

Shropshire Council  
Legal and Democratic Services  
Shirehall  
Abbey Foregate  
Shrewsbury  
SY2 6ND

Date: Tuesday, 26 September 2023

**Committee:**  
**Strategic Licensing Committee**

**Date: Wednesday, 4 October 2023**

**Time: 10.00 am**

**Venue: Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND**

You are requested to attend the above meeting. The Agenda is attached

There will be some access to the meeting room for members of the press and public, but this will be limited. If you wish to attend the meeting please email [democracy@shropshire.gov.uk](mailto:democracy@shropshire.gov.uk) to check that a seat will be available for you.

Please click [here](#) to view the livestream of the meeting on the date and time stated on the agenda

The recording of the event will also be made available shortly after the meeting on the Shropshire Council Youtube Channel [Here](#)

Tim Collard  
Assistant Director - Legal and Governance

**Members of the Committee**

Roy Aldcroft (Chairman)  
Nigel Lumby (Vice Chairman)  
Jeff Anderson  
Peter Broomhall  
Garry Burchett  
Mary Davies  
David Evans  
Richard Huffer  
Simon Jones  
Duncan Kerr  
Christian Lea  
Pamela Moseley  
Kevin Pardy  
Vivienne Parry  
Edward Towers

**Substitute Members of the Committee**

Caroline Bagnall  
Joyce Barrow  
Ed Bird  
Julian Dean  
Paul Gill  
Nigel Hartin  
Vince Hunt  
Ruth Houghton  
Heather Kidd  
Dan Thomas

Your Committee Officer is:

**Tim Ward** Committee Officer

Tel: 01743 257713

Email: [tim.ward@shropshire.gov.uk](mailto:tim.ward@shropshire.gov.uk)

# AGENDA

## **1 Apologies**

To receive apologies for absence

## **2 Minutes of Previous Meeting (Pages 1 - 4)**

To approve the minutes of the previous meeting as a true record

## **3 Public Question Time**

To receive any public questions or petitions from the public, notice of which has been given in accordance with Procedure Rule 14. The deadline for this meeting is 5.00pm on Thursday 28 September 2023

## **4 Disclosable Pecuniary Interests**

Members are reminded that they must declare their disclosable pecuniary interests and other registrable or non-registrable interests in any matter being considered at the meeting as set out in Appendix B of the Members' Code of Conduct and consider if they should leave the room prior to the item being considered. Further advice can be sought from the Monitoring Officer in advance of the meeting.

## **5 Statement of Licensing Policy 2024 to 2029 (Pages 5 - 166)**

Report of the Transactional and Licensing Team Manager is attached.

Contact: Mandy Beever (01743 251702)

## **6 Licensing Fees and Charges 2024-25 (Pages 167 - 222)**

Report of the Transactional and Licensing Team Manager is attached.

Contact: Mandy Beever (01743 251702)

## **7 Exercise of Delegated Powers (Pages 223 - 232)**

Report of the Transactional and Licensing Team Manager is attached.

Contact: Mandy Beever (01743 251702)

## **8 Date of Next Meeting**

To note that the next scheduled meeting of the Strategic Licensing Committee will be held on Wednesday 6 December 2023 at 10.00am

This page is intentionally left blank





Strategic Licensing  
Committee

4 October 2023

Item

Public

**MINUTES OF THE STRATEGIC LICENSING COMMITTEE MEETING HELD ON 14  
JUNE 2023  
10.00 - 10.20 AM**

**Responsible Officer:** Tim Ward

Email: tim.ward@shropshire.gov.uk      Tel: 01743 257713

**Present**

Councillors Roy Aldcroft (Chairman), Nigel Lumby (Vice Chairman), Jeff Anderson, Garry Burchett, Mary Davies, David Evans, Mike Isherwood, Simon Jones, Christian Lea, Pamela Moseley, Vivienne Parry, Caroline Bagnall (Substitute) (substitute for Kevin Pardy) and Joyce Barrow (Substitute) (substitute for Peter Broomhall)

**1 Apologies**

- 1.1 Apologies for absence had been received from Councillors Peter Broomhall, Kevin Pardy and Edward Towers
- 1.2 Councillor Joyce Barrow substituted for Councillor Broomhall and Councillor Caroline Bagnall substituted for Councillor Pardy

**2 Minutes of Previous Meetings**

- 1.1 The minutes of the meeting held on 7 December 2022 and 11 May 2023 had been circulated

**1.2 RESOLVED:**

That the minutes of the meeting of the Strategic Licencing Committee held on 7 December 2022 and 11 May 2023 be agreed as a true record and signed by the Chairman

**3 Public Question Time**

- 2.1 The Chairman advised that a public question had been received from David Turner. A copy of the questions and the responses provided are attached to the signed minutes and available from the web page for the meeting.

[Agenda for Strategic Licensing Committee on Wednesday, 14th June, 2023, 10.00 am — Shropshire Council](#)

- 2.2 In response to a question the Transactional Management and Licensing – Team Manager confirmed that Caravan Parks were licenced under the Mobile Homes Act and that the Licensing Team carried out all check which were required under that act,

which included a “Fit and Proper Person” test which had been introduced in 2021. She confirmed that an applicant’s financial status was not considered as part of this test.

#### 4 **Disclosable Pecuniary Interests**

4.1 There were no interests declared

#### 5 **Statement of Licensing Policy 2024-29**

5.1 Members received the report of the Transactional Management and Licensing – Team Manager which set out the proposed statement of licensing policy for 2024 to 2029 upon which the Council proposes to consult.

5.2 The Transactional Management and Licensing – Team Manager advised the meeting that the Licensing Act 2003 (‘the Act’) required that the Council prepare and publish a statement of licensing policy with respect to its licensing functions at least every five years. She stated that there had only minor amendment to the statement where either the law or the process followed had changed. She added that once the consultation had been completed and responses considered a further report would be brought pack to the committee prior to a report being taken to Council for approval of the Statement.

5.3 In response to a question the Transactional Management and Licensing – Team Manager advised the meeting that the consultation would be placed on the Council website and that all relevant people would be advised that the consultation was taking place.

#### 5.4 **RESOLVED:**

That the revised Licensing Act 2003 Proposed Statement of Licensing Policy 2024 to 2029 as agreed by the Committee and set out in Appendix 1 be approved for consultation

#### 6 **Exercise of Delegated Powers**

6.1 Members received the report of the Transactional Management and Licensing – Team Manager which gave details of the licences issued and the variations that have been made between 1 November 2022 and the 19 May 2023 and a summary of applications considered by the Committee.

6.2 The Transactional and Licensing Team Manager reminded Members that the report was brought to each meeting of the committee and that it updated them on the number and types of licences that had been issued since the last meeting.

6.2 In response to a question the Transactional and Licensing Team Manager confirmed that over the past 6 months there had been an increase in the number of applications for Taxi driver and vehicle licences.

6.3 A Member expressed concern that contracts for school transport were given to taxi drivers who were not licenced by Shropshire Council, and that they felt that it should be a requirement only to use drivers licenced in Shropshire. The

Transactional and Licensing Team Manager advised that contracts were awarded by the Passenger Transport Team and that this was a matter for them.

6.4 **RESOLVED:**

That members note the position as set out in the report.

7 **Date of Next Meeting**

7.1 Members were advised that the next meeting of the Strategic Licensing Committee would be held on 4 October 2023 at 10.00am

Signed ..... (Chairman)

Date:

This page is intentionally left blank



**Committee and Date**

Strategic Licensing Committee

4 October 2023

Item

Public



## Statement of Licensing Policy – Licensing Act 2003

<b>Responsible Officer:</b>	Mandy Beever, Transactional Management and Licensing – Team Manager		
email:	Mandy.Beever@shropshire.gov.uk	Tel:	01743 251702
<b>Cabinet Member</b> (Portfolio Holder):	Councillor Chris Schofield, Portfolio Holder for Planning and Regulatory Services		

### 1. Synopsis

1.1 The Licensing Act 2003 ('the Act') requires the Council to prepare and publish a statement of licensing policy with respect to its licensing functions at least every five years. During the five-year period, the policy must be kept under review and the Council may make any revisions to it as it considers appropriate.

### 2. Executive Summary

2.1. The Shropshire Plan recognises the importance of supporting businesses to provide safer services. The fundamental purpose of the Licensing service is to support businesses to deliver their services in a way which both allows them to thrive whilst protecting the safety and welfare of the public who live, work and visit Shropshire; together this will help to achieve a Healthy Economy.

- 2.2 As agreed by the Strategic Licensing Committee, a period of formal consultation has been undertaken in respect of the draft statement of licensing policy which was considered by the Committee on 14 June 2023. This report sets out the minor amendments to the draft policy statement, with a view to agreeing a revised statement that may be reported to the Council for final approval.
- 2.2. This report sets out the proposed statement of licensing policy from 1 April 2024 to 31 March 2029.

### 3. Recommendations

- 3.1. That the Committee considers the revised Licensing Act 2003 Statement of Licensing Policy 2024 to 2029 as set out in **Appendix A**.
- 3.2. That the Committee recommends to the Council that the policy be published and advertised by the Transactional Management and Licensing Team Manager in accordance with the provisions of the Act and that the policy statement will take effect from 1 April 2024.

## Report

### 4. Risk Assessment and Opportunities Appraisal

- 4.1. The preparation and publishing of the statement of licensing policy is a legal requirement under the Act.
- 4.2. If the Council fails to prepare and publish the statement of licensing policy the Council may be challenged when exercising its functions under the Act through a number of routes, e.g. service complaints to the Local Government Ombudsman and judicial review. Conversely, by preparing and publishing the statement of licensing policy, the Council is complying with its legal obligation. In addition, the Council provides a defined framework within which to exercise its functions and makes it clear to all stakeholders the manner by which the Council intends to exercise those functions.
- 4.3. An Equality, Social Inclusion and Health Impact Assessment (ESHIA) has been undertaken; utilising evidence already held by the service area. The full ESHIA document can be found at **Appendix B**.
- 4.4 The recommendation is not at variance with the Human Rights Act 1998 and is unlikely to result in any adverse Human Rights Act implications. The recommendation is in line with relevant legal procedures prescribed by the Act and with guidance issued by the Home Office.
- 4.5 The revised policy stems from provisions within the Licensing Act 2003 and is intended to benefit the community as a whole by generally improving the licensing regime operated by the Council, this will naturally lead to benefits for people across the nine Protected Characteristic Groupings as set out in the Equality Act 2010.

This is simply because they are part of the wider community. The policy will be a key tool that will drive licensing related standards up for everyone.

- 4.6 For all the Protected Characteristic groupings, the impact of the proposed policy is accordingly rated as 'low positive'. However, in practice the impact in reality is likely to be neutral – neither positive nor negative – with no anticipated need to take actions to mitigate or enhance the impact beyond common sense considerations that will benefit all groupings. Once the policy is in force, there is potential for any officer of the Council to help by being made aware of the new policy and by being encouraged to act as the eyes and ears of the Council in helping feedback to the licensing team. This could help ensure effectiveness as well as efficiency of the new policy and therefore increase positive impacts across groupings.
- 4.7 As no feedback was received regarding Equality and Social Inclusion Impact issues for Protected Characteristic groupings during the consultation period that has just concluded, the Equality, Social Inclusion and Health Impact Assessment (ESHIA) has been updated only to clarify the specific consultation period. The groupings for whom there will be direct impacts, and with whom there will continue to be efforts made to ensure that impacts are kept under review, remain as follows: Age, in relation to children and young people; Disability, in relation to vulnerable adults; and intersectionality between these groupings and other groupings. This is particularly for those whom we may describe as vulnerable. This includes armed forces service personnel and ex-armed forces personnel. It continues to be the case that, across all nine national Protected Characteristic groupings and our tenth grouping in Shropshire of social inclusion, the impact is predicted to be 'low positive'. The impact in reality is anticipated as being neutral – neither positive nor negative – with no anticipated need to take specific actions to mitigate or enhance the impact.
- 4.8 Ongoing consideration will be given to the definition of 'vulnerable', as it relates specifically to alcohol related harm, through working with the Council's Feedback and Insight Team. By continually reviewing emerging information, trends and risks, the Council will have to consider the implications for the definition of 'vulnerable' and also the impact on its 'local area profile' and policy statement accordingly.
- 4.9 Included as part of the proposed Statement of Licensing Policy 2024 to 2029 is the most recent Local Area Profile. The Local Area Profile can be found at **Appendix C**.

## 5. Financial Implications

- 5.1. The financial implications associated with the recommendation are limited to the employee costs associated with undertaking the consultation exercise and any costs of publishing the statement of licensing policy. These costs are recovered through the statutory licensing fees.

## **6. Climate Change Appraisal**

- 6.1. There is no anticipated environmental impact associated with the recommendation in this report.

## **7. Background**

- 7.1. The Council has ultimate responsibility for determining the Council's statement of licensing policy and this cannot be undertaken by the Strategic Licensing Committee or Cabinet.
- 7.2. The consultation was undertaken for a ten week period from 19 June 2023 to the 27 August 2023.
- 7.3. There are no defined legal procedures that must be adhered to by the Council prior to the statement of licensing policy taking effect; other than to ensure the statement of licensing policy is the subject of consultation and is published. The Council may determine the most appropriate means by which to achieve this.
- 7.4. The consultation was publicised through the Council's 'Get involved' section of its website, through a press release, on the Council's and licensing team's social media platforms and direct emails to all existing premises licence holders where an email address was available.
- 7.5. In addition, direct engagement, by email and/or face-to-face discussions, was undertaken with a range of trade representatives, responsible authorities, solicitors specialising in licensing matters that are in regular contact with the Council's licensing team, pub companies/breweries and other relevant stakeholders. This was done to ensure that all stakeholders were fully aware that the policy was being consulted upon and to encourage all interested parties to provide feedback in relation to the content and format of the whole policy.
- 7.6. No consultation responses were received.
- 7.7. The policy has been embedded in the processing of licences under the Licensing Act 2003 since a major revision of the policy was undertaken in 2018, licence applicants and stakeholders continue to positively engage with the requirements of the policy. Although no responses were received officers consider this an endorsement that the policy is working effectively.
- 7.8. No major changes have been made to the policy; officers have made corrections to drafting errors only.

## **8. Additional Information**

- 8.1. Unless there are specific reasons for an earlier review and publication of a revised statement of licensing policy, the Council will be required to undertake the next formal consultation process under the Act during 2028 with the aim of a revised statement of licensing policy being effective from 1 April 2029.



**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

The Licensing Act 2003 - 2003 Chapter 17

<https://www.legislation.gov.uk/ukpga/2003/17/contents>

Local Authorities (Functions and Responsibilities) (England) Regulations 2000 - SI 2000/2853 [The Local Authorities \(Functions and Responsibilities\) \(England\) Regulations 2000 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2000/2853)

Home Office Revised Guidance Issued Under Section 182 of the Licensing Act 2003 – January 2023 [Revised guidance issued under section 182 of the Licensing Act 2003 \(December 2022\) \(accessible\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/111111)

Shropshire Council Statement of Licensing Policy 2019 – 2024

<https://www.shropshire.gov.uk/media/12345/statement-of-licensing-policy-2019-to-2024.pdf>

**Local Member:** This report covers all areas of Shropshire.

**Appendices**

**Appendix A** - Licensing Act 2003 Proposed Statement of Licensing Policy 2024 to 2029.

**Appendix B** - Equality, Social Inclusion and Health Impact Assessment (ESHIA).

**Appendix C** - The Local Area Profile.

This page is intentionally left blank



# Licensing Act 2003

## Statement of

### Licensing Policy

#### 2024 to 2029

**Date policy adopted:**

**Policy adopted by:** Council

**Date policy formally published:**

**Date policy implemented:**

**Next review period:** 2028

## Executive Summary

Shropshire Council ('the Council') is the Licensing Authority for the county of Shropshire (excluding the area that is the responsibility of Telford & Wrekin Council) and is fulfilling its legal duty to prepare a statement of licensing policy ('the Policy') through this document.

The Policy describes the geographical and local area profiles of the area. It broadly sets out the requirements of the Licensing Act 2003 ('the Act') to guide relevant stakeholders through the licensing regime and to facilitate compliance with the provisions of the Act.

The Act regulates licensable activities through premises licences, club premises certificates, temporary event notices and personal licences. The licensable activities are the sale by retail of alcohol, 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 and the provision of late night refreshment.

The Act contains four licensing objectives which must be addressed when licensing functions are undertaken. These objectives are central to the Act and are the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. The Policy makes it clear that the Council will proactively promote these licensing objectives through the adoption, implementation and enforcement of this Policy.

The Policy forms the Council's mandate for managing local licensable activities and sets out how the Council's position on local risks, and therefore its expectations, in relation to applicants/licence holders. The Policy is not a stand-alone document and must be read in conjunction with relevant legislation and guidance. Whilst the Policy sets out the Council's position with respect to the Act, the legal interpretation and application of the Act is ultimately a matter for the Courts.

The Council's aim is to establish responsibly managed and safe licensed premises. The Policy aims to support the Council's high level outcomes by creating an environment through the promotion of the licensing objectives that encourages people to be healthy, communities to be resilient and to develop a prosperous economy.

The Council is committed to supporting a vibrant, balanced and safe licensed trade and evening and night time economy. It is recognised that the Council has a key role in shaping and managing the growth that is occurring across a number of Shropshire's market towns and, whilst such growth can lead to the licensing objectives being undermined, the Council recognises it is important to simultaneously understand the positive contribution that well managed licenced premises bring in support of local businesses and the growth and prosperity of Shropshire's economy, which, in turn, makes Shropshire's towns and communities exciting and attractive places to live, learn, work and visit.

### A

The Council is seeking to curtail the negative elements of the licensed economy through supporting licence holders, prospective licence holders, personal licence holders and those with temporary authorisations to eliminate, through rigorous and enforceable licences, the potential negative outcomes.

The Policy is inextricably linked to a number of strategic objectives that underpin the Council's high level outcomes. These will not only be delivered through the licensing regime. It will require partnership working with other Council services and/or agencies and organisations e.g. with applicants, licence/notice holders, responsible authorities, other local businesses and communities.

The Policy identifies the functions that the Council undertakes and the principles the Council will follow when administering applications and, where relevant, setting fees. The Council expects compliance with these principles to assist applicants and licence/notice holders to satisfy the statutory licensing objectives when undertaking licensable activities that are regulated by the Council.

The roles and duties of the Strategic Licensing Committee, the Licensing Act Sub-Committee and officers of the Council are explained, including the mechanism for authorising the delegation of the licensing functions and the manner in which decisions are made.

The Policy highlights the responsibility that everyone has to promote the welfare of children, young people and adults with care and support needs and to protect them from harm and exploitation. In this regard, the organisations/bodies deemed to be competent to advise on such matters are clearly referenced.

The Policy lists the organisations/bodies that are 'responsible authorities' under the Act and provides practical guidance to help define 'other persons'. Guidance is offered to these parties on how to make representations in respect of licence applications and reviews, as well as setting out the Council's position on licensing hearings, the exchange of information, freedom of information, and the setting of fees.

The main body of the Policy focusses on the practical processes and procedures that must be followed in order for the Council to be in a position to determine an application and authorise an applicant to undertake one or more of the licensable activities.

The Policy also sets out the principles that will be applied when the Council carries out the inspection of premises and when it institutes criminal proceedings in respect of specified offences under the Act. This includes the principles that will be applied in respect of general compliance, enforcement and the manner in which complaints will be dealt with. The Council's focus is on ensuring the promotion of the licensing objectives and compliance with licence conditions.

The details and outcome of the consultation process that was undertaken prior to the adoption of the Policy is clearly set out, including a list of consultees. There are also six appendices to the Policy, the information contained in each further supports the overall aims and objectives of the Policy.

