommended that the policy highlights specific problems relating to the impact of off licence premises, for example underage sales and proxy purchasing, street drinking and “pre-loading”.

LACORS is compiling a list of authorities that have implemented special policies (to be available via the LACORS website). If your authority has adopted such a policy we would be grateful if you could advise us in order to keep our data as accurate as possible. Please see Annex 2 for LACORS contact details.

## **X. Licensing Hours**

See paragraphs 13.40 to 13.42 of the SoS Guidance for further details.

The policy should generally emphasise that when the licensing authority’s discretion is engaged, consideration will be given to the individual merits of an application but the presumption will be to grant the hours requested unless there are objections to those hours raised by responsible authorities or interested parties on the basis of the licensing objectives.

The policy should indicate that with regard to shops, stores and supermarkets the normal scenario will be for such premises to provide sales of alcohol for consumption off the premises at any time when the retail outlet is open for shopping unless representations raise reasons, based on the licensing objectives, for restricting those hours.

The SoS Guidance recommends that statements of policy should recognise that, in some circumstances, flexible licensing hours for the sale of alcohol can help to ensure that concentrations of customers leaving premises simultaneously are avoided. The SoS Guidance cautions against arbitrary restrictions (para 1.18).

On the other hand, case law has held that it is possible for a licensing policy to presume against longer licensing hours when longer hours would have had a material impact on the licensing objectives. In other words, a licensing authority can depart from the SoS Guidance in

formulating its policy if it has good reason to do so. Therefore authorities wishing to presume against longer licensing hours should set out the reason(s) for doing so in their policies.

The case on this point is R (JD Wetherspoon plc) v Guildford Borough Council [2006] EWHC 815 (Admin).

## **XI. Children**

See paragraphs 13.43 to 13.52 of the SoS Guidance for further details.

The policy should state that the authority will not seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm. In all other cases it will be left to the discretion of the licensee.

The policy statement should not attempt to anticipate every issue that could arise in respect of children; general rules should be avoided and each application should be considered on its merits. However, the policy should highlight particular areas that will give rise to concern in respect of children; examples of these are given in paragraph 13.48 of the SoS Guidance.

The policy should include the range of alternatives which may be considered for limiting children's access to premises where necessary. Examples of these are given in paragraph 13.50 of the SoS Guidance.

The policy should state which body the licensing authority recognises as being competent to advise on matters relating to the protection of children from harm, and therefore how applicants can copy their applications to it in its capacity as the 'responsible authority'. In most cases this will be the Area Child Protection Committee. Further information can be found in paragraph 13.52 of the SoS Guidance, and more information on 'responsible authority' is contained in chapter 8 of that document.

It should also state that in relation to the exhibition of film, a mandatory condition will apply, requiring access to be restricted to those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification or, in specific cases, the licensing authority. Where the authority intends to adopt its own system of film classification the policy should indicate where information relating to the classifications can be found.

The policy may also acknowledge paragraph 2.50 of the SoS Guidance which states that it may be necessary to impose a condition to restrict the admission of children to theatres which are incorporating adult entertainment in their productions. The SoS Guidance also suggests that it may also be necessary, in the case of theatrical entertainment specifically for children, to consider whether a condition should be attached requiring the presence of a sufficient number of adult staff to ensure the well being of children during an emergency.

## **XII. Conditions**

See paragraph 13.20 and Chapter 10 of the SoS Guidance for further details.

The policy statement should include a statement clarifying that conditions (other than the statutory mandatory conditions) may only be attached to a licence or club premises certificate if relevant representations are received (except for conditions drawn from the applicant's operating schedule since these are voluntary propositions). Any such conditions will be tailored to the individual style and characteristics of the premises and events concerned.

The pool of model conditions contained in Annex D of the SoS Guidance may also be referred to and / or attached as an appendix. It must be stressed that the authority will use the pool to select appropriate conditions to suit the specific needs of an individual operation. Any conditions not listed in the pool may be specifically worded by the licensing authority and attached to licences as appropriate.

The policy should also state that the licensing authority cannot impose blanket standard conditions.

LACORS' view is that the policy could, however, set out the authority's expectations regarding management standards for licensed premises, and can encourage operators to address key issues within their operating schedules, on the basis that applications that do so are less likely to attract representations from responsible authorities. The authority's expectations might stem from schemes such as Best Bar None, Purple Flag or other local or national positive improvement schemes, and links to such schemes could be listed within the policy for operators to refer to.

