

**APPENDIX A**

**Comments received during the consultation period in respect of the proposed Shropshire Council Statement of Licensing Policy for 2014 to 2019**

<b>Received From</b>	<b>Comment</b>	<b>Action Taken</b>
Trading Standards Service, Public Protection, Shropshire Council	that where reference is made to plastic containers in lieu of glass receptacles the requirement that these plastic receptacles should be compliant with applicable Weights and Measures requirements. (e.g. beer must be served in a stamped measure (usually in multiples of 1/2pt) – plastic ones are available as well as glass)	The policy has been amended to reflect this
Bronze Tasking - South	On page 6 add in : install a smoking litter bin, and consider a litter bin, outside the premise for use by customers.  All premise really need to have a smoking litter bin and a litter bin is useful in some cases.	The policy has been amended to reflect this
Legal Services Shropshire Council	the word “appropriate” replaced “necessary” in all the relevant contexts. It appears to state “necessary and appropriate” a few times. The test is now simply one of appropriateness.	Find and replace check done through entire document and changes made
West Mercia Police  Inspector Amrik Klair	Page 2 Introduction – Include details about the type of night time economy the Council and West Mercia Police wishes to promote. Wording agreed with Council’s Licensing Section as follows:  Licensed entertainment provides a vital boost to the local economy of the area through tourism and cultural development. However it is also recognised that such entertainment can lead to increased noise, nuisance and crime and disorder if not properly controlled.  The Licensing Authority wishes to minimise any negative impact from licensed premises on residential households whilst encouraging the economic diversity and prosperity such premises can encourage.  This policy aims to integrate its objectives and aims with other initiatives, policies and strategies that will:	The policy has been amended to reflect this