A

## CONTENTS

<u>Policy</u>	Page
Part 1 Introduction	6
Part 2 Licensing Principles, Process and Delegation	13
Part 3 Activities Subject to Authorisation	27
Part 4 Inspection, Compliance, Enforcement and Complaints	71
Part 5 Consultation	75
Part 6 Licensing Contact Details	78
 <u>Appendices</u>	
Appendix A Map of Geographical Area of the Administrative Area of Shropshire Council	81
Appendix B Local Area Profile <small>(The revised version of the Local Area Profile will be included as part of the final draft of the Statement of Licensing Policy 2024 to 2029)</small>	83
Appendix C Safeguarding of children, young people and adults with care and support needs. Modern slavery and human trafficking	84
Appendix D Evening and Night Time Economy Guidance – Licensing and Planning Considerations	89
Appendix E Extract from the Shropshire Council Constitution Setting out Delegations	99
Appendix F List of Documents that Demonstrate Entitlement to Work in the UK	103

# **PART 1**

# **INTRODUCTION**

Post Consultation Copy

## A

**PART 1 – INTRODUCTION****1.0 Background**

- 1.1 Under Section 5 of the Licensing Act 2003 ('the Act'), licensing authorities are required to prepare a statement of licensing policy in relation to the exercising of their licensing functions. Shropshire Council ('the Council') is the Licensing Authority for the county of Shropshire (excluding the area that is the responsibility of Telford & Wrekin Council) and is fulfilling its legal duty to prepare a statement of licensing policy ('the Policy') through this document. References to 'the Council' in this Policy refer to the Council in its capacity as the Licensing Authority, unless otherwise specified.
- 1.2 The Council is required to publish the Policy at least every five years. It will also keep the Policy under review and revise it when appropriate to do so. Any amendments to the Policy must be the subject of further consultation and the Policy, or relevant parts of the Policy, must then be re-published.

**2.0 County area**Geographical profile

- 2.1 The geographical area to which this Policy applies is the administrative area of Shropshire Council as outlined in the map produced at **Appendix A**.
- 2.2 Shropshire is a diverse, predominantly rural, inland county, situated on the far western edge of the West Midlands region. Shropshire borders Wales to the West, Telford and Wrekin and Staffordshire to the North East, Worcestershire and Herefordshire to the South and Cheshire to the North.
- 2.3 Based on the Mid 2016 Population Estimates published by the Office for National Statistics, the population of Shropshire is 313,400 and has 0.98 persons per hectare (319,730.32 hectares), compared to a national figure for England of 4.24 persons per hectare (13,027,843 hectares). The County is one of the most sparsely populated local authorities in the country with approximately 540 settlements widely dispersed and only five settlements have a population of over 10,000 (Shrewsbury, Oswestry, Ludlow, Bridgnorth and Market Drayton).
- 2.4 The Sub-National Population Projections (2014) published by the Office for National Statistics show that the population of Shropshire continues to grow and is projected to rise to 335,700 by 2035 (a 7% rise 2016-2035). The number of households is projected to rise to 152,900 by 2035 (a 13% rise 2016-2035). The Shropshire Core Strategy 2011 has planned for 25,700 new homes in Shropshire between 2006 and 2026. Shropshire Council is currently undertaking a Partial Review of the Local Plan which will determine the future housing requirement in Shropshire to 2036.



## A

Local area profile

- 2.5 The Council has undertaken an assessment of the local area and produced a local area profile. This is produced at **Appendix B**. The local area profile aims to summarise existing national research regarding alcohol-related harm, as well as providing a local evidence base regarding actual and future emerging risks relevant to the licensing objectives and geographical areas of potential risk.
- 2.6 The profile will continue to be reviewed and updated to reflect changes to the local landscape and environment. Formal consultation will be undertaken where changes to the profile are likely to have a significant impact on stakeholders and the areas of concern and risks associated with the local area; otherwise changes will be highlighted on an ongoing basis on the Council's website. The risks identified in the local area profile are evidence (not perception) based.
- 2.7 The profile takes account of a range of factors, data and information held by the Council and a wide range of partners and has been brought together through proactive engagement with both responsible authorities and other relevant organisations.
- 2.8 The profile aims to increase awareness of local risks and improve information sharing in order to facilitate constructive engagement with licensees and a more coordinated response to local risks. The Council encourages applicants to use the local area profile to help inform them of specific risks that need to be considered prior to submitting any new or variation to all licence applications/notices.
- 2.9 The profile aims to:
- enable the Council to better serve the Shropshire community by more accurately reflecting the community and the risks within it;
  - provide greater clarity for licensees/applicants as to the relevant factors in the Council's decision making process;
  - improve premises licence applications as licensees/applicants will be able to incorporate necessary controls and measures to mitigate relevant risks in their applications;
  - enable licensing authorities to make robust and fair decisions, based on a clear, published set of factors and risks, which are therefore less susceptible to challenge; and
  - encourage a proactive approach to risk that is likely to result in an increase in compliance and a reduction in enforcement action.
- 2.10 The Council has considered the local area profile. Given the current position demonstrated by the profile there are wards within the Shropshire Council administrative area where it may be considered necessary to include specific conditions in relation to applications. Applicants must be particularly mindful

A

of the key findings and recommendations set out within the Local Area Profile and ensure a risk assessment has been undertaken to allow applicants to properly address the risks through the operating schedule in order to sufficiently promote the licensing objectives.

### 3.0 Consultation and communication

3.1 In determining the Policy the Council has consulted as set out in Part 5 of this Policy.

3.2 In order to deliver a transparent, accountable and efficient licensing service the Council is committed to proactive engagement, ongoing communication and consultation with all stakeholders. The Council wants to facilitate an open and constructive partnership with all stakeholders in order to improve compliance and reduce regulatory costs.

3.3 In particular, the Council welcomes the opportunity to communicate and consult with relevant stakeholders to enable and encourage the exchange of views and information in relation to the Policy, to mitigate risks to the licensing objectives, to ensure conditions are relevant, proportionate and necessary, to ensure changes in the law are widely communicated and understood and the need for licence reviews are reduced to a minimum. The specific methods to achieve this communication and consultation will be determined as required.

### 4.0 Licensing Act 2003

4.1 The Act regulates licensable activities<sup>1</sup> through premises licences, club premises certificates, temporary event notices and personal licences. The licensable activities are:

- The sale by retail of alcohol
- 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

4.2 It contains four licensing objectives which must be addressed when licensing functions are undertaken. These objectives are central to the Act and are:

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

4.3 The Council will proactively promote these licensing objectives through the adoption, implementation and enforcement of this Policy.

---

<sup>1</sup> Licensable activities are further explained at Paragraph 26.0

## A

**5.0 Scope**

- 5.1 This Policy supersedes all previous statements of licensing policies. Any application determined on or after the date that this Policy takes effect will be administered under the requirements set out in this Policy irrespective of the date the application was submitted to or received by the Council.
- 5.2 The Policy forms the Council's mandate for managing local licensable activities and sets out how the Council's position on local risks, and therefore its expectations, in relation to applicants/licence holders in the administrative area of Shropshire Council.
- 5.3 The Policy does not override the right of any person to make an application and to have that application considered on its own merits. In addition, it does not undermine the right of any person to make representations on an application or to seek a review of a licence where a legal provision is made for them to do so.
- 5.4 The Policy does NOT attempt to explain all the requirements of the Act for each type of licence/notice and the associated licensable activities. The requirements of the Act are detailed and complex; consequently, to ensure the provisions are fully understood, potential applicants and existing licence/notice holders are strongly encouraged, with respect to the type of premises and activity being considered to:
- make themselves familiar with the relevant provisions of the Act, regulations and orders;
  - make themselves familiar with any other relevant legislation, for example the Anti-Social Behaviour, Crime and Policing Act 2014;
  - consult the Guidance issued under Section 182 of the Licensing Act 2003 ('Section 182 Guidance') issued by the Home Office and any other appropriate guidance, particularly where it is produced by a responsible authority ;
  - seek advice from appropriate legal experts; and
  - discuss specific requirements with the Council's licensing team.
- 5.5 The Policy is not a stand-alone document and must be read in conjunction with relevant legislation and guidance. Whilst the Policy sets out the Council's position with respect to the Act, the legal interpretation and application of the Act is ultimately a matter for the Courts.

**6.0 Purpose**

- 6.1 The Council's aim is to establish responsibly managed and safe licensed premises. The Policy acts as the primary vehicle for setting out the Council's approach to licensing regulation under the Act. It aims to support the Council's high level outcomes by creating an environment through the promotion of the licensing objectives that encourages people to be healthy, communities to be resilient and to develop a prosperous economy.

## A

- 6.2 The Council is committed to supporting a vibrant, balanced and safe licensed trade and evening and night time economy. It is unfortunate that this type of activity can have undesirable and unintended side effects, which can undermine the four licensing objectives and lead to negative public health outcomes.
- 6.3 The Council is seeking to curtail the negative elements of the licensed economy through supporting licence holders, prospective licence holders, personal licence holders and those with temporary authorisations to eliminate, through rigorous and enforceable licences, the potential negative outcomes. It is also crucial through the licensing regime to support the elements of this economy which make Shropshire's towns and communities exciting and attractive places to live, learn, work and visit.
- 6.4 The Policy is inextricably linked to a number of strategic objectives that underpin the Council's high level outcomes. These will not only be delivered through the licensing regime. It will require partnership working with other Council services and/or agencies and organisations e.g. with applicants, licence/notice holders, responsible authorities, other local businesses and communities.
- 6.5 There is a recognition that the Evening and Night Time Economy<sup>2</sup> is growing across a number of Shropshire market towns and that this Policy has a key role in shaping and managing this growth. It is recognised that such growth can lead to the licensing objectives being undermined; however, it is important to simultaneously understand the positive contribution that well managed licenced premises bring in support of local businesses and the growth and prosperity of Shropshire's economy.
- 6.6 The Policy provides guidance to any person with an interest in licensing under the Act; in particular, but not restricted to:
- persons who wish to apply for premises licences, club premises certificates, temporary event notices and personal licences;
  - persons who hold existing licences and notices, including those that are the subject of review;
  - the Council, in its capacity as the licensing authority, including licensing officers and members of the relevant licensing committees;
  - licensing consultants, solicitors and barristers advising and/or representing applicants and licence/notice holders;
  - the responsible authorities under the Licensing Act 2003, and
  - magistrates and judges hearing appeals against Council decisions.

---

<sup>2</sup> For the purposes of this Policy, The Evening and Night Time Economy is the provision of retail facilities, entertainment, food and drink in a social setting.

## A

**7.0 Review of the Policy**

7.1 The Policy will be prepared and published every five years. However, it will be the subject of continuous evaluation and reviewed, revised and published before any revision is given effect. At the time of review all relevant stakeholders will again be consulted. Any person may request a review of the Policy at any time.

**8.0 Regulatory, policy framework and integrated strategies**

8.1 The operation of the Council's licensing service, as it relates to the licensing of licensable activities, is undertaken primarily in accordance with:

- the Licensing Act 2003, as amended;
- regulations and orders made under the Act;
- guidance issued by the Home Office; and
- the principles of better regulation, particularly as set out in the Regulators' Code (BRDO 14/705 April 2014)<sup>3</sup>.

8.2 In addition, the service is provided in accordance with all relevant Council policies, duties and responsibilities; in particular, those relating to:

- Protection of children, young persons and adults with care and support needs
- Better regulation and enforcement
- Data protection including access to information
- Public sector equality duty
- Human rights<sup>4</sup>

8.3 So far as is reasonably practicable the Council will avoid duplication with other regulatory regimes. In particular, this Policy and associated conditions do not address health and safety at work, fire safety or planning requirements. Applicants, licence/notice holders are required to ensure all relevant provisions are satisfied in these respects.

8.4 The key integrated strategies that have relevance to the Policy include:

- Shropshire Health and Wellbeing Strategy 2016 – 2021
- Shropshire Strategy to Reduce Alcohol Related Harm 2016 – 2019
- Shrewsbury Big Town Plan and subsequent Shrewsbury Regeneration initiatives
- Shropshire Local Development Framework: Adopted Core Strategy to 2026

<sup>3</sup> Regulators' Code (previously the Regulators' Compliance Code), Department of Business, Innovation and Skills, 2014, issued under section 23 of the Legislative and Regulatory Reform Act 2006.

<sup>4</sup> Human Rights Act 1998, in particular, Article 1, Protocol 1 – peaceful enjoyment of possessions (a licence is considered a possession in law and people should not be deprived of their possessions except in the public interest); Article 6 – right to a fair hearing; Article 8 – respect for private and family life (in particular, removal or restriction of a licence may affect a person's private life); Article 10 – right to freedom of expression.

A

- Shropshire Council Economic Growth Strategy 2022 – 2027
- Child Sexual Exploitation Strategy 2016 – 2018
- Shropshire Council Modern Anti-Slavery and Human Trafficking Statement and Policy (March 2018)
- West Midlands Regional Adult Safeguarding Multi-Agency Policies and Procedures, as agreed and adopted by the Keeping Adults Safe in Shropshire Board

Post Consultation Copy

# **PART 2**

# **LICENSING PRINCIPLES, PROCESS AND DELEGATION**

## A

**PART 2 – LICENSING PRINCIPLES, PROCESS AND DELEGATION****9.0 Introduction**

9.1 This part of the Policy focusses on the functions that the Council undertakes and the principles the Council will follow when administering applications and, where relevant, setting fees. The Council expects compliance with these principles to assist applicants and licence/notice holders to meet the statutory licensing objectives when undertaking licensable activities that are regulated by the Council.

9.2 This part also explains the roles and duties of the Strategic Licensing Committee, the Licensing Act Sub-Committee and officers of the Council.

9.3 The Council seeks to ensure that licensable activities are suitable and are conducted in such a manner that promotes the licensing objectives and minimises the risks that undermine the objectives. The specific regulatory functions of the Council are:

- licensing premises where licensable activities take place by issuing premises licences, club premises certificates and provisional statements
- receiving and issuing personal licences
- receiving and endorsing temporary event notices
- administering licence reviews
- maintaining registers of the licences and notices issued
- collecting licence/notice fees
- inspection, compliance and enforcement locally in relation to licences/notices
- providing information for any statutory return requirements

9.4 With respect to premises licences/notices, the Council also has the regulatory responsibility for dealing with full and minor variations, interim authority notices, provisional statements, change of name and address, transfers, reinstatements and producing copies of lost, stolen, damaged or destroyed licences and dealing with surrendered licences in accordance with specific regulatory provisions that relate to each licence or notice type.

9.5 The Council recognises that promoting the welfare of children, young people and adults with care and support needs and protecting them from harm and exploitation is everyone's responsibility. In so far as it relates to applicants, licensees, employees in licensed premises, responsible authorities, elected members, other local businesses and communities, everyone who has dealings with children, young people and adults with care and support needs have a duty to report matters of concern to the relevant authorities. In addition, the wider safeguarding context (see **Appendix C** for further information) must be considered when prospective and existing applicants submit applications, during the assessment and determination process and the ongoing use of the licence/notice.

9.6 In order to support the outcomes and objectives above Licensing will:



## A

- promote the four licensing objectives;
- ensure that the premises are appropriate for their proposed use;
- ensure the premises layout and condition is acceptable for the proposed use;
- ensure that the premises are being managed responsibly,
- the protection of young people and adults with care and support needs from harm and exploitation

9.7 For the purposes of this Policy, any reference to 'licence' will include premises licence, club premises certificate and personal licence unless otherwise specified.

## **10. Overarching licensing principles**

10.1 The Council aims to provide a clear, consistent and responsive service to prospective and current licence/notice holders, members of the public and other relevant stakeholders.

10.2 The Council will seek to build and maintain good liaison and working relationships with the Responsible Authorities, including sharing relevant information and, where appropriate, investigating offences.

10.3 The Council aims to ensure that all relevant Responsible Authorities give full consideration to applications and that the most appropriate Responsible Authority provides advice to the applicant and, where necessary, take the opportunity to submit formal representations to the Council. The Licensing Team will provide guidance and assist Responsible Authorities to submit representations.

10.4 Shropshire Council, as the Licensing Authority, is also a Responsible Authority. The Licensing Team, acting as a Responsible Authority will, when necessary, make representations to applications to ensure that all four licensing objectives are being properly promoted.

10.5 Licensing is not bound by decisions made by Planning and vice versa. There is no legal basis for Licensing to refuse a licence application because it does not have planning permission. While the two services consider different (albeit related) matters, Licensing must only address the licensing objectives to ensure that the licensing process does not lead to a re-run of any planning hearing. To avoid duplication and inefficiency, planning permission, building control approval and licensing regimes will be properly separated. In practice, this means that Licensing will ensure that they enter into discussion with planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs. This will include sharing the positive and adverse impacts relating to the licensing objectives and enabling each respective regime to determine applications separately.

## A

- 10.6 The Council, in terms of both the licensing and planning regimes, will consider carefully any conflict that may exist between licence applications and planning/building regulation restrictions and will work with applicants and licence holders to resolve such conflicts. In addition, with respect to applications that may impact on the evening and night time economy, the Council will have regard to the guidance set out in **Appendix D**. It is ultimately the responsibility of the applicant/licence holder to ensure that operations at a premises are compliant with both planning permissions and licensing authorisations. Licensing and planning are separate regimes and ultimately decisions on permissions or authorisations under each regime are made independently.
- 10.7 The Council will be mindful of the needs of the applicant but this will be balanced against the clear duty that the Council has to ensure that the licensing objectives are promoted and the Council's desire to ensure the overall purpose of this Policy is delivered.
- 10.8 In all cases, licence/notice applications will be considered and determined on their own individual merits.
- 10.9 The Council will make general advice, relating to its functions under the Act, available through its website. In addition, on request, the Council will provide specific advice about compliance to prospective and actual licence/notice holders and will advise the public on what activities they may undertake without the need for specific licences/notices.
- 10.10 The Council will employ or otherwise source staff with the necessary skills and knowledge and will delegate to them the necessary powers they need to carry out licensing, compliance and enforcement functions.

## 11. Delegation of Council licensing functions

- 11.1 Licensing carried out under the Act is a Council function that is delegated to the Strategic Licensing Committee. The Strategic Licensing Committee has delegated this function to the Licensing Act Sub-Committee and to officers of the Council who will determine all applications in accordance with this Policy.
- 11.2 The specific delegations are set out in the Council's Constitution, which is available at <https://shropshire.gov.uk/committee-services/ecCatDisplay.aspx?sch=doc&cat=13331&path=0%20>. The relevant extract from the Constitution is produced at **Appendix E** of this Policy.
- 11.3 Officers and the Licensing Act Sub-Committee may elect not to exercise their delegated decision making authority in respect of any particular licence/notice application. This is likely to be the case where delegation may give rise to a risk of judicial review challenge, particularly on the basis of appearance of bias.
- 11.4 Whilst officers and the relevant committees will, in the majority of cases, follow the Policy, there may be specific circumstances where the Council

## A

believes it is right to depart from the Policy. This may also be the case in relation to the Section 182 Guidance. In either case, the Council will take account of the implications of any departure from the Policy and/or the Guidance and shall ensure there are strong reasons for such departure. In all cases, these reasons will be clearly expressed, explained and documented.

## 12.0 Committees

### Strategic Licensing Committee

- 12.1 This Committee is made up of 15 members of the Council. It deals with policy issues, including the setting of licence fees where this is permitted by the legislation.

### Licensing Act Sub-Committee

- 12.2 This Committee is made up of a selection of three Members from the Strategic Licensing Committee.
- 12.3 Members on the Sub-Committee, when determining applications, will have regard to relevant licensing legislation, in particular the Licensing Act 2003 and associated regulations and orders, this Policy, the Section 182 Guidance, the Human Rights Act 1998, the Equality Act 2010, any relevant legal case law, other relevant Council policies and any other relevant guidance that may from time to time be made available by other appropriate organisations or stakeholders.