The policy could also draw attention to the recent provision for community premises to apply for the removal of the mandatory condition relating to removal of the requirement for a DPS and personal licence, and could set out the authority's expectations for premises that wish to apply under this provision.

### **XIII. Licence Reviews**

See paragraphs 11.1 to 11.28 of the SoS Guidance for further details.

The policy should mention the review process. The importance of working in partnership to achieve the promotion of licensing objectives should be emphasised; for example the policy could emphasise that responsible authorities will aim to give licensees early warning of any concerns identified at a premises. It should be clarified that only responsible authorities and interested parties (e.g. local residents, local organisations and councillors) can apply for the review of a licence; the licensing authority itself cannot initiate the review process. The authority's role will be to administrate the process and determine its outcome at a hearing where an evidential basis for the allegations made will need to be submitted.

The statement could include the list of steps (section 52(4) of the Act) the authority is empowered to take if it considers them necessary to promote the licensing objectives.

The policy could also adopt the "Red Card, Yellow Card" approach to reviews recommended by the Secretary of State in September 2008; further details are available at <http://www.lacors.gov.uk/lacors/ContentDetails.aspx?authCode=4EB3AC5&id=20240>

The policy should highlight that in cases when the crime prevention objective is being undermined it is expected that revocation of the licence – even in the first instance – will be seriously considered, as per paragraph 11.27 of the SoS Guidance. (See also *R on the application of Bassetlaw DC v Worksop Magistrates Court*.)

The ambit and meaning of the “crime and disorder” objective is dealt with in detail in the 2008 “smoking ban” High Court case; *Blackpool Council, R (on the application of) v Howitt [2008]*.

#### **XIV. Enforcement**

See paragraphs 13.21 to 13.22 of the SoS Guidance for further details.

The policy should include a statement regarding any enforcement protocol that has been adopted by the authority. The policy should advise applicants where they can get a copy of the protocol. If the licensing authority does not have an agreed enforcement protocol they should include a statement clarifying that enforcement will be both proportionate and risk-based, targeting high risk premises which require greater attention, while applying a lighter touch approach in respect of low risk premises.

#### **XV. Administration, Exercise and Delegations of Functions**

See paragraphs 13.76 to 13.78 of the SoS Guidance for further details.

This section should outline how the decision making powers have been delegated, perhaps including in an appendix the full description, as provided in paragraph 13.79 of the SoS Guidance, with information on how minor variation application decisions are delegated.

#### **XVI. Contact Details/ Advice and Guidance**

The policy should contain details of how applicants can obtain further details about the licensing and application processes, including application forms, fees, and details regarding each type of application, including the minor variations process. This should include as many media as possible, e.g. e-mail, website, phone, fax, and post, as well as details on how to make electronic applications (as per the EU Services Directive), e.g. via “businesslink” or the authority’s own website.

The policy should also contain contact details for all the responsible authorities. Further details are given in chapter 8 of the SoS Guidance; see also paragraph 13.52 for information relating to bodies having an interest in the protection of children from harm.

This section of the policy could encourage informal discussion before the application process in order to resolve potential problems and avoid unnecessary hearings and appeals.

## **XVII Possible Appendices**

It is important to recognise that any appendices will most likely be viewed as an integral part of the licensing policy statement. Therefore care must be taken as to the information contained. It is recommended that appendices are therefore limited to items duplicated from legislation or Guidance such as the pools of conditions duplicated from the SoS Guidance.

Should licensing authorities wish to provide applicants with any additional information then this could be distributed via separate documents, online etc, and simply referenced in the policy itself.

## **XVIII. Equal Opportunities**

Where appropriate, information should meet the requirements of those with special needs such as large type, audio information and information in foreign languages. Many authorities have found that it is not worthwhile to have all documents and application forms translated into different languages, as experience has shown that this is often costly. The authority may wish to have the actual policy statement translated, and produce compliments slips in ethnic languages encouraging individuals to seek assistance from the council if required regarding any other information. In this way, specific needs can be dealt with on an individual basis.

Paragraph 13.69 of the SoS Guidance states that the licensing policy statement should refer to the licensing authority's responsibilities under the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000.