	<ul style="list-style-type: none"> <li>• encourage young people and culture</li> <li>• encourage arts and entertainment activities</li> <li>• reduce crime and disorder</li> <li>• encourage tourism</li> <li>• encourage an early evening and night time economy which is viable and sustainable.</li> <li>• reduce alcohol misuse</li> <li>• encourage employment</li> <li>• encourage the self sufficiency of local communities</li> <li>• reduce the burden of unnecessary regulation on business</li> </ul> <p>The aim of this policy is to find a balance between securing the safety and amenity of the residential and business communities in the Shropshire Council area while responsibly maintaining and developing entertainment and cultural facilities in the county.</p> <p>Delete the second sentence on Page 3 Purpose and Scope of Policy 4th paragraph</p> <p>Page 3 4<sup>th</sup> Paragraph change the Licensing Authority may wish to to read “will” Again on page 7 The Licensing Authority as a responsible authority</p> <p>Page 5 Licensing Objectives – Please add the following in with regard to the Crime and Disorder Act Applicants should be aware that in addition to the requirement for the Licensing Authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to exercise its functions with due regard to the likely effect of the exercise of those function on, and to do all it reasonably can to prevent crime and disorder in the county.</p>	<p>Removed as requested as this is repeated further on in the policy.</p> <p>The Licensing Authority wishes to make each decision based on its merits so the wording will remain as “may wish to” The policy has been amended to reflect this</p>
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	<p>Page 7 Add the following points to be addressed when submitting a licensing application and reinforce that consideration be given to all additional measures:</p> <ul style="list-style-type: none"> <li>• Consideration be given to the use of plastic drinking receptacles in outside drinking areas that are situated in town centres</li> <li>• Where door supervisors are employed, a register to be kept detailing the names of the door supervisors on duty, their registration number with the SIA, the time they started work, started and finished and breaks and the time they finished work and any incidents they were involved in. The requirement that door supervisor badges are worn conspicuously at all times that they are on duty.</li> </ul> <p>Special Polices – Delete reference to Section 18 as duplicated</p> <p>Include a section as follows on other mechanisms for addressing unlawful or antisocial behaviour as follows:</p> <p>The Licensing Authority recognises that there are a number of mechanisms for addressing unlawful or anti-social behaviour that occurs away from licensed premises, qualifying clubs and temporary events. These include:-</p> <ul style="list-style-type: none"> <li>• planning controls</li> <li>• enforcement of Environmental Protection legislation (e.g. on noise nuisance)</li> <li>• positive measures to provide a safer and clean town centre</li> <li>• environmental controls, in partnership with local businesses, transport operators and other departments of the Council</li> <li>• powers to designate parts of the county as places where alcohol may not be consumed publicly</li> <li>• police enforcement of the law with regard to disorder and anti-social behaviour including the issue of fixed penalty notices</li> <li>• dispersal of people quickly and safely from town centres to avoid concentrations which may produce disorder and disturbance</li> <li>• the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk</li> <li>• confiscation of alcohol from adults and others in designated areas</li> <li>• police powers to close down instantly for up to 24 hours any licensed premises or</li> </ul>	<p>Policy amended to include both conditions and wording reinforced by Safer and Stronger Communities Shropshire Council</p> <p>Deleted as requested</p> <p>The policy has been amended to reflect this</p>
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	<p>temporary events on the grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises and</p> <ul style="list-style-type: none"> <li>the power of the police, other responsible authorities, local residents and businesses to seek a review of the licence or certificate in question</li> </ul> <p>Page 11 – Criminal Activity remove the words Class A and replace with illegal on first bullet point Also reinforce what actions will not be tolerated on licensed premises</p> <p>Page 41 – List of responsible authorities – Please change Police address to Monkmoor Police Station Shrewsbury.</p> <p>Please change all reference to West Mercia Constabulary to read West Mercia Police</p>	<p>Policy amended</p> <p>Point addressed by Stronger and Safer Communities and policy amended The policy has been amended to reflect this The policy has been amended to reflect this</p>
<p>Client Management and Resolution, Public Protection, Shropshire Council</p>	<p>Having read the whole document my view would be to remove/not include the part about the Noise Act under strategies and partnership working (page 4). It doesn't really sit here in view of the changes to legislation. The Clean Neighbourhoods and Environment Act and the Anti-social Behaviour Act are both included later in the policy under other relevant legislation and the section detailing the prevention of public nuisance and therefore in my mind, not necessary under strategies and partnership working.</p> <p>Page 4 the paragraph say</p> <p><b>Strategies and Partnership Working</b> The Licensing Authority has signed up to information sharing protocols with both West Mercia Police and the Shropshire Fire and Rescue Service and works closely with the other responsible authorities on licensing issues. Information on licensing issues is shared with the West Mercia Police enforcement group, at Bronze Tasking Meetings which is a multi-agency</p>	<p>The policy has been amended to reflect this</p>

	<p>group, pub watch groups and community safety partnerships.</p> <p>Licensing authorities should also make reference here to any policies or strategies that they may have opted to introduce, <b>such as the Noise Act</b>, Trading Standards targets, Late-night levy or Cumulative Impact Policy. The purpose of this section is to provide a high-level summary and signposting function; further detail on specific policies can be referenced in more detail later or elsewhere on the council website. <b>This section will be updated at the end of the consultation period.</b></p>	
<p>Safer and Stronger Communities, Public Protection, Shropshire Council</p>	<p>Delete page 2 and replace with: Shropshire sites on the far western edge of the West Midlands region and borders Wales and the North Wales region. It is predominantly a rural area with a number of market towns, the largest of which is Shrewsbury. Shrewsbury is centrally located within the Shropshire Council area (see Annex 6). Based on data from the 2011 census, Shropshire has a population of 306,129 and a total geographic area of 319,730 hectares. The number of persons per hectare equates to 1, making the County one of the most sparsely populated in the country.</p> <p>PRSR Act to be given full title</p> <p>Last sentence of second paragraph that refers to licence and permit holders –remove permit</p> <p>Page 4, Duplication, reference other appropriate legislation and list Page 4 – Strategies and Partnership Working – more detail on role of multi agency group role Pages 4 and 6 Licensing Objectives, change the requirements under the four licensing objectives to bullet points and add the following additional requirements to meet these objectives: Where age-restricted products are available for sale or supply:-</p> <ul style="list-style-type: none"> <li>• The introduction of a “Challenge 25 policy linked with effective ID challenges and proof</li> </ul>	<p>The policy has been amended to reflect this</p> <p>The policy has been amended to reflect this As a temporary event notice is a permit and not a licence, no change made Amended to include Amended to include Amended to include</p>