## 13.0 Decisions

- 13.1 The Council will ensure that licensing and regulatory decisions are properly reasoned and evidence-based and taken at the appropriate level. The Council will adopt a presumption in favour of decisions being made at the lowest appropriate level within the Council so that decisions of similar complexity and impact are generally made at similar levels within the Council.
- 13.2 The decisions that the Council can take, either by way of a Licensing Act Sub-Committee hearing, including where the hearing is for the purposes of a premises licence review, or by an officer under delegated authority, are dependent on the type of licence or notice being considered and the specific circumstances associated with the licence/notice.
- 13.3 However, broadly, the Council has the power to:
- grant or reject/refuse new and renewal applications,
  - grant or reject/refuse applications for variations and transfers,
  - revoke or cancel existing licences/notices under certain circumstances, including for the non-payment of fees,
  - suspend a premises licence,
  - add, remove, amend and exclude licence/notice conditions,

## A

- review premises licences

- 13.4 In addition, the Council may choose to issue written warnings and prosecute (including offering a simple caution) in respect of specified criminal offences. Further details, in this regard, are provided in Part 4 of this Policy.
- 13.5 As part of any decision to grant, reject/refuse, revoke, cancel or suspend a licence/notice, the officer and/or Licensing Act Sub-Committee will take into consideration the facts of the application, any information and evidence provided by the responsible authorities, any information and evidence from other persons, together with the options set out in the licensing officer's report. The licensing officer will not normally make a specific recommendation, but may do so in exceptional circumstances.
- 13.6 In order to provide applicants with the opportunity to consider and respond by way of written and/or verbal representations, as appropriate, the Council will provide the relevant details that have given rise to the need for an officer decision and/or hearing.
- 13.7 Following the determination of an application by the Council (or any other regulatory enforcement decision), the applicant or licensee and any other relevant party will receive a copy of the decision in writing. The reasons for the decision will be clearly set out and will reflect the extent to which the decision has been made with regard to the Council's Policy and the Section 182 Guidance. It will be delivered as soon as is practicable after the decision has been made. This will include information on the right of appeal, where this is relevant.

#### 14.0 Appeals

- 14.1 Parties aggrieved by a decision of the Council have a right of appeal to the Magistrates' Court. Appeals must be lodged with the Court in accordance with the relevant statutory provisions. The Council strongly advises parties to promptly seek appropriate independent legal advice if they wish to consider pursuing an appeal.
- 14.2 Closure orders – see 13.12 of the Section 182 Guidance
- 14.3 Any party to a decision may apply for judicial review (although the Court may decline an application) and ask the Court to grant a particular type of order if they believe that the decision taken by the Council is:
- illegal, i.e. beyond the powers available to the Council;
  - subject to procedural impropriety or unfairness with a failure in the process of reaching the decision; or
  - irrational such that no sensible person could have reached that decision.

#### 15.0 Responsible authorities

## A

- 15.1 Responsible authorities, as listed in Section 13 of the Act, have the responsibility to review licence applications and notices (in certain circumstances) and the right to make representations in relation to those applications/notices or any licence review. They may also apply to the Council for a review of an existing licence.
- 15.2 The responsible authorities are:
- The Council in its capacity as the licensing authority and any other Council whose area part of the premises is situated
  - The planning authority
  - The authority which has functions in respect of minimising or preventing the risk of pollution of the environment or of harm to human health
  - Chief Officer of Police for West Mercia Police
  - Shropshire and Wrekin Fire & Rescue Authority
  - Director of Public Health for Shropshire Council
  - The enforcing authority (primarily either Environmental Health or the Health and Safety Executive)<sup>5</sup> for Health and Safety at Work
  - Shropshire Council Children's Services
  - UK Border Agency (The Home Office)
  - The Weights and Measures Authority (Shropshire Council Trading Standards)
  - In relation to a vessel (including pleasure boats), the navigation authorities, as defined in the Water Resources Act 1991, that have statutory functions in relation to the waters where the vessel is usually moored or berthed, or any waters where it is proposed to be navigated at a time when it is used for licensable activities, namely:
    - Environment Agency in England and Wales
    - Canal and Rivers Trust
    - Maritime and Coastguard Agency (Secretary of State for Transport)
- 15.3 The contact details for each of the responsible authorities are available on the Council's website at <https://shropshire.gov.uk/media/2317/responsible-authorities.pdf>
- 16.0 Body competent to advise about the protection of children from harm**
- 16.1 The body (the 'responsible authority') that represents those who are responsible for, or interested in, matters relating to the protection of children from harm and is recognised by the Council (in its capacity as the licensing authority) as being competent to advise on such matters is Shropshire Council's Children's Services. It is recognised that such a body must not only be competent to advise on such matters, it must also have adequate resources available to take on the practical role required of the responsible authority for the purposes of the protection of children from harm, i.e. reviewing licence applications, submitting representations and applying for licence reviews, where necessary,

---

<sup>5</sup> Section 18 Health and Safety at Work Act etc.1974

## A

16.2 In addition to recognising Shropshire Council's Children's Services as the responsible authority for the protection of children from harm, the Council also recognises the need to utilise the expertise of the Shropshire Safeguarding Children Board (SSCB), in its capacity to provide oversight of all services that are responsible for, or interested in, matters that relate to the protection of children from harm. In this role, the SSCB is the body that the Council, in its capacity as the licensing authority, and other services or responsible authorities, will report matters of concern relating to the protection of children from harm where they are not being adequately addressed by any or all of the responsible authorities or the licensing regime as a whole.

**17.0 Body competent to advise about the protection of young persons and adults with care and support needs from harm**

17.1 The Council recognises that the Act does not legally require the designation of a body which represents those who are responsible for or interested in the protection of young persons and adults with care and support needs. However, for this purpose, the Council has deemed the Keeping Adults Safe in Shropshire Board (KASiSB) to be the competent body.

**18.0 Any other person**

18.1 An 'other person' is not legally defined in the Act. The Council accepts that any individual, body or business, including a member of the relevant licensing authority, is an 'other person'.

18.2 The Council is of the view that in order for an 'other person' to make a relevant representation they would ordinarily be a person who:

- (a) lives, works or otherwise occupies space sufficiently close to the premises to be likely to be affected by the licensable activities, and/or;
- (b) has relevant concerns or evidence of issues which are undermining one or more of the licensing objectives;
- (c) represents persons who satisfy (a) or (b)

18.3 It is a matter for the Council to decide whether a representation is relevant with regard to a particular application and this will be decided on a case by case basis.

18.4 When determining whether a person 'lives, works or otherwise occupies space sufficiently close to the premises', the Council will consider the following non-exhaustive list of relevant factors:

- size of the premises
- nature of the premises
- distance of the premises from the location of the person making the representation

## A

- potential impact of the premises, e.g. number of customers, routes likely to be taken by those visiting the establishment
- circumstances of the person who lives close to the premises; this is not their personal characteristics, but their interests which may be relevant to the distance from the premises
- living sufficiently close to the premises may be different for different parties, e.g. a private resident, a residential school for children with truanting problems, a residential hostel for vulnerable adults

18.5 A representation, by an existing licenced business, stating that it is going to be affected by another licenced business starting up in the area will not be considered a relevant representation, unless it is supported by other specific evidence that the licensing objectives are being undermined.

18.6 If any individual wishes to approach a Shropshire Council Councillor to act as their representative, care must be taken to ensure that the Councillor in question is not a member of the Strategic Licensing Committee and in particular absolutely must not be a member of the Licensing Act Sub-Committee dealing with the licence/notice application or licence review. If there is any doubt, the individual is advised to contact the Council's Licensing Team for clarification.

## 19.0 Making representations

19.1 Representations or objections<sup>6</sup> to the following types of Licensing Act 2003 applications can be made by any of the Responsible Authorities or any other person:

- New premises licence
- New club premises certificate
- Full variation of a premises licence or club premises certificate
- Minor variation of a premises licence or club premises certificate
- Review of a premises licence or club premises certificate
- Provisional statement

19.2 Representations or objections to the following types of Licensing Act 2003 applications can be made by the Police and the applicant/licence holder:

- Transfer of a premises licence
- Variation of a licence to specify an individual as a designated premises supervisor
- Application for a personal licence (where the applicant has been convicted of a relevant offence)
- Hearings regarding personal licences (where the licence holder has been a convicted of a relevant offence)

---

<sup>6</sup> Representations may be made in support of an application. They will be noted by the Council and recorded against the application. If a hearing is necessary due to objecting representations, supporting representations will be included in the information provided to the Committee, and those making supporting representations will be invited to attend the hearing.

## A

- 19.3 Representations or objections to Temporary Event Notices may be made by the Police or Shropshire Council's Environmental Protection Team with responsibility for Environmental Health.
- 19.4 The Council provides a form for making representations which can be obtained from the Council's website at [www.shropshire.gov.uk/licensing](http://www.shropshire.gov.uk/licensing). Representations must be 'relevant'; this means that they relate to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives.
- 19.5 A representation must not be 'frivolous' or 'vexatious'. A representation would be considered vexatious if it appeared to the Council that it was intended to cause aggravation or annoyance to another person without reasonable cause or justification, e.g. if a representation was made as a result of a dispute between rival businesses. Frivolous representations would be considered to be those that displayed a lack of seriousness, or where no remedial steps would be considered necessary or proportionate in order to address the issues raised.
- 19.6 It is for the Council to determine if a representation is considered frivolous or vexatious.
- 19.7 Representations must be made in writing, either using the form provided on the Council's website, or following a similar format. Representations must be received either in the post or by email to the Licensing Team.
- 19.8 Representations can only be made during the relevant consultation period for the particular application/notice (see Part 3). The end date for application/notice consultation periods will be displayed on the site notice attached to the premises (where required), on the Council's website (where required) and in the newspaper advert (where required). Representations received after the end of the consultation period will not be considered, the person or Responsible Authority submitting an out of time representation will be informed of this.

**20.0 Exchange of information**

- 20.1 The Council will share information about licensable activities with responsible authorities and other relevant stakeholders in order to enable:
- the development of an overarching view of all licensable activity;
  - the identification of risks;
  - information and intelligence to be fed back to the Council (and to other licensing authorities) to support it to carry out its regulatory responsibilities;
  - the avoidance of duplication or over-regulation and to maximise the efficient use of resources.



## A

- 20.2 The Council recognises that shared regulation depends on effective partnerships and collaboration and that the exchange of information is an important aspect of this and benefits all parties.
- 20.3 Where the Council is required or wishes to exchange information with other persons/bodies, the information will be relevant and it will be appropriate, necessary and proportional to do so for the purposes of carrying out its functions under the Act and to also enable those other persons/bodies to carry out their functions under the Act.
- 20.4 The exchange of information will be undertaken in accordance with the Data Protection Act 2018 and subsequent guidance published by the Information Commissioner's Office (ICO), or such other guidance that may from time to time be made available.
- 20.5 The Council has not established any information exchange protocols specifically for the purposes of the Licensing Act and does not currently intend to do so. However, where there are existing information exchange protocols established in relation to other matters, the Council will have due regard to any relevant principles set out in such protocols and apply them as if they were established for the purposes of information exchange with other persons/bodies under the Act. If at any time during the lifetime of this Policy it becomes necessary to establish specific information exchange protocols under the Licensing Act, the Council will take appropriate steps to do so.

**21.0 Freedom of information**

- 21.1 As a public body, the Council is subject to the provisions of the Freedom of Information Act 2000 (FOIA). Information disclosed in relation to freedom of information requests will be disclosed in accordance with the legislation and the 'Guide to freedom of information' issued by the ICO or such other guidance that may from time to time be made available. The Guide is available on the ICO website.
- 21.2 The information submitted to the Council in pursuance of applications will be kept confidential unless it is necessary to share it for the purposes of the Council exercising its functions under the Act. The Council will undertake to keep personal names and addresses confidential, unless it is necessary to share it for the purposes of the Council's statutory functions; however, the Council cannot give an assurance that this confidentiality can be maintained in all circumstances because under the FOIA, there is a statutory Code of Practice with which the Council must comply and which deals, amongst other things, with obligations of confidence.
- 21.3 Persons who wish to access information about themselves that the Council may hold should submit a FOIA request.

Confidentiality of those making representations

## A

- 21.4 Representations, including personal information, will be subject to publication in accordance with the necessary regulatory processes associated with the processing of applications and reviews. In addition, representations, including personal information, may be subject to release to other parties or to disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA) and the Environmental Information Regulations 2004).
- 21.5 If persons making representations want information, including personal data that they have provided to be treated as confidential, they must be aware that, under the FOIA, there is a statutory Code of Practice with which the Council must comply and which deals, amongst other things, with obligations of confidence. The Act also stipulates that the names and addresses of those making representations will be published unless there are circumstances, of which the Council is made aware, that would present a serious risk to the individual making the representation if their details were published.
- 21.6 In view of this, where persons want information and personal data to be treated as confidential, the Council expects persons making representations to explain why they regard the information and/or personal data they have provided as confidential. The Council will take full account of the explanation provided but cannot give an assurance that the requested confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by an IT system will not, of itself, be regarded as binding on the Council.

**22.0 Working in partnership**

- 22.1 The Council aims to work in partnership when dealing with matters relating to the licensing establishments and activities, including the adoption of a partnership approach to address problems that may arise. Such partnerships will include (but are not restricted to) the Responsible Authorities, Community Safety Partnership, relevant licensing trade associations, other local authorities, West Mercia Police and consumer groups.
- 22.2 The Council will work cooperatively with local businesses to reduce the risk to the licensing objectives to acceptable levels. However, it must be recognised that the Council, as the primary local regulator, will ensure that all relevant provisions relating to the effective administration of the licensing functions are robustly enforced to take account of the licensing objectives and the fundamental purpose of this Policy.

**23.0 Cumulative Impact, Early Morning Restriction Orders and Late Night Levy**

- 23.1 Currently no cumulative impact assessments have been undertaken and there are no plans to do so. Similarly, the Council has no plans to introduce any Early Morning Restriction Orders or Late Night Levies. However, should the Council choose to undertake such an assessment, or introduce such orders or

## A

levies, during the lifetime of this Policy, full consultation will be undertaken and the details will be published on the Councils website.

#### **24.0 Sale of alcohol at community events and ancillary business sale of alcohol**

24.1 The Council acknowledges that Part 5A of the Act relating to the sale of alcohol at community events and ancillary business sale of alcohol has not yet been enacted. The Council will have consideration for the provisions of this part of the Act if, and when, it is enacted, and amend the Policy accordingly.

#### **25.0 Fees**

##### Fee setting

25.1 The administration of licences and compliance, enforcement and the costs of dealing with unlicensed licensable activities under the Act is covered by licence fees.

25.2 The majority of fees are set nationally and the Council has no control over these.

25.3 The Council is permitted to set a fee for producing a copy of an entry in the licencing public register and for this purpose the Council determines the fee. The Council ensures that the income from this fee, as nearly as possible, equates to the costs of providing the copy. The Strategic Licensing Committee reviews and sets the fee annually under delegated authority from the Council.

##### Annual Fees

25.4 Premises licenses are subject to an annual fee which is due each year on the anniversary of the date of original grant of the premises licence. Annual fees are determined by the non domestic rateable value of the premises.

25.5 To assist premises licence holders to remember when their annual fee is due, reminders will be issued at the beginning of the month prior to the fee being due. It is not a legal requirement for the Council to issue this reminder and the responsibility for ensuring payment of annual fees is made on time lies entirely with the premises licence holder.

25.6 If payment of the annual fee is not made on time, a further reminder will be issued at the beginning of the month after the fee was due. This will give the premises licence holder 14 days to make payment from the date the reminder was issued and warn them that if payment is not made, their premises licence will be suspended.

25.7 Where, following the second reminders, payment has still not been received the premises licence holder will be issued with a final reminder giving them seven days to make payment from the date of the letter. If at the end of this

A

seven days the fee has not been paid, the licence will be suspended and will cease to have effect until the fee has been paid in full. The police and the fire service will be notified of the suspension of the licence.

- 25.8 Premises with suspended licences will be monitored by the Council. Any premises found to be carrying on licensable activities with a suspended licence will be subject to enforcement action in accordance with the Council's Better Regulation and Enforcement Policy.
- 25.9 Premises licences will remain suspended until full payment of the annual fee is received and, in the case of payment by cheque or BACS, the payment has cleared. Once payment is received the licence holder, police and fire service will be informed the licence is no longer suspended.
- 25.10 Where annual fees are paid by BACS the licence holder must also inform the Licensing Team directly of the payment. Failure to do so may result in further reminder or suspension being sent to the premises licence holder.
- 25.11 Annual fees paid by cheque will not be considered paid until such time as the cheque has cleared.
- 25.12 Payment of the annual fee is the responsibility of the current premises licence holder. Any unpaid annual fees that may have accrued will be the responsibility of the current licence holder and not any previous licence holder(s).
- 25.13 Invoices will not be issued for annual fee payments.

Refunds

- 25.14 All fees for applications/notices are payable at the time the application/notice is submitted. Where an application/notice is withdrawn or not granted the fee will not be refunded except in exceptional circumstances at the discretion of the Council.
- 25.15 Annual fees are non-refundable. Outgoing premises licence holders will not be eligible for a refund of any part of an annual fee paid by them. Similarly, if a premises licence is surrendered or lapses, no part of the annual fee will be refundable.

# **PART 3**

# **ACTIVITIES SUBJECT TO AUTHORISATIONS**

**PART 3 – ACTIVITIES SUBJECT TO AUTHORISATIONS****26.0 Licensable Activities**Sale by retail of alcohol

- 26.1 The retail sale of alcohol is the sale of alcoholic products to the general public from a retail setting such as a supermarket, restaurant, pub or off-licence. This does not include the sale of alcohol from wholesalers.
- 26.2 Alcohol means products where the alcohol content at the time of sale exceeds 0.5%. There are some very specific exemptions where certain products are not classed as alcohol for the purposes of sale by retail of alcohol, such as liqueur confectionery.

Provision of Regulated Entertainment

- 26.3 Regulated entertainment is:

- a performance of a play which takes place in front of an audience of more than 500 people and/or between the hours of 23:00 and 08:00
- an exhibition of a film
- an indoor sporting event which takes place in front of an audience of more than 1000 people and/or between the hours of 23:00 and 08:00
- a boxing or wrestling entertainment (not including Greco-Roman wrestling or freestyle wrestling between two participants) which takes place in front of an audience of more than 1000 people and/or between the hours of 23:00 and 08:00 and/or where both the activity and the spectators are not wholly accommodated within a building
- performance of live music (or entertainment of a similar description) in front of an audience of more than 500 and/or between the hours of 23:00 and 08:00
- any playing of recorded music (or entertainment of a similar description) in front of an audience of more than 500 people and/or between the hours of 23:00 and 08:00
- a performance of dance (or entertainment of a similar description) in front of an audience of more than 500 and/or between the hours of 23:00 and 08:00<sup>7</sup>.

- 26.4 There are a number of circumstances in which a premises licence, or other authorisation under the Act, for regulated entertainment is not required. The Act and Section 182 Guidance issued under the Act provide further detail on this<sup>8</sup>.

<sup>7</sup> If the performance of dance falls within the definition of 'relevant entertainment' under Section 2A of the Local Government (Miscellaneous Provisions) Act 1982 a Sexual Entertainment Venue Licence under that legislation will be required, rather than a premises licence

<sup>8</sup> Licensing Act 2003 Schedule 1, Part 2 and Revised Guidance issued under section 182 of the Licensing Act 2003

## A

Provision of Late Night Refreshment

- 26.5 Late night refreshment is the sale of hot food or drink between the hours of 23:00 and 05:00.
- 26.6 'Hot' means food or drink supplied above the ambient air temperature at the time of supply, intended for consumption either on or off the premises. This includes supply of hot food or drink from premises like restaurants or pubs and takeaways.
- 26.7 There are certain circumstances in which the licensing authority can designate specific areas or types of premises to be exempt from the requirement to hold a licence to provide late night refreshment. The licensing authority can choose to apply these designations in specific circumstances where they think it will be helpful to business and there are no likely problems with anti-social behaviour, disorder associated with the night time economy or illegal working in licensed premises. The Council has chosen not to designate any specific area or premises type to be exempt from the requirement to hold a late night refreshment licence. The Council has no plans to introduce any such designations, should it choose to do so during the life of this Policy it will publish any such intentions<sup>9</sup>.
- 26.8 There are a number of circumstances in which a premises licence, or other authorisation under the Act, for licensable activities is not required. The Act and Section 182 Guidance issued under the Act provide further detail on this<sup>10</sup>.