## **IX. Review of the Policy**

The licensing policy must be reviewed and published every three years (section 5 Licensing Act 2003). This review of the policy must be subject to the consultation process again. In addition section 5(4) of the Act provides that the licensing authority must keep its policy under review **during** each three year period and make appropriate revisions. Again, any revisions must be subject to consultation.

Where a special policy relating to cumulative impact has been adopted this should be reviewed regularly, and again at least every three years, to assess whether it is needed any longer, or indeed needs expanding (see paragraph 13.31 of the SoS Guidance). It is also important to review the cumulative impact policy to ensure that it has had the intended effect. There should be on-going dialogue and consultation with local residents to consider whether any area is nearing the point where the concentration of premises has a cumulative impact.

## **Annex 1**

### **Other policies, legislation, case-law and guidance sources**

See paragraphs 1.23 to 1.40 and 13.55 to 13.68 of the SoS Guidance for further details.

There are a number of other local and national policies, strategies, responsibilities, and guidance documents which should be taken into account in order to complement the authority's licensing policy. In particular the policy should provide a clear indication of how the licensing authority will secure the proper integration of the licensing policy and other local policies such as the local crime prevention, planning, transport, tourism, cultural strategies and the local alcohol policy.

### **Strategies and Policies**

Alcohol Harm Reduction Strategy  
Best Bar None  
British Beer and Pub Association Partnerships Initiative  
Council's own Enforcement Policy  
Compliance Code  
Community Safety Strategy  
Crime & Disorder Reduction Strategy  
Cultural and Tourism Strategies including promotion of live music and community events  
Drugs and Alcohol Strategy  
Home Office: Selling Alcohol Responsibly: Good Practice Examples from the Alcohol Retail and Hospitality Industries  
Local Transport Plan  
National and local Pubwatch schemes  
Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks.  
Purple Flag (ATCM)  
Safer Socialising

### **Related Legislation**

Policing and Crime Act 2009  
Anti Social Behaviour Act 2003  
Crime and Disorder Act 1998  
Crime and Security Act 2010  
Criminal Justice and Police Act 2001  
Private Security Industry Act 2001  
Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000  
The Clean Neighbourhoods and Environment Act 2005  
The Health Act 2006  
Violent Crime Reduction Act 2006

### **Relevant case law regarding policy statements**

Limits of licensing policy:

*BBPA & Others v Canterbury City Council* [2005] EWHC 1318 (Admin)

"Strict" licensing policies and exceptions to policy:

R (Westminster City Council) v Middlesex Crown Court and Chorion plc [2002] LLR 538

Cumulative impact policies and hours

R (JD Wetherspoon plc) v Guildford Borough Council [2006] EWHC 815 (Admin)

Duplication and conditions:

R (on the application of Bristol Council) v Bristol Magistrates' Court [2009] EWHC 625 (Admin)

Extra-statutory notification by the licensing authority:

R (on the application of Albert Court Residents Association and others) v Westminster City Council [2010] EWHC 393 (Admin)

The prevention of crime and disorder: ambit of the objective

Blackpool Council, R (on the application of) v Howitt [2008]

Crime and disorder: sanctions on review: deterrence

Bassetlaw District Council, R (on the application of) v Workshop Magistrates Court [2008]

### **Guidance Documents**

Home Office 'Practical Guide for Preventing and Dealing with Alcohol Related Problems

Home Office Safer Clubbing Guide

Home Office Alcohol Disorder Zone Guidance

Home Office Designated Public Place Order (DPPO) Guidance

DCMS s182 Guidance

LACORS/TSI Code of Practice on Test Purchasing

The Event Safety Guide (to be updated in 2011)

Licensing large scale events (music festivals etc)

Managing Crowds Safely

5 Steps to Risk Assessment

The Guide to Safety at Sports Grounds

Safety Guidance for Street Arts, Carnivals, Processions and Large-scale Performances

UK BIDS: Business Improvement Districts (national BIDS advisory service)

BIS Code of Practice on Consultation

The Plain English Campaign

## Annex 2

### Useful References (organisations)

#### **Association of Convenience Stores (ACS)**

<http://www.thelocalshop.com/tls/index.asp>

Federation House,  
17 Farnborough Street,  
Farnborough,  
Hampshire,  
GU14 8AG.