	<p>of age</p> <ul style="list-style-type: none"> <li>• The use of a “challenge log” recording all age restricted sales challenges</li> <li>• The type of prompt or reminder that may be appropriate for staff at the point of sale</li> <li>• The system that ought to be in place to ensure that the circumstances in which a customer may or may not be served is understood and consistently applied</li> <li>• The mechanism that will be used to inform customers of the law and policies/procedures that are in operation at the premises</li> <li>• How staff will be trained to ensure the law and policies/procedures are understood, up-to-date and applied consistently, including how staff’s knowledge and understanding will be tested.</li> </ul> <p>Page 8 add the following sentence to Planning 3<sup>rd</sup> paragraph: However, where planning permission has not been granted, the Licensing Authority will enter into negotiations with the applicant and attempt to reach a satisfactory agreement before granting a licence.</p> <p>Page 9 Sexual Entertainment Amend Policy to reflect the new Sex Establishments Policy which is now available on the Council’s website</p> <p>Page 10 Cumulative Impact and Special Policies Amend to state that full consultation will be taken in event of a request</p> <p>Page 10, Children Children’s Services is now called Children’s Services, Transformation and Safeguarding</p> <p>Page 10 Children – This currently contains a number of criminal activities which if they occur on a licensed premise, the Council will take action on – Remove from children’s heading and give own heading in policy</p> <p>Page 11 Children last paragraph regarding proof of age, the Council ask all premises to consider Challenge 25 and the type of proof of age that the Council deems acceptable</p> <p>Page 12 – Conditions 3<sup>rd</sup> paragraph, please add the following: Where it is agreed a hearing is unnecessary, any conditions may be attached on a voluntary basis</p> <p>Page 13 Enforcement – remove all paragraphs and replace with the following statement: The Licensing Authority will follow the protocols laid down in the Council’s Better Regulation</p>	<p>Amended to include</p> <p>Amended to include</p> <p>Amended to include</p> <p>Amended to include Policy amended to reflect this request and this section has been moved to Amended to reflect this together with the acceptance of PASS cards</p> <p>Amended to include</p> <p>Amended to include</p>
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	<p>and Enforcement Policy available to view on the Council's website <a href="http://www.shropshire.gov.uk">www.shropshire.gov.uk</a> .</p> <p>Page 14 Light Night Levy – move next to the section on early morning restriction orders</p> <p>Add in the following paragraph with regard to fees to reflect the expected change in legislation:</p> <p><b>Fees</b></p> <p>Licensing fees are agreed annually by the Licensing Authority, taking into account those fees that are prescribed by legislation, together with those discretionary fees that may be determined by the Licensing Authority.</p> <p>Page 18 Table of Delegations – please add the following statement: Nothing prevents the full committee or sub committee determining applications in any case, irrespective of the delegation to officers laid out in the table above.</p> <p>Page 18 Table of Delegations Decision on whether a complaint is irrelevant, frivolous, vexatious, etc. decision to read: All cases (in consultation with the Service Manager if deemed necessary)</p> <p>Page 25 and Page 40 – Proof of Age Cards – Challenge 21 be amended to Challenge 25</p> <p>Page 41 – List of responsible authorities – Please add e mail addresses to the postal addresses where available</p>	<p>Moved The policy has been amended to reflect this</p> <p>Amended to include</p> <p>Amended to include</p> <p>Amended to include The policy has been amended to reflect this</p>
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