**27.0 Overarching principles relating to licence applications**

- 27.1 The Council will aim to visit all premises prior to granting new applications. The Council expects applicants to work with it in an open and cooperative way and to disclose anything which the Council would reasonably expect to know.
- 27.2 The matters to be considered by the Council in relation to each of the licensing objectives are not legally defined. However, the Council is particularly concerned to ensure that all applicants fully address the following matters:
- how they and/or their staff have sufficient expertise in the business roles relevant to the licence application which demonstrates an ability to understand and promote the licensing objectives;
  - clear evidence that there is appropriate training for all staff with regard to their responsibilities under the Act and the adoption of industry wide good practice, which is supported by adequate management and supervision practices;
  - detailed descriptions of the nature of all activities/business, including non-licensable activities, and how the business will operate, e.g. business plan including number of people attending the premises, customer profile

---

<sup>9</sup> Licensing Act 2003, Schedule 2 and Licensing Act 2003 (Late Night Refreshment) Regulations 2015 (SI 2015/1781)

<sup>10</sup> Licensing Act 2003 Part 9, section 173, 174 and 175 and Revised Guidance issued under section 182 of the Licensing Act 2003

## A

(including age of patrons and the potential for underage drinking) and hours of operation and hours of opening;

- clear evidence specifying the staffing structure, including details of key personnel and the Designated Premises Supervisor (DPS) and sufficient information to confirm that the DPS is actively the person in charge of the business and is sufficiently experienced for this role;
- information that demonstrates that the physical characteristics (condition, design and layout) of the premises are suitable for the general operation of the premises and compatible with the licensable activities, e.g. detailed floor plans, photographs and technical specifications relating to fixtures and fittings;
- evidence of the location of the premises and the nature of the surrounding area, including what is around the premises and the wider impact that the licensable and non-licensable activities may have, e.g. physical environment, crime and disorder hotspots, proximity to residential premises, proximity to areas where children may congregate, potential for the misuse of drugs and abuse of alcohol including drunkenness and the potential for anti-social behaviour (this is not about proving demand for or lack of a particular type of premises or activity in an area, rather demonstrating that licensable activity at the premises will not undermine any of the licensing objectives);
- sufficient information to demonstrate that the impact on the wider location has been properly considered to take account of the movement of people into and out of the area, including the potential impact on the transport network and provisions made to take account of this;
- evidence of steps that will be taken that will have a positive impact on health and wellbeing for groups such as local residents, those who will participate in the licensable activities and on the environment, e.g. litter and refuse collection times and clean-up costs;
- identify all relevant local initiatives that may assist in promoting the four licensing objectives and mitigate potential risks, e.g. taxi marshals, purple flag, pub watches, street pastors and local crime reduction initiatives;
- a clearly set out operating schedule that provides positive proposals that adequately addresses the anticipated impacts and risk posed to the local area and identifies the necessary conditions enabling appropriate control of the licensable activities, demonstrating that all of the licensing objectives are being promoted;
- how their business priorities will enhance the wider community interest.

27.3 Once applicants understand the risks associated with their premises (having given full consideration to the above points) further guidance to assist with the development of an effective operating schedule is set out in the Council's 'Premises Licences – Operating Schedule and Plans Guidance' available on the Council's website.

27.4 Applicants who follow the above guidance are less likely to attract representations from Responsible Authorities.



## A

**28.0 Application for a New Premises Licences**Description

- 28.1 A premises licence authorises the use of any premises (which is defined in the Act as a vehicle, vessel or moveable structure or any place or part of any premises) for licensable activities.
- Vehicle means a vehicle intended or adapted for use on roads
  - A vessel includes a ship, boat, raft or other apparatus constructed or adapted for floating on water
  - A moveable structure is any structure capable of being moved
  - Any place includes areas such as parks, playing fields or streets
  - A premises is a building or other permanent structure
- 28.2 A premises licence is required if any of the licensable activities are carried out on or from one of the above types of premises. The licensable activities are:
- Sale by retail of alcohol
  - Provision of regulated entertainment
  - Provision of late night refreshment

Duration of Licence

- 28.3 A premises licence has effect until:
- the licence is revoked as a result of a licence review
  - it is suspended as the result of a licence review
  - the licence is surrendered by the licence holder
  - the licence holder dies
  - the licence holder lacks mental capacity
  - the licence holder becomes insolvent
  - the licence holder is a company which is dissolved
  - the licence holder ceases to have the right to work in the UK
  - the end of any specified limited period for which it was granted
- 28.4 The Council will suspend a premises licence where the relevant annual fee has not been paid (see paragraph 25.4). A premises licence does not have effect whilst it is suspended.

Application process

- 28.5 A premises licence may be applied for by any person<sup>11</sup> (person includes individual, sole trader, partnership and company) who uses, or intends to use, a premises for any licensable activity.

---

<sup>11</sup> A wide range of individuals and bodies set out in Section 16 of the Act may apply for premises licences

## A

- 28.6 Where the applicant is an individual, or individuals, they must:
- be aged 18 or over
  - be entitled to work in the UK (see **Appendix F** for list of documents which may be provided to demonstrate entitlement to work in the UK), if they are applying for the sale/supply of alcohol and/or the provision of late night refreshment
- 28.7 The prescribed application form, which is available on the Council's website ([www.shropshire.gov.uk/licensing](http://www.shropshire.gov.uk/licensing)) must be fully completed and be accompanied by a plan of the premises to which the application relates in the prescribed form, and the appropriate fee. If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the application will be rejected and returned to the applicant. The applicant will be informed of what the missing information/documentation is and requested to formally resubmit the whole application with that information included.
- 28.8 No application will be processed until such a time as all the required information/documentation is provided. The full fee for the licence is payable at the time the application is submitted. In the event that an application for a licence is paid by cheque the application will not be valid, and the consultation period will not begin, until such time as the cheque has cleared. In the event that the cheque does not clear, the application will be considered invalid and returned to the applicant. The applicant will be notified.
- 28.9 An officer will review the operating schedule of the application and liaise with the applicant to ensure that information provided within it is suitably worded to be applied to the licence as conditions if the application is granted. The intention of the proposed steps within the operating schedule will not be changed. Assistance will be provided to develop conditions consistent with the proposed operating schedule to ensure that any conditions, on a granted licence, are clear and can be effectively enforced where necessary.
- 28.10 Licence applications must be submitted to Shropshire Council's Licensing Team, and can be submitted either by email or paper copy.
- 28.11 Where a licence application is submitted by email, the Council will consider the application to have been submitted by relevant electronic facility, and the responsibility for giving notice of the application to each of the Responsible Authorities therefore lies with the Council. This must be done no later than the first working day after the application was given to the Council.
- 28.12 Where a paper copy licence application is submitted, the applicant must give notice of the application to each responsible authority by giving each a copy of the application together with its accompanying plan, document and other information on the same day the application is submitted to the Licensing Authority.

## A

- 28.13 The 28 day consultation period for a licence application begins on the first working day after a valid application is given to the Council. From this day, and for a period of no less than 28 consecutive days following this, the applicant must display a notice (“site notice”) prominently at or on the premises to which the application relates, where it can be conveniently read from the exterior of the premises. The notice must comply with the following format:
- be of a size equal to or larger than A4
  - be pale blue in colour
  - printed legibly in black ink
  - be in a font size equal to or larger than 16
  - where the premises covers an area of more than 50 meters square the same notice must be displayed every 50 meters along the external perimeter of the premises abutting any highway
- 28.14 The applicant must also publish a notice (“newspaper notice”) in a local newspaper, or if there is none, in a local newsletter, circular or similar document, circulating in the vicinity of the premises. This notice must appear on at least one occasion during the period of 10 working days starting on the day after it was given to the Council.
- 28.15 The Council provides a template for the site notice within the premises licence application pack. This can be completed and used as both the site notice and newspaper notice. If the public notice template provided in the application pack is not used, the applicant must ensure that their site notice and newspaper notice contain the information prescribed within the relevant legislation<sup>12</sup>.
- 28.16 The Council will also advertise the application for a period of no less than 28 consecutive days starting the day after a valid application is received by publishing the required details on the Council’s website<sup>13</sup>.
- 28.17 The Responsible Authorities, or any other person, may make representations to the Council about the application at any time during the 28 day consultation period. Representations made about premises licence applications must be ‘relevant’. See paragraph 19.0 about making representations.
- 28.18 When relevant representations are received about an application the Act requires that a hearing of the Licensing Act Sub Committee will be held in order to determine the application, unless all parties are in agreement that this is not necessary. The Council proactively encourages and supports all parties to attempt to negotiate and mediate during the consultation period in order to remove the need for a hearing. A hearing is not necessary when relevant representations are withdrawn and the application remains unchanged (see

---

<sup>12</sup> Licensing Act 2003 (Premises Licenses and Club Premises Certificates) Regulations 2005 SI 2005/42 – Regulations 25 and 26

<sup>13</sup> Licensing Act 2003 (Premises Licenses and Club Premises Certificates) Regulations 2005 SI 2005/42 – Regulation 26c

## A

paragraph 53.0 on hearings and the Council's Hearing Guidance on the website)

28.19 The Responsible Authorities, and any other person, may suggest additional conditions they wish to be applied to the licence to mitigate concerns they have. The acceptance of additional suggested conditions by the applicant will remove the requirement for the Responsible Authority, or other person, to object to the application. If agreement can be reached between the parties on the addition of extra conditions no hearing will be required. If the applicant does not agree to the addition of conditions suggested by other parties a hearing will be required (see paragraph 53.0 on hearings and the Council's Hearing Guidance on the website).

28.20 Where no relevant representations are received the licence will be automatically granted on the day after the end of the 28 day consultation period, with the agreed operating schedule and mandatory conditions attached. A paper copy of the premises licence and summary of the premises licence will be issued to the applicant as soon as reasonably practicable after this. The Council will notify the Chief Officer of Police that the licence has been issued, and provide a copy of the licence to them.

### **29.0 Change of licence holder's name/address and stolen, lost, damaged or destroyed premises licence or summary**

29.1 There are specific provisions under the act which permit a licence holder to make changes to their name and/or address or to obtain a copy of a lost, stolen, damaged or destroyed licence providing the correct application or notification is submitted. The Council provides a form on their website ([www.shropshire.gov.uk/licensing](http://www.shropshire.gov.uk/licensing)) for making both of these requests, which must be accompanied by the required documentation, as detailed on the form, and the relevant fee.

### **30.0 Surrender of a premises licence**

30.1 Where a premises licence holder wishes to surrender their premises licence, they must give written notice to the Council which must be accompanied by the premises licence. If the premises licence is not available, the notice to surrender must be accompanied by a statement of reasons for failure to provide the licence. From the date the Council receives a notice to surrender a premises licence, the licence will lapse and will not be effective.

### **31.0 Reinstatement of a premises licence**

31.1 A premises licence may be reinstated where a premises licence has been surrendered, and in the following circumstances where no interim authority notice has effect:

- the licence holder dies
- the licence holder lacks mental capacity

## A

- the licence holder becomes insolvent
- the licence holder is a company which is dissolved
- the licence holder ceases to have the right to work in the UK

31.2 A premises licence may be reinstated by any person who would be eligible to apply for a premises licence (see paragraph 28.6 above) within 28 days of the premises licence being surrendered or one of the above points having effect. The transfer of a premises licence process should be followed (see paragraph 35.0).

### 32.0 Application for a Provisional Statement

#### Description

- 32.1 An application for a provisional statement may be made where a premises is being, or is about to be, constructed, extended or altered for the purpose of being used for licensable activities, and the applicant is unable to complete the operating schedule of the premises licence application. This may be due to unknown factors regarding the operation of the premises in the early stages of the construction, extension or alteration.
- 32.2 A provisional statement does not authorise licensable activities if issued. It exists to provide some assurance to investors, who may otherwise be unwilling to commit funds to the development, that a premises licence covering the requested licensable activities is likely to be granted once the building was complete.
- 32.3 Where an applicant is able to satisfy all the requirements of a premises licence application, but the premises is not yet built, the Council strongly encourages applications for a premises licence to be made, rather than a provisional statement.

#### Application process

- 32.4 A provisional statement may be applied for by any person<sup>14</sup> (person includes individual, sole trader, partnership and company) who is interested in the proposed premises. Where the applicant is an individual, or individuals, they must be aged 18 or over.
- 32.5 A provisional statement cannot be sought or given for a vessel, vehicle or moveable structure (as defined in paragraph 28.10 above)
- 32.6 The prescribed application form, which is available on the Council's website ([www.shropshire.gov.uk/licensing](http://www.shropshire.gov.uk/licensing)), must be fully completed and be accompanied by plans of the premises to which the application relates in the prescribed form, and the appropriate fee. If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the application will be rejected and returned to the applicant. The

<sup>14</sup> A wide range of individuals and bodies set out in section 16 of the Act may apply for premises licences

## A

applicant will be informed of what the missing information/documentation is and requested to formally resubmit the whole application with that information included.

- 32.7 No application will be processed until such a time as all the required information/documentation is provided. The full fee for the licence is payable at the time the application is submitted. In the event that an application for a licence is paid by cheque the application will not be valid, and the consultation period will not begin, until such time as the cheque has cleared. In the event that the cheque does not clear, the application will be considered invalid and returned to the applicant. The applicant will be notified.
- 32.8 Provisional statement applications must be submitted to Shropshire Council's Licensing Team, and can be submitted either by email or paper copy.
- 32.9 Where a provisional statement application is submitted by email, the Council will consider the application to have been submitted by relevant electronic facility, and the responsibility for giving notice of the application to each of the Responsible Authorities therefore lies with the Council. This must be done no later than the first working day after the application was given to the Council.
- 32.10 Where a paper copy provisional statement application is submitted, the applicant must give notice of the application to each responsible authority by giving each a copy of the application together with its accompanying plans, documentation and other information on the same day the application is submitted to the Licensing Authority.
- 32.11 The 28 day consultation period for a provisional statement application begins on the first working day after a valid application is given to the Council. From this day, and for a period of no less than 28 consecutive days following this, the applicant must display a notice (site notice) prominently at or on the premises to which the application relates, where it can be conveniently read from the exterior of the proposed premises. The notice must comply with the following format:
- be of a size equal to or larger than A4
  - be pale blue in colour
  - printed legibly in black ink
  - be in a font size equal to or larger than 16
  - where the premises covers an area of more than 50 meters square the same notice must be displayed every 50 meters along the external perimeter of the premises abutting any highway
- 32.12 The applicant must also publish a notice (newspaper notice) in a local newspaper, or if there is none, in a local newsletter, circular or similar document, circulating in the vicinity of the premises. This notice must appear on at least one occasion during the period of 10 working days starting on the day after it was given to the Council.

## A

- 32.13 The Council provides a template for the site notice within the provisional statement application pack. This can be completed and used as both the site notice and newspaper notice. If the public notice template provided in the application pack is not used, the applicant must ensure that their site notice and newspaper notice contain the information prescribed within the relevant legislation<sup>15</sup>.
- 32.14 The Council will also advertise the application for a period of no less than 28 consecutive days starting the day after a valid application is received by publishing the required details on the Council's website<sup>16</sup>.
- 32.15 The Responsible Authorities, or any other person, may make representations to the Council about the application for a provisional statement at any time during the 28 day consultation period.
- 32.16 Representations made about provisional statement applications must be 'relevant'. Responsible Authorities, and any other person, must take the opportunity of the application for a provisional statement to make any relevant representations. Where they do not take this opportunity, and there is no material change in circumstances relating either to the premises or the area in the vicinity of the premises, when the premises licence application is made, and there is no good reason that they didn't, any representation they make at the time will not be relevant and will be excluded. See paragraph 19.0 about making representations.
- 32.17 When relevant representations are received about an application, the Act requires that a hearing of the Licensing Act Sub Committee will be held in order to determine the application, unless all parties are in agreement that this is not necessary. The Council proactively encourages and supports all parties to attempt to negotiate and mediate during the consultation period in order to remove the need for a hearing. A hearing is not necessary when relevant representations are withdrawn and the application remains unchanged.
- 32.18 The Responsible Authorities, and any other person, may suggest additional conditions they wish to be applied to the provisional statement to mitigate concerns they may have. The acceptance of additional suggested conditions by the applicant will remove the requirement for the Responsible Authority, or other person, to object to the application. If agreement can be reached between the parties on the addition of extra conditions no hearing will be required. If the applicant does not agree to the addition of conditions suggested by other parties a hearing will be required.
- 32.19 Where no relevant representations are received the provisional statement will be automatically issued on the day after the end of the 28 day consultation period. A paper copy of the provisional statement will be issued to the applicant as soon as reasonably practicable after this. The Council will notify

---

<sup>15</sup> Licensing Act 2003 (Premises Licenses and Club Premises Certificates) Regulations 2005 SI 2005/42 – Regulations 25 and 26

<sup>16</sup> Licensing Act 2003 (Premises Licenses and Club Premises Certificates) Regulations 2005 SI 2005/42 – Regulation 26c

## A

the Chief Officer of Police that the licence has been issued, and provide a copy of the provisional statement to them.

### 33.0 Variation of a Premises Licence (Full Variation)

#### Description

33.1 A full variation of a premises licence allows the premises licence holder to make an application to vary or change what an existing premises licence authorises, where the proposed change may have an adverse impact on one or more of the licensing objectives. Full variation applications must be made where the licence holder wishes to:

- extend the period the licence has effect
- make substantial changes to the premises the licence relates to
- add the supply of alcohol as a licensable activity
- increase the amount of time on any day during which alcohol may be sold or supplied

#### Application process

33.2 The prescribed application form, which is available on the Council's website ([www.shropshire.gov.uk/licensing](http://www.shropshire.gov.uk/licensing)) must be fully completed and be accompanied by a plan of the premises to which the application relates in the prescribed form, and the appropriate fee. If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the application will be rejected and returned to the applicant. The applicant will be informed of what the missing information/documentation is and requested to formally resubmit the whole application with that information included.

33.3 No application will be processed until such a time as all the required information/documentation is provided. The full fee for the full variation is payable at the time the application is submitted. In the event that an application for a full variation is paid by cheque the application will not be valid, and the consultation period will not begin, until such time as the cheque has cleared. In the event that the cheque does not clear, the application will be considered invalid and returned to the applicant. The applicant will be notified.

33.4 An officer will review the application and liaise with the applicant to ensure that information provided within it is suitably detailed to explain the requested variation. Where variations, additions or removal of conditions are requested, an officer will review the wording to be applied to the licence as conditions if the application is granted. The intention of the proposed steps within the operating schedule will not be changed. Assistance will be provided to develop conditions consistent with the proposed operating schedule to ensure that any conditions, on a granted licence, are clear and can be effectively enforced where necessary.



## A

- 33.5 At the time of making a full variation application, the Council expects licence holders to review the conditions attached to the licence and ensure they are fit for purpose. If a licence holder finds that there are conditions attached to their licence which could be updated, amended or improved they are encouraged to propose changes to these conditions as part of their application. The Council will also take the opportunity to do this to ensure that premises licenses contain relevant, fit for purpose and enforceable conditions. Where the Council finds that there are conditions attached to a licence which require updating, amendment or improvement, or that there are important elements missing from the conditions, an officer will liaise with the licence holder and propose amended or new conditions.
- 33.6 Full variation applications must be submitted to Shropshire Council's Licensing Team, and can be submitted either by email or paper copy.
- 33.7 Where a full variation application is submitted by email, the Council will consider the application to have been submitted by relevant electronic facility, and the responsibility for giving notice of the application to each of the Responsible Authorities therefore lies with the Council. This must be done no later than the first working day after the application was given to the Council.
- 33.8 Where a paper copy variation application is submitted, the applicant must give notice of the application to each responsible authority by giving each a copy of the application together with its accompanying plan, document and other information on the same day the application is submitted to the Council.
- 33.9 The 28 day consultation period for a full variation application begins on the first working day after a valid application is given to the Council. From this day, and for a period of no less than 28 consecutive days following this, the applicant must display a notice (site notice) prominently at or on the premises to which the application relates, where it can be conveniently read from the exterior of the premises. The notice must comply with the following format:
- be of a size equal to or larger than A4
  - be pale blue in colour
  - printed legibly in black ink
  - be in a font size equal to or larger than 16
  - where the premises covers an area of more than 50 meters square the same notice must be displayed every 50 meters along the external perimeter of the premises abutting any highway
- 33.10 The applicant must also publish a notice (newspaper notice) in a local newspaper, or if there is none, in a local newsletter, circular or similar document, circulating in the vicinity of the premises. This notice must appear on at least one occasion during the period of 10 working days starting on the day after it was given to the Council.
- 33.11 The Council provides a template for the site notice within the full variation application pack. This can be completed and used as both the site notice and

## A

newspaper notice. If the public notice template provided in the application pack is not used, the applicant must ensure that their site notice and newspaper notice contain the information prescribed within the relevant legislation<sup>17</sup>.