Email: [acs@acs.org.uk](mailto:acs@acs.org.uk)

#### **Association of Licensed Multiple Retailers (ALMR)**

<http://www.almr.org.uk/>

9B Walpole Court,  
Ealing Studios,  
London  
W5 5ED  
Tel: 020 8579 2080  
Email: [info@almr.org.uk](mailto:info@almr.org.uk)

#### **Association of Town Centre Managers (ACTM and Purple Flag)**

<http://www.atcm.org/>

ATCM,  
1 Queen Anne's Gate,  
Westminster,  
London  
SW1H 9BT  
[office@atcm.org](mailto:office@atcm.org)

#### **British Beer and Pub Association (BBPA)**

<http://www.beerandpub.com/>

British Beer & Pub Association  
Market Towers  
1 Nine Elms Lane  
London  
SW8 5NQ  
Tel: 020 7627 9191  
[web@beerandpub.com](mailto:web@beerandpub.com)

#### **British Board of Film Classification (BBFC)**

[www.bbfc.co.uk](http://www.bbfc.co.uk)

3 Soho Square,  
London  
W1D 3HD  
[contact the bbfc@bbfc.co.uk](mailto:contact the bbfc@bbfc.co.uk)

**British Institute of Inn Keeping (BII)**

<http://www.bii.org/>

Wessex House,  
80 Park St., Camberley,  
Surrey,  
GU15 3PT,  
Tel: 01276 684449

**British Retail Consortium (BRC)**

<http://www.brc.org.uk/default.asp>

21 Dartmouth Street,  
London  
SW1H 9BP  
Tel: 0207 85 8900

**Circus Arts Forum**

[www.circusarts.org.uk](http://www.circusarts.org.uk)

[info@circusarts.org.uk](mailto:info@circusarts.org.uk)

**Cinema Exhibitors' Association (CEA)**

<http://www.cinemauk.org.uk/>

22 Golden Square  
London  
W1F 9JW  
Tel: 0207 734 9551

**Department for Culture, Media and Sport** (see links to the Licensing Act 2003, Explanatory Notes, Guidance and Regulations)

[www.culture.gov.uk](http://www.culture.gov.uk)

[enquiries@culture.gov.uk](mailto:enquiries@culture.gov.uk)

2-4 Cockspur Street  
London  
SW1Y 5DH

**Equity**

<http://www.equity.org.uk/>

Head Office  
Guild House  
Upper St Martins Lane  
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Telephone: 020 7379 6000

Email: [info@equity.org.uk](mailto:info@equity.org.uk)

**Independent Street Arts Network**

[www.streetartsnetwork.org.uk](http://www.streetartsnetwork.org.uk)

54 Chalton Street,  
London  
NW1 1HS.

**Institute of Licensing (IOL)**

<http://www.instituteoflicensing.org/>

**Institute of Licensing**

45 Larcombe Road  
St Austell  
Cornwall  
PL25 3EY

**Justices Clerks' Society**

[www.jc-society.co.uk](http://www.jc-society.co.uk)

**E-mail:** [secretariat@jc-society.co.uk](mailto:secretariat@jc-society.co.uk)

**Tel:** 0151 255 0790

**LACORS**

<http://www.lacors.gov.uk/>

[info@lacors.gov.uk](mailto:info@lacors.gov.uk)

**Licensed Victuallers Associations (LVAs)**

<http://www.flva.co.uk/>

Federation of Licensed Victuallers Associations,  
126 Bradford Road,  
Brighouse,  
West Yorkshire  
HD6 4AU

**National Association of Local Government Arts Officers**

<http://www.nalgao.org/>

**nalgao**

Oakvilla,  
Off Amman Road,  
Brynamman,  
Ammanford,  
Neath  
SA18 1SN  
**Phone & Fax:** 01269 824728

**National Pub Watch**

<http://www.nationalpubwatch.org.uk/index.php>

National Pubwatch,  
PO Box 3523,  
BARNET,  
EN5 9LQ

**NOCTIS (Formerly Bar, Entertainment and Dance Association (BEDA))**

<http://www.noctisuk.org/>

5 Waterloo Road  
Stockport  
Cheshire, UK  
SK1 3BD

**The Portman Group**

[www.portman.org.uk](http://www.portman.org.uk)

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