- 33.12 The Council will also advertise the application for a period of no less than 28 consecutive days starting the day after a valid application is received by publishing the required details on the Council's website<sup>18</sup>.
- 33.13 The Responsible Authorities, or any other person, may make representations to the Council about the application at any time during the 28 day consultation period. Representations made about full variation applications must be 'relevant'. See paragraph 19.0 about making representations.
- 33.14 When relevant representations are received about a full variation application the Act requires that a hearing of the Licensing Act Sub Committee will be held in order to determine the application, unless all parties are in agreement that this is not necessary. The Council proactively encourages and supports all parties to attempt to negotiate and mediate during the consultation period in order to remove the need for a hearing. A hearing is not necessary when relevant representations are withdrawn and the application remains unchanged.
- 33.15 The Responsible Authorities, and any other person, may suggest additional conditions they wish to be applied to the licence to mitigate concerns they may have. The acceptance of additional suggested conditions by the applicant will remove the requirement for the Responsible Authority, or other person, to object to the application. If agreement can be reached between the parties on the addition of extra conditions no hearing will be required. If the applicant does not agree to the addition of conditions suggested by other parties a hearing will be required.
- 33.16 Where no relevant representations are received the licence will be automatically granted on the day after the end of the 28 day consultation period, with the agreed operating schedule and mandatory conditions attached. A paper copy of the premises licence and summary of the premises licence will be issued to the applicant as soon as reasonably practicable after this. The Council will notify the Chief Officer of Police that the licence has been granted, and provide a copy of the licence to them.

### 34.0 Variation of a Premises Licence (Minor Variation)

#### Description

<sup>17</sup> Licensing Act 2003 (Premises Licenses and Club Premises Certificates) Regulations 2005 SI 2005/42 – Regulations 25 and 26

<sup>18</sup> Licensing Act 2003 (Premises Licenses and Club Premises Certificates) Regulations 2005 SI 2005/42 – Regulation 26c

## A

- 34.1 A minor variation of a premises licence allows the premises licence holder to make an application to vary or change what an existing premises licence authorises, where the proposed change will not have an adverse impact on one or more of the licensing objectives. Minor variation applications must be made where the licence holder wishes to:
- make minor changes to the structure of layout of the premises
  - make small adjustments to licensing hours
  - remove out of date, irrelevant or unenforceable conditions
  - add volunteered conditions
  - add certain licensable activities
- 34.2 The Council considers that significant risk of undermining the licensing objectives can be created through minor variation applications if they are considered to be little more than an administrative process. Whilst it is accepted that minor variations exist in order to reduce the burden on licensed premises looking to make less risky changes to their licence, the Council will still carefully scrutinise minor variation applications. Applicants will be approached for further details where it is considered that adequate detail has not been provided in the application.

Application process

- 34.3 The prescribed application form, which is available on the Council's website ([www.shropshire.gov.uk/licensing](http://www.shropshire.gov.uk/licensing)), must be fully completed and accompanied by the relevant supporting documentation and appropriate fee. If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the application will be rejected and returned to the applicant. The applicant will be informed of what the missing information/documentation is and requested to formally resubmit the whole application with that information included.
- 34.4 No application will be processed until such a time as all the required information/documentation is provided. The full fee for the minor variation is payable at the time the application is submitted. In the event that an application for a minor variation is paid by cheque the application will not be valid, and the consultation period will not begin, until such time as the cheque has cleared. In the event that the cheque does not clear, the application will be considered invalid and returned to the applicant. The applicant will be notified.
- 34.5 An officer will review the application and liaise with the applicant to ensure that information provided within it is suitably detailed to explain the requested variation. Where variations, additions or removal of conditions are requested, an officer will review the wording to be applied to the licence as conditions if the application is granted. The intention of the proposed steps within the operating schedule will not be changed. Assistance will be provided to develop conditions consistent with the proposed operating schedule to ensure

## A

that any conditions, on a granted licence, are clear and can be effectively enforced where necessary.

- 34.6 At the time of making a minor variation application, the Council expects licence holders to review the conditions attached to the licence and ensure they are fit for purpose. If a licence holder finds that there are conditions attached to their licence which could be updated, amended or improved they are encouraged to propose changes to these conditions as part of their application. The Council will also take the opportunity to do this to ensure that premises licenses contain relevant, fit for purpose and enforceable conditions. Where the Council finds that there are conditions attached to a licence which require updating, amendment or improvement, or that there are important elements missing from the conditions, an officer will liaise with the licence holder and propose amended or new conditions.
- 34.7 Minor variation applications must be submitted to Shropshire Council's Licensing Team, and can be submitted either by email or paper copy. The responsibility for giving notice of the application to the relevant Responsible Authorities lies with the Council. The Council will decide which Responsible Authorities they consider it appropriate to share the application with.
- 34.8 The 10 working day consultation period for a minor variation application begins on the first working day after a valid application is given to the Council. From this day, and until the end of the ninth consecutive working day after that day, the applicant must display a notice (site notice) prominently at or on the premises to which the application relates, where it can be conveniently read from the exterior of the premises. The notice must comply with the following format:
- be of a size equal to or larger than A4
  - be white in colour
  - printed legibly in black ink
  - be in a font size equal to or larger than 16
  - where the premises covers an area of more than 50 meters square the same notice must be displayed every 50 meters along the external perimeter of the premises abutting any highway
- 34.9 The Council provides a template for the site notice within the minor variation application pack. This can be completed and used as both the site notice and newspaper notice. If the public notice template provided in the application pack is not used, the applicant must ensure that their site notice contains the information prescribed within the relevant legislation<sup>19</sup>.
- 34.10 The Responsible Authorities, or any other person, may make representations to the Council about the application at any time during the 10 working day

---

<sup>19</sup> Licensing Act 2003 (Premises Licenses and Club Premises Certificates) Regulations 2005 SI 2005/42 – Regulations 25 and 26

## A

consultation period. Representations made about minor variation applications must be 'relevant'. See paragraph 19.0 about making representations.

- 34.11 The Responsible Authorities, and any other person, may suggest additional conditions they wish to be applied to the licence to mitigate concerns they may have. The acceptance of additional suggested conditions by the applicant will remove the requirement for the Responsible Authority, or other person, to object to the application.
- 34.12 The Council must take account of any relevant representations received when determining a minor variation application. Where the Council considers that a relevant representation has been received, and one or more of the licensing objectives could be undermined by the proposed variation(s), the application will be rejected.
- 34.13 Where no relevant representations are received the licence will be granted, with the agreed operating schedule and mandatory conditions attached. A paper copy of the premises licence and summary of the premises licence will be issued to the applicant as soon as reasonably practicable after this. The Council will notify the Chief Officer of Police that the licence has been granted and provide a copy of the licence to them.
- 34.14 The Council has a period of 15 working days from the first working day after a valid application is given to the Council to determine the application.

### 35.0 Transfer of a Premises Licence

#### Description

- 35.1 Any person who would be eligible to apply for a premises licence (as described in paragraph 28.6 above) may apply to the Council for the transfer of a premises licence to them. There are various circumstances in which a transfer of a premise licence may be required, a typical example would be where a business has been sold and the previous licence holder will no longer be responsible for the premises.

#### Application process

- 35.2 The prescribed application form, which is available on the Council's website ([www.shropshire.gov.uk/licensing](http://www.shropshire.gov.uk/licensing)) must be fully completed and be accompanied by the appropriate fee. If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the application will be rejected and returned to the applicant. The applicant will be informed of what the missing information/documentation is and requested to formally resubmit the whole application with that information included.

## A

- 35.3 No application will be processed until such a time as all the required information/documentation is provided. An application to transfer a premises licence will only be accepted where:
- the applicant has requested that the transfer has immediate effect, and they are in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see Section 43 of the Licensing Act 2003);
  - the existing premises licence holder has given their consent to transfer the licence;
  - the applicant has shown, to the Council's satisfaction, that they have taken all reasonable steps to obtain consent from the existing premises licence holder and they haven't been able to, and they are in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see Section 43 of the Licensing Act 2003).
- 35.4 The full fee for the transfer is payable at the time the application is submitted. In the event that an application for a transfer is paid by cheque the application will not be valid, and the consultation period will not begin, until such time as the cheque has cleared. In the event that the cheque does not clear, the application will be considered invalid and returned to the applicant. The applicant will be notified.
- 35.5 Where a transfer application is submitted by email, the Council will consider the application to have been submitted by relevant electronic facility, and the responsibility for giving notice of the application to the relevant Responsible Authorities therefore lies with the Council. This will be done the next working day after the application was given to the Council, and the 14 day consultation period for the relevant Responsible Authorities will be considered to start on this day.
- 35.6 Where a paper copy transfer application is submitted, the applicant must give notice of the application to the relevant Responsible Authorities by giving each a copy of the application together with its accompanying documentation on the same day the application is submitted to the Licensing Authority. The Council will consider the 14 day consultation period for the relevant Responsible Authorities to begin the day the application is received by the Council.
- 35.7 Where the Chief Officer of Police believes that the transfer may undermine the prevention of crime and disorder objective, or the Home Office (Immigration Enforcement) considers the transfer would be prejudicial to the prevention of illegal working in licensed premises, they may object by giving notice to the Council at any time within the 14 day consultation period.
- 35.8 The details of any objection received will be shared with the applicant, who may wish to discuss the content with the relevant Responsible Authority. If agreement can be reached between the two parties, any objection may be

## A

withdrawn. If any objection remains at the end of the consultation period a hearing of the Licensing Act Sub Committee will be required to determine the application.

- 35.9 Where no objections are received the transfer will be automatically granted on the day after the end of the 14 day consultation period. A paper copy of the premises licence and summary of the premises licence will be issued to the applicant as soon as reasonably practicable after this. The Council will notify the Chief Officer of Police that the licence has been issued, and provide a copy of the licence to them. The previous licence holder will also be notified that the transfer has been granted.
- 35.10 It is the responsibility of the applicant to inform the designated premises supervisor that an application to transfer the premise licence has been made, and if it is granted.

### **36.0 Variation of a premises licence to specify an individual as Designated Premises Supervisor (Vary DPS)**

#### Description

- 36.1 Premises licenses which authorise the sale of alcohol must also specify a Designated Premises Supervisor (DPS). There can only be one DPS specified on a premises licence, this should be the person who has day to day responsibility for running the premises. A DPS may supervise more than one premises, as long as they are able to ensure each premises complies with the requirements of the Licensing Act 2003, the conditions of their premises licence and that the licensing objectives are properly promoted. A premises licence holder may apply to the Council to vary or specify the Designated Premises Supervisor.

#### Application process

- 36.2 The prescribed application form, which is available on the Council's website ([www.shropshire.gov.uk/licensing](http://www.shropshire.gov.uk/licensing)) must be fully completed and be accompanied by the appropriate fee. If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the application will be rejected and returned to the applicant. The applicant will be informed of what the missing information/documentation is and requested to formally resubmit the whole application with that information included.
- 36.3 No application will be processed until such a time as all the required information/documentation is provided. The full fee for the vary DPS is payable at the time the application is submitted. In the event that an application for a vary DPS is paid by cheque the application will not be valid, and the consultation period will not begin, until such time as the cheque has cleared. In the event that the cheque does not clear, the application will be considered invalid and returned to the applicant. The applicant will be notified.

A

- 36.4 Unless otherwise specified by the applicant, the application to specify an individual as the DPS will have immediate effect during the application period, as if it were granted. The application period begins on the day the application is received by the Council.
- 36.5 Where a vary DPS application is submitted by email, the Council will consider the application to have been submitted by relevant electronic facility, and the responsibility for giving notice of the application to the Chief Officer of Police therefore lies with the Council. This will be done the next working day after the application was given to the Council, and the 14 day consultation period for the Chief Officer of Police will be considered to start on this day.
- 36.7 Where a paper copy vary DPS application is submitted, the applicant must give notice of the application to the Chief Officer of Police by giving a copy of the application, together with its accompanying documentation, on the same day the application is submitted to the Licensing Authority. The Council will consider the 14 day consultation period for the Chief Officer of Police to begin the day the application is received by the Council.
- 36.8 During the 14 day consultation period the Council will check the status of the personal license held by the proposed DPS, if not issued by Shropshire Council, with the home licensing authority to ensure it is current and valid.
- 36.9 In any circumstances it is the responsibility of the applicant to notify the existing DPS of the application to vary the DPS.
- 36.10 Where the Chief Officer of Police believes that the application to vary the DPS may undermine the prevention of crime and disorder objective, they may object by giving notice to the Council at any time within the 14 day consultation period.
- 36.11 The details of any objection received will be shared with the applicant, who may wish to discuss the content with the police. If agreement can be reached between the two parties, any objection may be withdrawn. If any objection remains at the end of the consultation period a hearing of the Licensing Act Sub Committee will be required to determine the application.
- 36.12 Where no objections are received the vary DPS will be automatically granted on the day after the end of the 14 day consultation period. A paper copy of the premises licence and summary of the premises licence will be issued to the applicant as soon as reasonably practicable after this. The Council will notify the Chief Officer of Police that the licence has been issued, and provide a copy of the licence to them.
- 36.13 It is the responsibility of the applicant to inform the previous DPS that the application has been granted.

**37.0 Request to be removed as a designated premises supervisor**



## A

- 37.1 Where an individual no longer wishes to be the designated premises supervisor they must inform the premises licence holder. It is the responsibility of the licence holder to then either make an application to vary the designated premises supervisor, or return the premises licence to the Council within 14 days of receiving notification from the outgoing DPS. If the licence holder is unable to return the premises licence, they must inform the Council in writing that the DPS has left and provide an explanation for why they cannot return the licence.
- 37.2 The Council would prefer that, at the same time as notifying the licence holder, the outgoing DPS also informs the Licensing Team that they no longer wish to be the DPS of the premises. This may be done in writing or by email.

**38.0 Interim Authority Notice**Description

- 38.1 Interim authority notices can be given following the lapse of a premises licence as a result of the death, incapacity or insolvency of the licence holder, or change of their immigration status and where no application to reinstate the licence through transfer has been made.
- 38.2 Any person who is a freeholder or leaseholder of the premises, or who has a connection to the former holder of the premises licence may, during the first 28 days from the day after the licence lapsed, give the Council an interim authority notice:
- where the former licence holder has died, their personal representative is most likely to be the executor of their estate
  - where the former licence holder lacks capacity to hold the licence, their personal representative is most likely to be the person who has enduring or lasting power of attorney
  - where the former licence holder has become insolvent, their personal representative is their insolvency practitioner
- 38.3 The person giving the notice must have the right to work in the UK. Only one interim authority notice may be given in respect of any premises licence.

Application process

- 38.4 The prescribed form, which is available on the Council's website ([www.shropshire.gov.uk/licensing](http://www.shropshire.gov.uk/licensing)), must be fully completed and accompanied by the appropriate fee. If any part of the notice form is incomplete or the fee is not paid, the notice will be rejected and returned to the notice giver. The notice giver will be informed of what the missing information is and requested to formally resubmit the whole notice with that information included.
- 38.5 No notice will be processed until such a time as all the required information is provided. The full fee is payable at the time the notice is submitted. In the event that an interim authority notice is paid by cheque the notice will not be

## A

valid until such time as the cheque has cleared. In the event that the cheque does not clear, the notice will be considered invalid and returned to the notice giver. The notice giver will be notified.

- 38.6 Interim authority notices must be submitted to Shropshire Council's Licensing Team, and can be submitted either by email or paper copy.
- 38.7 Where an interim authority notice is submitted by email, the Council will consider the notice to have been submitted by relevant electronic facility, and the responsibility for giving a copy of the notice to the Chief Officer of Police, and the Home Office where the licence includes the supply of alcohol and/or late night refreshment and the notice giver is an individual, therefore lies with the Council. This will be done no later than the first working day after the notice was given to the Council.
- 38.8 Where a paper copy interim authority notice is submitted, the notice giver must give a copy of the notice to the Chief Officer of Police, and the Home Office where the licence includes the supply of alcohol and/or late night refreshment and the notice giver is an individual, no later than 28 days after the day the notice was received by the Council.
- 38.9 Where the Chief Officer of Police believes that the interim authority notice may undermine the prevention of crime and disorder objective, they may object by giving notice to the Council at any time before the end of the second working day following the day they received the copy notice.
- 38.10 Where the Home Office believes that the interim authority notice may be prejudicial to the prevention of illegal working in licensed premises, they may object by giving notice to the Council at any time before the end of the second working day following the day they received the copy notice.
- 38.11 The details of any objection received will be shared with the notice giver, who may wish to discuss the content with the objector. If agreement can be reached between the two parties, any objection may be withdrawn. If, following an objection being made, the applicant no longer wishes to pursue the notice, the Council will cancel it by giving the notice giver notice, stating the reasons for its cancellation. The Council's notice will be given to the police and the Home Office and the premises licence will lapse.
- 38.12 If any objection remains at the end of the second working day following the day the Chief Officer of Police or Home Office received the copy notice, a hearing of the Licensing Act Sub Committee will be required to determine the application.
- 38.13 Where no objections are received the notice will stand and the premises licence will be reinstated. The notice giver becomes the premises licence holder and the notice has effect for a period of three months from the day it is received by the Council. A paper copy of the premises licence and summary of the premises licence will be issued to the notice giver as soon as reasonably practicable after this. The Council will notify the Chief Officer of

## A

Police and the Home Office that the licence has been issued, and provide a copy of the licence to them.

- 38.14 Unless a valid application is received to transfer the premises licence within the three month period the notice has effect, the premises licence will lapse again and will no longer have effect. An interim authority notice may be terminated by the person who gave it at any time during the three month notice period by notifying the Council. It is the notice givers responsibility to notify the Designated Premises Supervisor of the interim authority notice.

### 39.0 Club Premises Certificate

#### Description

- 39.1 A club premises certificate is intended to permit licensable activities in a premises used by a club (see below description). Where a premises is used for club purposes, and also has areas where general public admission is permitted, or areas are available for hire to the general public, the Council strongly encourages applications to be made for a single premises licence to cover the entire premises, rather than a club premises certificate to cover members areas and a premises licence to cover non-member areas. This avoids the cost of two annual licence fees for the premises and consolidates the licensable activities under one authorisation.
- 39.2 A club premises certificate authorises the use of any premises (which is defined in the Act as a vehicle, vessel or moveable structure or any place or part of any premises) occupied by, and habitually used for the purposes of, a qualifying club for licensable activities.
- Vehicle means a vehicle intended or adapted for use on roads
  - A vessel includes a ship, boat, raft or other apparatus constructed or adapted for floating on water
  - A moveable structure is any structure capable of being moved
  - Any place includes areas such as parks, playing fields or streets
  - A premises is a building or other permanent structure
- 39.3 In order to be a 'qualifying club' the following conditions must be met:
- There must be a period of at least two days between new members applying for, or being nominated for, membership and their admission to the members only facilities of the club;
  - Where there is no application or nomination process to become a member, there must still be two days between a person becoming a member and being given admission to the facilities of the club;
  - The club is established and conducted in good faith as a club;
  - The club has at least 25 members;
  - Alcohol is not supplied, or intended to be supplied, to members on the premises otherwise than by or on behalf of the club.

## A

39.4 Where a qualifying club applies for a club premises certificate to authorise the supply of alcohol, the following further conditions must also be met:

- The purchase of alcohol for the club and the supply of alcohol by the club are managed by committee whose members are elected members of the club and are aged 18 and over;
- No individual person, directly or indirectly, may receive or derive any financial, or other, benefit from the supply of alcohol.

39.5 In order to determine that a club is established and conducted in good faith, the Council requires the following evidence to accompany an application for a club premises certificate:

- Details of the arrangements for purchasing alcohol – there must be no restrictions placed on the club's freedom of purchase
- Details of the rules or arrangements under which money, property or any gain arising from the operation of the club is for the benefit of the club or charitable, benevolent or political purposes and does not benefit any other individual or organisation
- Detail of arrangements in place for giving member information about the finances of the club, and any accounts and/or other records kept to ensure the accuracy of that information
- Details of the nature of the premises occupied by the club

39.6 The above qualifying criteria also apply to registered societies, friendly societies<sup>20</sup> and relevant miners' welfare institutes<sup>21</sup>. A proprietary club, which is a for profit group such as a health club, is not a qualifying club and any premises occupied by them, where licensable activities are carried out, would require a premises licence, and not a club premises certificate.

#### 40.0 Licensable Activities and Qualifying Club Activities

40.1 A club premises certificate is required if any of the licensable activities are carried out by any of the above clubs, on or from one of the above types of premises. The licensable activities are:

- Supply of alcohol
- Provision of regulated entertainment

##### Supply of alcohol

40.2 The supply of alcohol is the provision of alcoholic products by a qualifying club to a member of a club (see paragraph 39.4), and the sale by retail of alcohol to guests of members of the club for consumption on the premises.

---

<sup>20</sup> Licensing Act 2003 Part 4, section 65

<sup>21</sup> Licensing Act 2003 Part 4, section 66

## A

- 40.3 Alcohol means products where the alcohol content at the time of sale exceed 0.5%. There are some very specific exemptions where certain products are not classed as alcohol for the purposes of sale by retail of alcohol, such as liqueur confectionery.

Provision of Regulated Entertainment

- 40.4 Regulated entertainment provided by or on behalf of the club for members of the club and their guests. Regulated entertainment is:
- a performance of a play which takes place in front of an audience of more than 500 people and/or between the hours of 23:00 and 08:00
  - an exhibition of a film
  - an indoor sporting event which takes place in front of an audience of more than 1000 people and/or between the hours of 23:00 and 08:00
  - a boxing or wrestling entertainment (not including Greco-Roman wrestling or freestyle wrestling between two participants) which takes place in front of an audience of more than 1000 people and/or between the hours of 23:00 and 08:00 and/or where both the activity and the spectators are not wholly accommodated within a building
  - performance of live music (or entertainment of a similar description) in front of an audience of more than 500 and/or between the hours of 23:00 and 08:00
  - any playing of recorded music (or entertainment of a similar description) in front of an audience of more than 500 people and/or between the hours of 23:00 and 08:00
  - a performance of dance (or entertainment of a similar description) in front of an audience of more than 500 and/or between the hours of 23:00 and 08:00<sup>22</sup>.
- 40.5 There are some circumstances in which a club premises certificate, or other authorisation under the Act, for regulated entertainment is not required. The Act and Section 182 Guidance issued under the Act provide further detail on this<sup>23</sup>.

Duration of Club Premises Certificate

- 40.6 A club premises certificate has effect until:
- it is withdrawn because the club ceases to be a qualifying club
  - the licence is revoked as a result of a licence review
  - it is suspended as the result of a licence review
  - the licence is surrendered by the licence holder
  - the end of any specified limited period for which it was granted

<sup>22</sup> If the performance of dance falls within the definition of 'relevant entertainment' under Section 2A of the Local Government (Miscellaneous Provisions) Act 1982 a Sexual Entertainment Venue Licence under that legislation will be required, rather than a premises licence

<sup>23</sup> Licensing Act 2003 Schedule 1, Part 2 and Revised Guidance issued under section 182 of the Licensing Act 2003

## A

- 40.7 The Council will suspend a club premises certificate where the relevant annual fee has not been paid. A club premises certificate does not have effect whilst it is suspended.

Application process

- 40.8 A club premises certificate may be applied for by any qualifying club (see paragraph 39.3) for a premises which is occupied by and habitually used for the purposes of the club carrying out qualifying club licensable activities (see paragraph 40.1).
- 40.9 The prescribed application form, which is available on the Council's website ([www.shropshire.gov.uk/licensing](http://www.shropshire.gov.uk/licensing)) must be fully completed and be accompanied by a plan of the premises in the prescribed form, a copy of the rules of the club to which the application relates and the appropriate fee. If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the application will be rejected and returned to the applicant. The applicant will be informed of what the missing information/documentation is and requested to formally resubmit the whole application with that information included.
- 40.10 No application will be processed until such a time as all the required information/documentation is provided. The full fee for the club premises certificate is payable at the time the application is submitted. In the event that an application for a club premises certificate is paid by cheque the application will not be valid, and the consultation period will not begin, until such time as the cheque has cleared. In the event that the cheque does not clear, the application will be considered invalid and returned to the applicant. The applicant will be notified.
- 40.11 An officer will review the operating schedule of the application and liaise with the applicant to ensure that information provided within it is suitably worded to be applied to the club premises certificate as conditions if the application is granted. The intention of the proposed steps within the operating schedule will not be changed. Assistance will be provided to develop conditions consistent with the proposed operating schedule to ensure that any conditions, on a granted club premises certificate, are clear and can be effectively enforced where necessary.
- 40.12 Club premises certificate applications must be submitted to Shropshire Council's Licensing Team, and can be submitted either by email or paper copy.
- 40.13 Where a club premises certificate application is submitted by email, the Council will consider the application to have been submitted by relevant electronic facility, and the responsibility for giving notice of the application to each of the Responsible Authorities therefore lies with the Council. This must be done no later than the first working day after the application was given to the Council.

## A

- 40.14 Where a paper copy club premises certificate application is submitted, the applicant must give notice of the application to each responsible authority by giving each a copy of the application together with its accompanying plan, documents and other information on the same day the application is submitted to the Council.
- 40.15 The 28 day consultation period for a club premises certificate application begins on the first working day after a valid application is given to the Council. From this day, and for a period of no less than 28 consecutive days following this, the applicant must display a notice (site notice) prominently at or on the premises to which the application relates, where it can be conveniently read from the exterior of the premises. The notice must comply with the following format:
- be of a size equal to or larger than A4
  - be pale blue in colour
  - printed legibly in black ink
  - be in a font size equal to or larger than 16
  - where the premises covers an area of more than 50 meters square the same notice must be displayed every 50 meters along the external perimeter of the premises abutting any highway
- 40.16 The applicant must also publish a notice (newspaper notice) in a local newspaper, or if there is none, in a local newsletter, circular or similar document, circulating in the vicinity of the premises. This notice must appear on at least one occasion during the period of 10 working days starting on the day after it was given to the Council.
- 40.17 The Council provides a template for the site notice within the club premises certificate application pack. This can be completed and used as both the site notice and newspaper notice. If the public notice template provided in the application pack is not used, the applicant must ensure that their site notice and newspaper notice contain the information prescribed within the relevant legislation<sup>24</sup>.
- 40.18 The Council will also advertise the application for a period of no less than 28 consecutive days starting the day after a valid application is received by publishing the required details on the Council's website<sup>25</sup>.
- 40.19 The Responsible Authorities, or any other person, may make representations to the Council about the application at any time during the 28 day consultation period. Representations made about club premises certificate applications must be 'relevant'. See paragraph 19.0 about making representations.
- 40.20 When relevant representations are received about an application the Act requires that a hearing of the Licensing Act Sub Committee will be held in

<sup>24</sup> Licensing Act 2003 (Premises Licenses and Club Premises Certificates) Regulations 2005 SI 2005/42 – Regulations 25 and 26

<sup>25</sup> Licensing Act 2003 (Premises Licenses and Club Premises Certificates) Regulations 2005 SI 2005/42 – Regulation 26c

## A

order to determine the application, unless all parties are in agreement that this is not necessary (See paragraph 53.0 about hearings and the Councils Hearings Guidance on the website). The Council proactively encourages and supports all parties to attempt to negotiate and mediate during the consultation period in order to remove the need for a hearing. A hearing is not necessary when relevant representations are withdrawn and the application remains unchanged.

40.21 The Responsible Authorities, and any other person, may suggest additional conditions they wish to be applied to the club premises certificate to mitigate concerns they may have. The acceptance of additional suggested conditions by the applicant will remove the requirement for the Responsible Authority, or other person, to object to the application. If agreement can be reached between the parties on the addition of extra conditions no hearing will be required. If the applicant does not agree to the addition of conditions suggested by other parties a hearing will be required.

40.22 Where no relevant representations are received the club premises certificate will be automatically granted on the day after the end of the 28 day consultation period, with the agreed operating schedule and mandatory conditions attached. A paper copy of the club premises certificate and summary of the club premises certificate will be issued to the applicant as soon as reasonably practicable after this. The Council will notify the Chief Officer of Police that the club premises certificate has been granted, and provide a copy of the licence to them.

#### **41.0 Change of club premises certificate holder's name, notification of alteration of club rules and stolen, lost, damaged or destroyed club premises certificate or summary**

41.1 There are specific provisions under the act which permit a club premises certificate holder to make changes to their name, notify the Council of alterations to the club rules, or to obtain a copy of a lost, stolen, damaged or destroyed certificate providing the correct application or notification is submitted. The Council provides a form for making both of these requests, which must be accompanied by the required documentation, as detailed on the form, and the relevant fee.

#### **42.0 Surrender of a club premises certificate**

42.1 Where a club premises certificate holder wishes to surrender the certificate, they must give written notice to the Council which must be accompanied by the club premises certificate. If the certificate is not available, the notice to surrender must be accompanied by a statement of reasons for failure to provide the certificate. From the date the Council receives a notice to surrender a club premises certificate, the certificate will lapse and will not be effective.

#### **43.0 Withdrawal of a Club Premises Certificate**



## A

43.1 Where it appears to the Council that a club which holds a club premises certificate is no longer a qualifying club (as defined in paragraph 40.0 above) the Council will give a notice to the club notifying them that the club premises certificate no longer has effect. Where a notice of withdrawal is given because it appears to the Council that the club has fewer than 25 members, the notice will have effect after a period of three months from the date the notice is given. Where the club has increased its members in the three-month notice period to the required number, the notice will not take effect.

**44.0 Variation of a Club Premises Certificate (Full Variation)**Description

44.1 A full variation of a club premises certificate allows the certificate holder to make an application to vary or change what an existing club premises certificate authorises, where the proposed change may have an adverse impact on one or more of the licensing objectives. Full variation applications must be made where the licence holder wishes to:

- extend the period the licence has effect
- make substantial changes to the premises the licence relates to
- add the supply of alcohol as a licensable activity
- increase the amount of time on any day during which alcohol may be sold or supplied

Application process

44.2 The prescribed application form, which is available on the Council's website ([www.shropshire.gov.uk/licensing](http://www.shropshire.gov.uk/licensing)) must be fully completed and be accompanied by a plan of the premises to which the application relates in the prescribed form, and the appropriate fee. If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the application will be rejected and returned to the applicant. The applicant will be informed of what the missing information/documentation is and requested to formally resubmit the whole application with that information included.

44.3 No application will be processed until such a time as all the required information/documentation is provided. The full fee for the full variation is payable at the time the application is submitted. In the event that an application for a full variation is paid by cheque the application will not be valid, and the consultation period will not begin, until such time as the cheque has cleared. In the event that the cheque does not clear, the application will be considered invalid and returned to the applicant. The applicant will be notified.

44.4 An officer will review the application and liaise with the applicant to ensure that information provided within it is suitably detailed to explain the requested variation. Where variations, additions or removal of conditions are requested,

## A

an officer will review the wording to be applied to the certificate as conditions if the application is granted. The intention of the proposed steps within the operating schedule will not be changed. Assistance will be provided to develop conditions consistent with the proposed operating schedule to ensure that any conditions, on a granted certificate, are clear and can be effectively enforced where necessary.

- 44.5 At the time of making a full variation application, the Council expects club premises certificate holders to review the conditions attached to the certificate and ensure they are fit for purpose. If a certificate holder finds that there are conditions attached to their club premises certificate which could be updated, amended or improved they are encouraged to propose changes to these conditions as part of their application. The Council will also take the opportunity to do this to ensure that club premises certificates contain relevant, fit for purpose and enforceable conditions. Where the Council finds that there are conditions attached to a club premises certificate which require updating, amendment or improvement, or that there are important elements missing from the conditions, an officer will liaise with the certificate holder and propose amended or new conditions.
- 44.6 Full variation applications must be submitted to Shropshire Council's Licensing Team, and can be submitted either by email or paper copy.
- 44.7 Where a full variation application is submitted by email, the Council will consider the application to have been submitted by relevant electronic facility, and the responsibility for giving notice of the application to each of the Responsible Authorities therefore lies with the Council. This must be done no later than the first working day after the application was given to the Council.
- 44.8 Where a paper copy variation application is submitted, the applicant must give notice of the application to each responsible authority by giving each a copy of the application together with its accompanying plan, document and other information on the same day the application is submitted to the Council.
- 44.9 The 28 day consultation period for a full variation application begins on the first working day after a valid application is given to the Council. From this day, and for a period of no less than 28 consecutive days following this, the applicant must display a notice (site notice) prominently at or on the premises to which the application relates, where it can be conveniently read from the exterior of the premises. The notice must comply with the following format:
- be of a size equal to or larger than A4
  - be pale blue in colour
  - printed legibly in black ink
  - be in a font size equal to or larger than 16
  - where the premises covers an area of more than 50 meters square the same notice must be displayed every 50 meters along the external perimeter of the premises abutting any highway

## A

- 44.10 The applicant must also publish a notice (newspaper notice) in a local newspaper, or if there is none, in a local newsletter, circular or similar document, circulating in the vicinity of the premises. This notice must appear on at least one occasion during the period of 10 working days starting on the day after it was given to the Council.
- 44.11 The Council provides a template for the site notice within the full variation application pack. This can be completed and used as both the site notice and newspaper notice. If the public notice template provided in the application pack is not used, the applicant must ensure that their site notice and newspaper notice contain the information prescribed within the relevant legislation<sup>26</sup>.
- 44.12 The Council will also advertise the application for a period of no less than 28 consecutive days starting the day after a valid application is received by publishing the required details on the Council's website<sup>27</sup>.
- 44.13 The Responsible Authorities, or any other person, may make representations to the Council about the application at any time during the 28 day consultation period. Representations made about full variation applications must be 'relevant'. See paragraph 19 about making representations.
- 44.14 When relevant representations are received about a full variation application the Act requires that a hearing of the Licensing Act Sub Committee will be held in order to determine the application, unless all parties are in agreement that this is not necessary. The Council proactively encourages and supports all parties to attempt to negotiate and mediate during the consultation period in order to remove the need for a hearing. A hearing is not necessary when relevant representations are withdrawn and the application remains unchanged. See paragraph 53.0 about hearings and the Council's Hearing Guidance on the website.
- 44.15 The Responsible Authorities, and any other person, may suggest additional conditions they wish to be applied to the club premises certificate to mitigate concerns they have. The acceptance of additional suggested conditions by the applicant will remove the requirement for the Responsible Authority, or other person, to object to the application. If agreement can be reached between the parties on the addition of extra conditions no hearing will be required. If the applicant does not agree to the addition of conditions suggested by other parties a hearing will be required. See paragraph 53.0 about hearings and the Council's Hearing Guidance on the website.
- 44.16 Where no relevant representations are received the club premises certificate will be automatically granted on the day after the end of the 28 day consultation period, with the agreed operating schedule and mandatory conditions attached. A paper copy of the club premises certificate and

---

<sup>26</sup> Licensing Act 2003 (Premises Licenses and Club Premises Certificates) Regulations 2005 SI 2005/42 – Regulations 25 and 26

<sup>27</sup> Licensing Act 2003 (Premises Licenses and Club Premises Certificates) Regulations 2005 SI 2005/42 – Regulation 26c

## A

summary of the club premises will be issued to the applicant as soon as reasonably practicable after this. The Council will notify the Chief Officer of Police that the club premises certificate has been granted, and provide a copy of the certificate to them.

#### 45.0 Variation of a Club Premises Certificate (Minor Variation)

##### Description

45.1 A minor variation of a club premises certificate allows the club premises certificate holder to make an application to vary or change what an existing certificate authorises, where the proposed change will not have an adverse impact on one or more of the licensing objectives. Minor variation applications must be made where the licence holder wishes to:

- make minor changes to the structure of layout of the premises
- make small adjustments to licensing hours
- remove out of date, irrelevant or unenforceable conditions
- add volunteered conditions
- add certain licensable activities

45.2 The Council considers that significant risk of undermining the licensing objectives can be created through minor variation applications if they are considered to be little more than an administrative process. Whilst it is accepted that minor variations exist in order to reduce the burden on licensed club premises looking to make less risky changes to their club premises certificate, the Council will still carefully scrutinise minor variation applications. Applicants will be approached for further details where it is considered that adequate detail has not been provided in the application.

##### Application process

45.3 The prescribed application form, which is available on the Council's website ([www.shropshire.gov.uk/licensing](http://www.shropshire.gov.uk/licensing)) must be fully completed and accompanied by the relevant supporting documentation and appropriate fee. If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the application will be rejected and returned to the applicant. The applicant will be informed of what the missing information/documentation is and requested to formally resubmit the whole application with that information included.

45.4 No application will be processed until such a time as all the required information/documentation is provided. The full fee for the minor variation is payable at the time the application is submitted. In the event that an application for a minor variation is paid by cheque the application will not be valid, and the consultation period will not begin, until such time as the cheque has cleared. In the event that the cheque does not clear, the application will be considered invalid and returned to the applicant. The applicant will be notified.

## A

- 45.6 An officer will review the application and liaise with the applicant to ensure that information provided within it is suitably detailed to explain the requested variation. Where variations, additions or removal of conditions are requested, an officer will review the wording to be applied to the club premises certificate as conditions if the application is granted. The intention of the proposed steps within the operating schedule will not be changed. Assistance will be provided to develop conditions consistent with the proposed operating schedule to ensure that any conditions, on a granted certificate, are clear and can be effectively enforced where necessary.
- 45.7 At the time of making a minor variation application, the Council expects club premises certificate holders to review the conditions attached to the certificate and ensure they are fit for purpose. If a licence holder finds that there are conditions attached to their certificate which could be updated, amended or improved they are encouraged to propose changes to these conditions as part of their application. The Council will also take the opportunity to do this to ensure that club premises certificates contain relevant, fit for purpose and enforceable conditions. Where the Council finds that there are conditions attached to a certificate which require updating, amendment or improvement, or that there are important elements missing from the conditions, an officer will liaise with the certificate holder and propose amended or new conditions.
- 45.8 Minor variation applications must be submitted to Shropshire Council's Licensing Team, and can be submitted either by email or paper copy. The responsibility for giving notice of the application to the relevant Responsible Authorities lies with the Council. The Council will decide which Responsible Authorities they consider it appropriate to share the application with.
- 45.9 The 10 working day consultation period for a minor variation application begins on the first working day after a valid application is given to the Council. From this day, and until the end of the ninth consecutive working day after that day, the applicant must display a notice (site notice) prominently at or on the premises to which the application relates, where it can be conveniently read from the exterior of the premises. The notice must comply with the following format:
- be of a size equal to or larger than A4
  - be white in colour
  - printed legibly in black ink
  - be in a font size equal to or larger than 16
  - where the premises covers an area of more than 50 meters square the same notice must be displayed every 50 meters along the external perimeter of the premises abutting any highway
- 45.10 The Council provides a template for the site notice within the minor variation application pack. This can be completed and used as both the site notice and newspaper notice. If the public notice template provided in the application pack is not used, the applicant must ensure that their site notice and

## A

newspaper notice contain the information prescribed within the relevant legislation<sup>28</sup>.

- 45.11 The Responsible Authorities, or any other person, may make representations to the Council about the application at any time during the 10 working day consultation period. Representations made about minor variation applications must be 'relevant'. See paragraph 19.0 about making representations.
- 45.12 The Council must take account of any relevant representations received when determining a minor variation application. Where the Council considers that a relevant representation has been received, and one or more of the licensing objectives could be undermined by the proposed variation(s), the application will be rejected.
- 45.13 Responsible Authorities, and any other person, may suggest additional conditions they wish to be applied to the club premises certificate to mitigate concerns they may have. The acceptance of additional suggested conditions by the applicant will remove the requirement for the Responsible Authority, or other person, to object to the application. If agreement can be reached between the parties on the addition of extra conditions no hearing will be required. If the applicant does not agree to the addition of conditions suggested by other parties a hearing will be required See paragraph 53.0 about hearings and the Council's Hearing Guidance on the website.
- 45.14 Where no relevant representations are received the club premises certificate will be automatically granted, with the agreed operating schedule and mandatory conditions attached. A paper copy of the club premises certificate and summary of the certificate will be issued to the applicant as soon as reasonably practicable after this. The Council will notify the Chief Officer of Police that the club premises certificate has been granted, and provide a copy of the certificate to them.
- 45.15 The Council has a period of 15 working days from the first working day after a valid application is given to the Council to determine the application.

## 46.0 Temporary Event Notices (TENs)

### Description

- 46.1 A temporary event notice (TEN) may be given by any individual aged 18 or over wishing to carry on licensable activities (see paragraph 26.0) without the authorisation of a premises licence on a temporary basis. A TEN may be given for a premises which has a premises licence or club premises certificate to cover licensable activities not permitted by the existing authorisation, or

---

<sup>28</sup> Licensing Act 2003 (Premises Licenses and Club Premises Certificates) Regulations 2005 SI 2005/42 – Regulations 25 and 26

## A

where the permission of the licence/certificate holder to use the licence/certificate has not been given.

- 46.2 A temporary event notice may be given for any individual premises up to 15 times in a calendar year. 'Premises' can mean any place, it does not have to be a building with a formal address.
- 46.3 Each temporary event notice must last no longer than 7 days, or 168 hours, and there must be 24 hours between each individual temporary event notice at a premises. For the purposes of a TEN 'a day' is considered to be 00:00 to 23:59. The maximum total duration of events which can be authorised by TENs at an individual premises is 21 days in a calendar year.
- 46.4 Multiple TENs may be given at the same time, if for example an individual is planning multiple events throughout the year and is planning ahead. Each individual event must be on a separate notice and accompanied by the fee.
- 46.5 Personal licence holders may give up to 50 TENs in a calendar year, up to 10 of which may be late TENs. Non personal licence holders may give up to 5 TENs in a calendar year, 2 of which may be late TENs. Associates, relatives and business partners of an individual giving a TEN are considered to be the same person in relation to these restrictions. Therefore, for example, two business partners who held personal licenses could not apply for 100 TENs between them, they would be limited to 50.
- 46.6 The maximum number of people at any one time attending an event authorised by a TEN is 499. This includes any staff, suppliers and other services who may be in attendance.
- 46.7 A copy of the TEN must be on the premises whilst the event is taking place. The person who gave the notice does not need to be at the event, or on the premises, but they should nominate a person who is present at the premises whilst the event is taking place to keep and produce the notice. A notice identifying the nominated person should be on display at the premises.

#### Notice giving process

- 46.8 The prescribed form of the notice, which is available on the Council's website ([www.shropshire.gov.uk/licensing](http://www.shropshire.gov.uk/licensing)), must be fully completed and be accompanied the appropriate fee. If any part of the notice is incomplete or the fee is not paid, the notice will be rejected and returned to the applicant. The notice giver will be informed of what the missing information is and requested to formally resubmit the whole notice with that information included.
- 46.9 No notice will be processed until such a time as all the required information is provided. The full fee is payable at the time the notice is submitted. In the event that a notice is paid by cheque the notice will not be valid, and the consultation period will not begin, until such time as the cheque has cleared. In the event that the cheque does not clear, the notice will be considered invalid and returned to the notice giver. The notice giver will be notified.

A

- 46.10 Temporary Event Notices must be submitted to Shropshire Council's Licensing Team, and can be submitted either by email or paper copy.
- 46.11 Where a TEN is submitted by email, the Council will consider the notice to have been submitted by relevant electronic facility, and the responsibility for giving a copy of the notice to the Chief Officer of Police and Environmental Health therefore lies with the Council. This must be done no later than the first working day after the application was given to the Council.
- 46.12 Where a paper copy TEN is submitted, the notice giver must give notice of the TEN to the Chief Officer of Police and Environmental Health by giving each a copy of the notice on the same day the application is submitted to the Council.
- 46.13 There are two types of temporary event notice, standard TENs and late TENs. They are subject to different processes and may be used in specific circumstances.
- 46.14 Standard TENs must be submitted to the Council at least ten working days before the event, not including the day the notice is submitted, or the day of the event. The Council strongly encourages those planning events where a TEN is required to submit the notice as part of the early stages of planning of the event. The three day consultation period begins the day the notice is received by the Chief Officer of Police and Environmental Health. They may make representations to the Council about the notice at any time during the 3 day consultation period. Representations made about TENs must be 'relevant', and made on the basis the notice would undermine one or more of the four licensing objectives.
- 46.15 When relevant representations are received about a TEN, the Act requires that a hearing of the Licensing Act Sub Committee will be held in order to determine the notice, unless all parties are in agreement that this is not necessary See paragraph 53.0 about hearings and the Council's Hearing Guidance on the website. The Council proactively encourages and supports all parties to attempt to negotiate and mediate during the consultation period in order to remove the need for a hearing. The police or Environmental Health may contact the notice giver in order to negotiate a mutually satisfactory agreement which allows the proposed licensable activities to proceed. Any proposed modification must be agreed by the police, Environmental Health and the notice giver. In these circumstances the Council will modify the TEN in accordance with the agreement made prior to issuing. A hearing is not necessary where a modification is agreed during the consultation period.
- 46.16 Where a TEN has been given for any part of a premises to which an existing premises licence or club premises certificate applies, and there has been an objection from the police or Environmental Health which has not been withdrawn, the Council may apply conditions from the licence or certificate if they feel it is appropriate for the promotion of the licensing objectives.



## A

- 46.17 Where no relevant representations are received the notice will stand. It will be endorsed by the Council and issued to the notice giver within 24 hours of the day of the event.
- 46.18 Late TENs can be given in exceptional circumstances, where the reason for submitting the notice late is outside the notice giver's control, for example a sudden need to change the venue of an event. Late TENs may be given no later than five working days, but no earlier than nine working days, before an event is due to take place, not including the day the notice is submitted or the day of the event. The application process for a late TEN is the same as a standard TEN, however if a relevant objection is received from the police or Environmental Health the notice will not be valid. A counter notice will be issued by the Council to the notice giver no later than 24 hours before the event to confirm that the TEN does not have effect and the event will not go ahead. A copy of the counter notice will also be provided to the police and Environmental Health.
- 46.19 Where a TEN is submitted which exceeds either the permitted number of TENs at an individual premises, or the number an individual person may apply for, the notice will not be valid and the Council will issue a counter notice to the notice giver no later than 24 hours before the beginning of the event.
- 46.20 Ordinarily notices will be issued in hard copy and sent in the post so they can be placed at the premises. If the notice giver has the facilities to print the notice, and would prefer to receive it electronically in PDF format, they should inform the Council of this at the time the notice is submitted.

#### **47.0 Withdrawal of a Temporary Event Notice**

- 47.1 TENs may be withdrawn if an event is no longer going ahead. This must be done no later than 24 hours before the start of the event. If the notice is not withdrawn within this time period, the notice will count towards the premises' and the individual's permitted numbers of notices in that calendar year. The fee for submitting the notice will not be refunded.

#### **48.0 Stolen, lost, damaged or destroyed Temporary Event Notice**

- 48.1 There are specific provisions under the act which allow a notice holder to obtain a copy of a lost, stolen, damaged or destroyed TEN by requesting it from the Licensing Team. This must be done within one month of the end of the event period which is specified on the notice, and be accompanied by the relevant fee. The Council will issue an endorsed copy of the notice to the notice holder.

#### **49.0 Personal Licences**

##### Description

- 49.1 A personal license authorises an individual to supply alcohol or authorise the supply of alcohol by others in accordance with a premises licence or club

## A

premises certificate. A personal licence must be held by any individual in order to be the Designated Premises Supervisor at a licensed premises.

49.2 An applicant for a personal licence must:

- be aged 18 or over
- have the right to work in the UK in a licensable activity
- have a licensing qualification accredited but the Secretary of State (or be a prescribed person in the Licensing Act 2003 [Personal licenses] Regulations 2005)
- not have forfeited a personal licence within five years of their application
- not have been convicted of any relevant or foreign offence or been required to pay an immigration penalty<sup>29</sup>
- provide a criminal conviction certificate, a criminal record certificate or the results of a subject access search of the Police National Computer by the National Identity Service which is no older than one calendar month before the date the app
- inform the Council if they are convicted of a relevant offence or foreign offence or are required to pay an immigration penalty during the application process
- provide two recent passport style photographs of themselves, one of which is endorsed with a statement verifying the likeness of the photograph to the applicant<sup>30</sup>

#### Duration of licence

- 49.3 A personal licence has effect indefinitely unless it is surrendered, the holder of the licence ceases to have the right to work in the UK, the licence is revoked, forfeited or suspended by order of a court.
- 49.4 If a personal licence holder is charged with a relevant offence<sup>31</sup>, they have a duty to produce their personal licence to the court, or notify the court of the existence of their personal licence and the issuing Licensing Authority.
- 49.5 If a personal licence holder is convicted of a relevant offence they must inform the Council as soon as reasonably practicable, the details of the date and nature of the conviction and the sentence.

#### Application process

- 49.6 The prescribed application form, which is available on the Council's website ([www.shropshire.gov.uk/licensing](http://www.shropshire.gov.uk/licensing)), must be fully completed and be accompanied by the required documentation as listed above in paragraph

<sup>29</sup> Licensing Act 2003, Schedule 4

<sup>30</sup> Photograph must be endorsed by a solicitor, notary, a person of standing in the community or any other individual with a professional qualification

<sup>31</sup> Licensing Act 2003, Schedule 4

A

- 49.2. If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the application will be rejected and returned to the applicant. The applicant will be informed of what the missing information/documentation is and requested to formally resubmit the whole application with that information included.
- 49.7 No application will be processed until such a time as all the required information/documentation is provided. The full fee for the licence is payable at the time the application is submitted. In the event that an application for a licence is paid by cheque the application will not be valid, and the consultation period will not begin, until such time as the cheque has cleared. In the event that the cheque does not clear, the application will be considered invalid and returned to the applicant. The applicant will be notified.
- 49.8 Personal licence applications must be submitted to Shropshire Council's Licensing Team, and can be submitted either by email or paper copy.
- 49.9 Where a valid application is received by the Council which discloses any conviction for a relevant offence, foreign offence or immigration penalty, the application will be given by the Council to the Chief Officer of Police. They may raise objections to the issuing of the personal licence within 14 days of receiving the application if they believe that the granting of the licence would undermine the prevention of crime and disorder objective.
- 49.10 Where a valid application is received which discloses a conviction for a foreign offence, which the Council considers to be comparable to an immigration offence, an immigration offence or immigration penalty, the Council will give the application to the Home Office. They may raise objections within 14 days of receiving the application if they believe the granting of the licence would be prejudicial to the prevention of illegal working in licensed premises.
- 49.11 If objections are received from the Chief Officer of Police or Home Office a hearing of the Licensing Act Sub Committee will be arranged to determine the application, unless all parties agree it is not necessary See paragraph 53.0 about hearings and the Council's Hearing Guidance on the website.
- 49.12 Where no relevant convictions, foreign offences, immigration offences or immigration penalties are disclosed with a valid application, the Council will grant and issue the licence as soon as reasonably practicable. The Council will inform the Chief Officer of Police of the granting of the licence.
- 49.13 If it comes to light that an applicant for a personal licence did not disclose convictions for relevant offences, foreign offences, immigration offences or immigration penalties during the application period, and the personal licence has been granted, the Council will inform the Chief Officer of Police and the Home Office (where relevant). They will have 14 days to raise any objections, where objections are received a hearing of the Licensing Act Sub Committee will be required to determine if the personal licence should be revoked See

## A

paragraph 53.0 about hearings and the Council's Hearing Guidance on the website. If no objections are received the personal licence will remain in force.

- 49.14 Only one personal licence application may be made at any time, an individual may not apply for another personal licence until the initial application has been determined. An individual may only hold one personal licence, a personal licence will be void if at the time it is granted the individual holds another personal licence.

Convictions after grant of personal licence

- 49.15 Any personal licence holder who is charged with a relevant offence must, no later than the time they first appear in the magistrate's court, produce their personal licence to the court. If they do not have their personal licence they must still inform the court of its existence, notify them of the issuing Council and explain why it cannot be produced.
- 49.16 If an individual is charged with a relevant offence and appears in court during the application period, prior to the granting of a personal licence, there is no requirement to inform the court of their application. There is also no requirement to inform the Council of the charge.
- 49.17 If a personal licence holder is convicted of a relevant offence, foreign offence, immigration offence or receives an immigration penalty they must inform the Council as soon as reasonably practicable after the conviction of the date and nature of the conviction and the sentence imposed. They must also return the personal licence to the Council, or if that is not practical a notice stating why that is the case. The Council will record the detail of the conviction(s) and endorse them on the licence with any period of suspension. The personal licence will then be returned to the holder, unless it has been forfeited by the court, in which case the Council will keep it.
- 49.18 If a personal licence holder receives a conviction for a relevant or foreign offence, an immigration offence or an immigration penalty, the Council will consider whether or not it considers further action is required. This may mean revocation of the personal licence, or suspension for a period of up to six months. The Council will notify the licence holder and give them 28 days to make representations from the day they are notified. Having received the licence holder's representation, the Council will decide whether or not they proposed to revoke or suspend the personal licence.
- 49.19 If the Council is minded to propose suspension or revocation of the personal licence, a hearing of the Licensing Act Sub Committee will be arranged in order to make a final decision on whether to suspend or revoke the licence. See paragraph 53.0 about hearings and the Council's Hearing Guidance on the website.
- 49.20 If the Council is not minded to revoke or suspend the licence, the Chief Officer of Police will be notified and will have 14 days from the day of notification to make any representations in relation to the prevention of crime and disorder.

## A

Where the conviction is related to immigration offences, the Home Office will also be notified and can make representations in the same way as the police but with regard to ensuring that it would not be prejudicial to illegal working in licensed premises for the licence holder to retain their personal licence. A hearing of the Licensing Act Sub Committee will then be arranged to make the final decision on whether to suspend or revoke the licence. See paragraph 53.0 about hearings and the Council's Hearing Guidance on the website.

49.21 Where the Licensing Act Sub Committee decides to suspend or revoke a personal licence, the decision will not have effect until 21 days after the licence holder is notified the decision, or if the licence holder decides to appeal the decision, until the appeal is disposed of.

49.22 The licence holder, Chief Officer of Police and Home Office (where necessary) will be notified of the decision of the Licensing Act Sub Committee.

49.23 Where the conviction is being appealed by the personal licence holder, the Council may not take any of the above action until the appeal period has ended.

#### **50.0 Change of licence holder's name/address and stolen, lost, damaged or destroyed premises licence or summary**

50.1 There are specific provisions under the act which permit a personal licence holder to make changes to their name and/or address or to obtain a copy of a lost, stolen, damaged or destroyed licence providing the correct application or notification is submitted. The Council provides a form for making both of these requests, which must be accompanied by the required documentation, as detailed on the form, and the relevant fee.

#### **51.0 Surrender of a personal licence**

51.1 Where a personal licence holder wishes to surrender their personal licence, they must give written notice to the Council which must be accompanied by the personal licence. If the personal licence is not available, the notice to surrender must be accompanied by a statement of reasons for failure to provide the licence. From the date the Council receives a notice to surrender a personal licence, the licence will lapse and will not be effective.

#### **52.0 Review of a Premises Licence or Club Premises Certificate**

##### Description

52.1 The Responsible Authorities, or any other person, may apply to the Council for a review of a premises licence or club premises certificate where issues associated with the premises in relation to the licensing objectives occur after the grant or variation of a licence or club certificate.

## A

52.2 The Act does not provide a pre-defined list of issues that might prompt a licence review; however, the Council is likely to consider carrying out a review where there are reasonable concerns relating to:

- the licensing objectives being undermined or that compliance with the objectives is at risk;
- the fundamental purpose of the Council's Policy being undermined or that compliance with the purpose is at risk;
- complaints from residents, responsible authorities of other interested parties about the operation of the premises;
- premises licence conditions not being observed; and/or,
- the premises operating outside of the principles set out in the Council's Policy

52.3 Where a responsible authority, or any other person, intends to submit a review application, they are strongly advised to first contact the licensing team to discuss their concerns in advance of submitting their application. This is on the basis that the Council prefers to provide licence/certificate holders the opportunity to first enter into constructive discussions to secure compliance without recourse to a formal licence review where it is practical to do so. The Council will normally undertake a process of ensuring compliance by a licence/certificate holder through constructive discussions, an initial investigation by a Council officer, informal mediation and/or dispute resolution.

52.4 The above is the Council's preferred approach, however review applications may be submitted without first doing this, although this is discouraged.

#### Application process

52.5 The applicant must submit the application to the Council on the required form (the relevant form is available on the Council's website [licensing@shropshire.gov.uk](mailto:licensing@shropshire.gov.uk)) with any supporting information and/or documents. Applications for a review may be submitted to the Council in writing, either on paper or by email.

52.6 If any part of the application form is incomplete the application will be rejected and returned to the applicant. The applicant will be informed of what is missing and requested to formally resubmit the whole application with that information included. No application will be processed until such a time as all the required information/documentation is provided.

52.7 On the same day the application is submitted to the Council, notice of the application, in the form of a copy of the application, should be given to premises licence/club premises certificate holder and to all responsible authorities. Failure to do so will halt the application process until notice is received by all parties.

52.8 The 28 day consultation period for a review of a premises licence/club premises certificate application begins on the first working day after a valid

## A

application is given to the Council. From this day, and for a period of no less than 28 consecutive days following this, the premises to which the application relates must display a notice (site notice) prominently at or on the premises to which the application relates, where it can be conveniently read from the exterior of the premises. The notice will be provided by the Council to the premises. The Council will also advertise the review application at its main offices and on its website.

52.9 Representations to the application from the Responsible Authorities, or any other person, may be made at any time during the 28 day consultation period. Representations made about review of premises licence/club premises certificate applications must be 'relevant'. See paragraph 19 for further details on making representations.

52.10 At the end of the 28 day consultation period a hearing of the Licensing Act Sub Committee will be arranged to consider the application and any representations and determine it. See paragraph 53.0 about hearings and the Council's Hearing Guidance on the website. The purpose of the hearing will be to determine whether the Council should take any action in relation to the licence, namely:

- modify the conditions of the licence (adding, removing or amending);
- exclude a licensable activity from the scope of the licence;
- remove the DPS (for premises licenses);
- suspend the licence for a period not exceeding three months;
- revoke the licence (for premises licenses) or withdraw the certificate (for club premises certificates)

52.11 The licence/certificate holder, the applicant for review, any person who made representations and the Chief Officer of Police will be informed of the outcome of the review hearing as soon as reasonably practical. The licence/certificate holder, any person who made representations on the application and the person who applied for the review may appeal a decision in respect of a licence review. The decision of the Licensing Act Sub Committee will not have effect until the end of the 21 day appeal period which begins the day the parties are notified of the outcome of the hearing. See paragraph 14.0 in relation to appeals.

#### Summary Reviews

52.12 Under section 53A to 53D of the Licensing Act 2003, the Chief Officer of Police may apply for a summary review of a premises licence or club premises certificate where they believe that the premises is associated with serious crime or disorder (as defined by the Act). On receipt of an application of this kind, the Council will follow the process as set out in the Act.

### **53.0 Hearings**

A

- 53.1 Where negotiation or mediation result in a mutually agreed change, which reduces or removes elements of what is requested by an original application, a hearing of the Licensing Act Sub Committee will still be required. If all parties are in agreement, there will be no need for a hearing which parties are expected to attend, but a Licensing Act Sub Committee will be appointed and a report of the mediated changes agreed to the application will be provided to them. The Committee will still be required to determine the application, but will do so in the knowledge that, based on the mediated changes, there is no challenge to the application.
- 53.2 Where relevant representations are made and not withdrawn, or a negotiated or mediated agreement cannot be reached (as above), a hearing of the Licensing Act Sub Committee will be required to determine the application.
- 53.3 Where an agreement is reached through negotiation or mediation which results in changes to the application which increases the scope of what was originally requested, the 28 day consultation period will be required to start again. Ordinarily, this will not require applicants to submit a new application, and pay the application fee again. The application will need to be re-advertised in the required manner, and sent to the Responsible Authorities again. It remains at the Council's discretion whether a new application, accompanied by the relevant fee, will be required in these circumstances.
- 53.4 See the Council's guidance on the hearing process on the website for details of how hearings are organised and take place.



**PART 4**

**INSPECTION,  
COMPLIANCE,  
ENFORCEMENT  
AND COMPLAINTS**

## Part 4 – Inspection, Compliance, Enforcement and Complaints

### 54.0 Summary

- 54.1 This part of the Policy sets out the principles that will be applied when the Council carries out the inspection of premises and when it institutes criminal proceedings in respect of specified offences under the Act.
- 54.2 This includes the principles that will be applied in respect of general compliance, enforcement and the manner in which complaints will be dealt with.
- 54.3 The focus of the Council's inspection, compliance and enforcement role is on ensuring the promotion of the licensing objectives and compliance with licence conditions.

### 55.0 Inspection, compliance and enforcement

- 55.1 The Council will generally use the least intrusive regulatory tool to achieve compliance and will ensure that any regulatory action is proportionate to the importance of the matters to which it relates.
- 55.2 Council officers may undertake inspection, compliance and enforcement activities for the purpose of assessing compliance under the Act and to determine whether an offence is being committed. In doing so, the Council's officers will work closely with other enforcement authorities to achieve compliance with the relevant legislation, licence/notice requirements and specific conditions of each licence/notice.
- 55.3 The Council will undertake all inspection, compliance and enforcement work in accordance with the Council's Better Regulation and Enforcement Policy (or such similar policy that may from time to time be adopted) which is available on the Council's website at <http://shropshire.gov.uk/shropshire-council/policies/>. The Better Regulation and Enforcement Policy sets out clearly the overall approach adopted by the Council towards inspection, compliance and enforcement. It also specifically sets out the principles by which the Council intends to manage all criminal investigations.
- 55.4 The Council recognises that combating the illegal provision of licensable activities is of significant benefit to the licensed community as the provision of illegal and unregulated licensable activities impacts upon the reputation of the licensed industry as a whole. The persistent and widespread existence of illegal licensable activities also reduces the incentive on operators to be correctly licensed.
- 55.5 Accordingly, where the Council uncovers evidence of illegal licensable activities taking place it will work in partnership with other enforcement authorities to undertake criminal investigations into such activity with a view to prosecuting the individuals and companies responsible.

## A

- 55.6 In relation to the prevention, investigation and prosecution of offences under the Act, and other offences related to licenses/notices, the Council will give priority, based on the level of risk posed to the licensing objectives, to crimes in which there is a greater risk of harm or exploitation to children and vulnerable persons.
- 55.7 Whilst breaching a licence condition is a criminal offence, the Council will default, in the first instance, to its regulatory rather than criminal powers when considering such a breach. However, where there are significant breaches of licensing conditions that satisfy the criteria for invoking criminal powers in accordance with the Council's Better Regulation and Enforcement Policy this will mean that the Council will investigate matters with a view to instituting criminal proceedings irrespective of whether it has used its regulatory powers or not.
- 55.8 The Council will abide by the statutory principles of good regulation and the Regulators' Code. Inspection and enforcement activities will be carried out in a way that is transparent, accountable, proportionate, consistent and targeted, and promotes efficient and effective regulatory approaches that improve outcomes without imposing unnecessary burdens on business.
- 55.9 The Council will apply a risk-based approach to inspection and where relevant this will be informed by the Council's local area profile. Overall, it is the Council's intention to resource inspections of high-risk premises to a greater level than those deemed to be of a lower-risk. This will ensure that resources are more effectively concentrated on potential problem premises. However, inspections of lower-risk premises will be undertaken at an appropriate level in order to allow the Council to maintain a presence at such premises and to target controls on emerging risks.
- 56.0 Complaints**
- 56.1 Where appropriate, complainants will be encouraged to raise complaints with the relevant licence holder or business concerned. However, the Council will also respond to complaints in line with its Better Regulation and Enforcement Policy and will use complaint information to assist in the determination of licensing decisions and enforcement action.
- 57.0 Publication of information relating to the Council's regulatory functions**
- 57.1 The Council will not normally publish details of the information found or the conclusions reached during its inspections and investigations. An exception may be made where there is speculation in the public domain and/or where those involved have made public statements which need to be responded to in order to avoid misconceptions arising.
- 57.2 The Council will normally publish details of all formal regulatory action taken under the Act. Such information will be published as soon as practicable after

A

a decision has been taken, whether or not the decision is the subject of an appeal.

57.3 When investigating criminal matters, the Council will generally consider making a public announcement when suspects are arrested, when search warrants are executed, when charges are laid and at the conclusion of any trial. A public announcement may also be made at other stages of an investigation when this is considered appropriate.

57.4 The Council will, upon request, review any compliance or enforcement-related notices that are published on the Council's website in order to determine whether continued publication is appropriate, or whether publicity should be removed or amended.

# **PART 5**

# **CONSULTATION**

## PART 5 – CONSULTATION

### 58.0 Formal consultation

- 58.1 Formal consultation was undertaken for a period of ten weeks between 19 June 2023 and 27 August 2023.
- 58.1 The consultation was publicised through the Council's 'Get involved' section of its website, through a press release, on the Council's and licensing team's social media platforms and direct emails to all existing premises licence holders where an email address was available.
- 58.2 In addition, direct engagement, by email and/or face-to-face discussions, was undertaken with a range of trade representatives, responsible authorities, solicitors specialising in licensing matters that are in regular contact with the Council's licensing team, pub companies/breweries and other relevant stakeholders. These are listed below:
- Association of Convenience Stores (ACS)
  - Association of Licensed Multiple Retailers (ALMR)
  - British Beer and Pub Association (BBPA)
  - British Institute of Inn Keeping (BI)
  - British Retail Consortium (BRC)
  - British Board of Film Classification (BBFC)
  - Licensed Victuallers Associations (LVAs)
  - Shropshire Fire and Rescue Service
  - West Mercia Police
  - Environment Agency
  - Environmental Health, Shropshire Council
  - Trading Standards, Shropshire Council
  - Community Protection, Shropshire Council
  - Planning Services, Shropshire Council
  - Case Management Team (Children), Shropshire Council
  - Children's Services, Shropshire Council
  - Director of Public Health for Shropshire
  - Home Office (Immigration Enforcement) Alcohol Licence Team
  - Maritime & Coastguard Agency
  - Canal and River Trust
  - Poppleston Allen
  - TLT
  - John Gaunt
  - Flint Bishop
  - DWF
  - Punch Taverns
  - Joules
  - Marston's
  - Enterprise Inns
  - Admiral Taverns

A

- Greene King
- J D Weatherspoons
- Ludlow Brewing Company
- Mitchells and Butler
- Star Pubs & Bars
- Shropshire Association of Local Councils
- Shropshire Chamber of Trade
- County Pubwatch Chairs
- Neighbourhood Authorities Working Group for Licensing

58.3 Details of the consultation were also circulated, through a newsletter, by the Shropshire Voluntary and Community Sector Assembly (VCSA) to around 250 different voluntary groups/organisations.

58.4 The consultation welcomed and encouraged all interested parties to provide feedback in relation to the content and format of the whole policy and did not ask specific consultation questions.

**PART 6**  
**LICENSING CONTACT**  
**DETAILS**



A

**PART 6 – LICENSING CONTACT DETAILS****59.0 Contact details**

59.1 For information, advice and guidance relating to this Policy and licensing generally, please contact:

Licensing  
Trading Standards and Licensing  
Shropshire Council  
Abbey Foregate  
Shrewsbury  
Shropshire  
SY2 6ND  
Tel: 0345 678 9026  
Email: [licensing@shropshire.gov.uk](mailto:licensing@shropshire.gov.uk)

59.2 Website: <http://www.shropshire.gov.uk/licensing/>

**60.0 Licence Fee Payments**

Telephone: 0345 678 9026

Online: <http://www.shropshire.gov.uk/pay-for/>

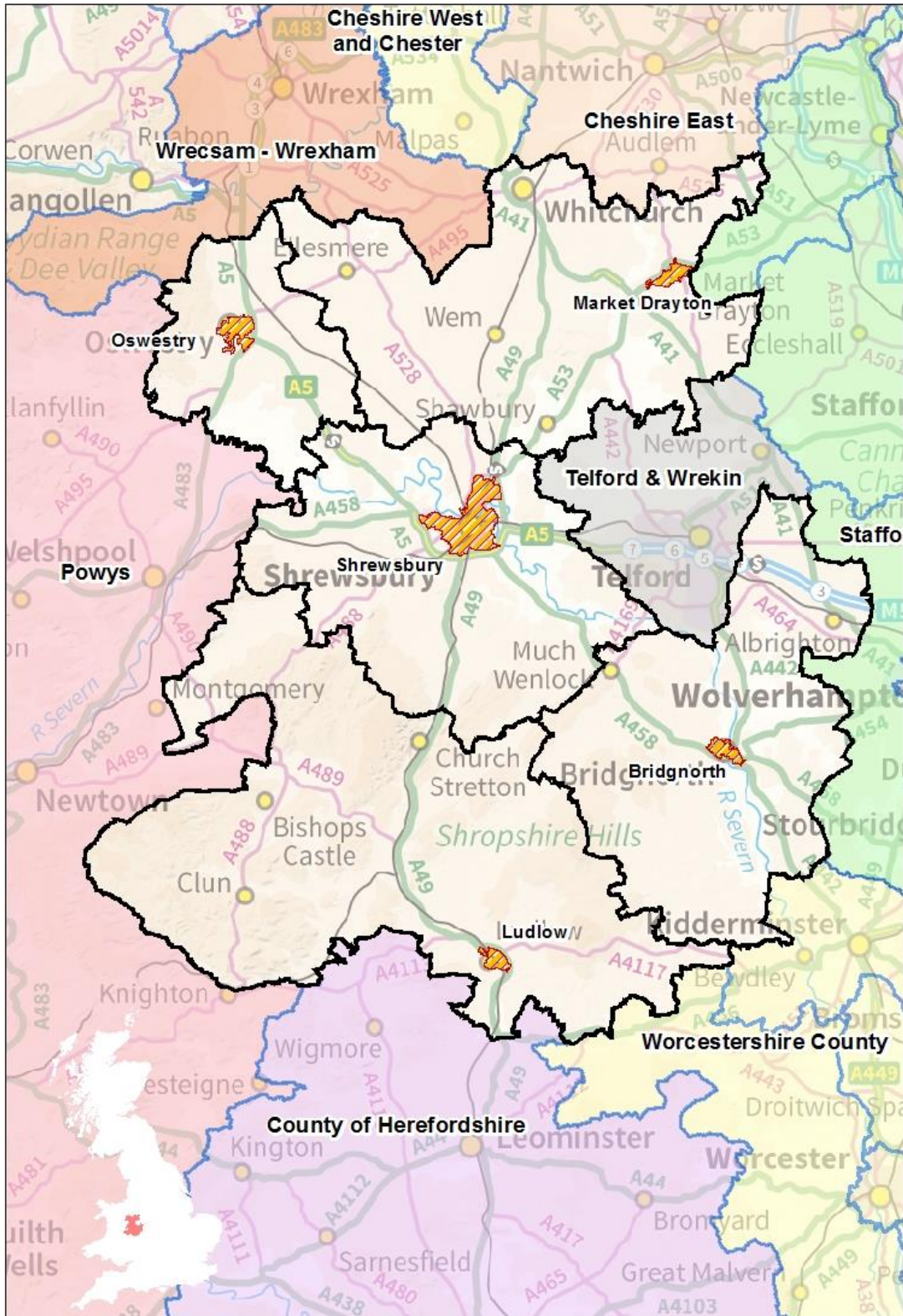
# APPENDICES

Post Consultation Copy

# **APPENDIX A**

## **MAP OF GEOGRAPHICAL AREA OF THE ADMINISTRATIVE AREA OF SHROPSHIRE COUNCIL**

A



**Key**

**Yellow shaded area shows settlements of a population of over 10,000 people.**

# **APPENDIX B**

# **LOCAL AREA PROFILE**

**Please note:**

**The revised version of the Local Area Profile will be included as part of the final draft of the Statement of Licensing Policy 2024 to 2029**

# **APPENDIX C**

**Safeguarding of  
children, young people  
and adults with care  
and support needs**

**Modern slavery and  
human trafficking**

## A

**Introduction**

Set out below is information for licence holders to help them report, to the relevant authorities, matters of concern that could relate to the safety of children, young people and adults with care and support needs, particularly as it relates to child sexual exploitation, abuse, modern slavery and human trafficking.

**General information**

- 1.1 Shropshire Council's Licensing Service is helping to tackle child sexual exploitation, abuse, modern slavery and human trafficking by working together with key partners particularly West Mercia Police, Children and Adult Services within the Council, the Safeguarding Children Board and the Keeping Adults Safe in Shropshire Board. The Boards also work with the police, children's and adults social care, schools, health services and the youth offending team, as well as specialist child sexual exploitation organisations such as the child sexual exploitation National Working Group (NWG) Network.
- 1.2 Through agencies working together and sharing information, we aim to identify and prevent sexual exploitation, modern slavery and human trafficking to protect children, young people and adults with care and support needs and disrupt the activities in order to prosecute perpetrators of abuse.
- 1.3 Sharing information with West Mercia Police and Children's and Adults Social Care helps to protect children, young people and adults with care and support needs from harm.

**How licence holders can help tackle child sexual exploitation, abuse and modern slavery**

- 1.4 Licence holders may become aware of or come into contact with children, young persons and adults with care and support needs, or people who are victims of modern slavery or human trafficking. This may be in hotels, bars and restaurants, late night takeaways, off licenses or other licensed premises. Licence holders, and staff employed in licensed premises are in an ideal position to help protect people.
- 1.5 Safeguarding children, young people and adults with care and support needs is everyone's business and everyone's responsibility.

**Child sexual exploitation**

- 1.6 Sexual exploitation of children and young people involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive something, e.g. food, accommodation, drugs, alcohol,

## A

cigarettes, affection, gifts, money, etc. as a result of them performing, and/or another or others performing on them, sexual activities. Violence, coercion and intimidation are commonly involved in such exploitative relationships.

- 1.7 Child sexual exploitation involves perpetrators grooming youngsters and using their powers to sexually abuse them. Sexual exploitation of children and young people can take many forms, whether it occurs through a seemingly 'consensual' relationship with an older boyfriend, or a young person having sex in return for attention, gifts, alcohol or cigarettes.
- 1.8 Child sexual exploitation is a crime that can affect any child, anytime, anywhere – regardless of their social or ethnic background.
- 1.9 In particular, licence holders and staff in licensed premises should ask themselves the following types of questions:
- Does your customer appear to be under 18 years old?
  - Are they with a much older person and appear to be in a relationship?
  - Do you think that they are under the influence of alcohol or drugs?
  - Are children, young people or adults with care and support needs regularly being dropped off/picked up or collected and taken elsewhere from licensed premises such as a hotel, B&B or late night takeaway?
  - Is a child, young person or adult with care and support needs regularly being brought to a licensed premises such as a hotel or B&B where you work? If so, ask yourself why?
- 1.10 **If the answers to any of the questions above gives you even the slightest cause for concern, these concerns should be reported**
- 1.11 **If you have reason to suspect that a child is being abused or at risk of abuse it is your responsibility to report your concerns to and share information with West Mercia Police (Tel: 101) and Children's Social Care (Tel: 0345 678 9021).**
- 1.12 Further information about Shropshire's Safeguarding Children Board can be found at: <http://www.safeguardingshropshireschildren.org.uk/>

### **Adults with care and support needs**

- 1.13 An adult with care and support needs is someone who is in need of community care services due to disability, age or illness. They may be unable to take care of or protect themselves against significant harm or exploitation.



## A

- 1.14 In particular, licence holders and staff who work in licensed premises should ask themselves the following questions when coming into contact with children, young people or adults with care and support needs:
- Has your customer got any physical signs of abuse or neglect?
  - Are they a regular customer? Do you see changes in their behaviour or mood?
  - A customer tells you they are having difficulties with someone else
  - A customer tells you they have a worry about someone
  - A customer tells you they have hurt a person
  - A customer tells you something they have seen or heard
  - Do you know something that causes concern about someone else's welfare?
  - You see worrying behaviour towards someone
- 1.15 **If the answers to any of the questions above gives you even the slightest cause for concern you may need to take urgent action to protect the adult.**
- 1.16 Your first priority is with the adult, to make them safe (including reporting to the police if immediate action is required). Ideally, support the adult to take action to stop the abuse, if they need to raise a concern with Shropshire Council to help them stop the abuse support that person to contact the **First Point of Contact team on 0345 678 9044 Monday to Thursday, 9am to 5pm, and Friday 9am to 4pm.**
- 1.17 **If you have urgent adult safeguarding concerns outside of these hours, please phone the Emergency Social Work Duty Team on 0345 678 9040**
- 1.18 **In an emergency contact the police (999) or non-emergency 101.**

**Modern slavery and human trafficking**

- 1.19 Modern slavery is a crime and a violation of fundamental human rights and can take various forms such as slavery, servitude, forced and compulsory labour and human trafficking.
- 1.20 In particular, licence holders and staff who work in licensed premises should ask themselves the following questions when coming into contact with children, young people or adults with care and support needs:
- Is the victim in possession of a passport, identification or travel documents? Are these documents in possession of someone else?
  - Does the victim act as if they were instructed or coached by someone else? Do they allow others to speak for them when spoken to directly?

## A

- Was the victim recruited for one purpose and forced to engage in some other job? Was their transport paid for by facilitators, whom they must pay back through providing services?
  - Does the victim receive little or no payment for their work? Is someone else in control of their earnings?
  - Was the victim forced to perform sexual acts?
  - Does the victim have freedom of movement?
  - Has the victim or family been threatened with harm if the victim attempts to escape?
  - Is the victim under the impression they are bonded by debt, or in a situation of dependence?
  - Has the victim been harmed or deprived of food, water, sleep, medical care or other life necessities?
  - Can the victim freely contact friends or family? Do they have limited social interaction or contact with people outside their immediate environment?
- 1.21 Report something suspicious you spot to police or other authorities - it could be at licensed premises where you work, where workers seem reticent to engage, not appropriately dressed for their work or increasingly ill fed and unkempt. Or a young person repeatedly being brought to a hotel by another person for short periods of time.
- 1.22 If there is an immediate danger to the suspected victim or if you think that the suspected victim is under 18, inform the police and call 999 as a matter of urgency.
- 1.23 **Modern Slavery Helpline:** 0800 0121 700
- 1.24 For **England and Wales**, please call our **24-hour confidential Referral Helpline** on **0300 303 8151** anytime of the day or night to refer a victim of trafficking or receive advice.

# **APPENDIX D**

## **EVENING AND NIGHT TIME ECONOMY GUIDANCE LICENSING AND PLANNING CONSIDERATIONS**

## **Evening and Night Time Economy – Guidance Licensing and Planning Considerations**

### **Introduction**

This guidance has been produced to explain how the regulatory licensing and planning regimes are applied in Shropshire in relation to the evening and night time economy.

The document is for guidance purposes only as it currently has no formal status in either regime.

For the purposes of this document, the Evening and Night Time Economy is the provision of retail facilities, entertainment, food and drink usually in a social setting. This includes the 'retail offer' of:

- retail development (including shops, warehouse clubs and factory outlet centres);
- leisure facilities;
- entertainment facilities (including cinemas, restaurants, cafes, drive-through restaurants, bars and pubs, night-clubs, betting shops, bingo halls, casinos, health and fitness centres, and indoor bowling centres);
- offices;
- arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities) and;
- mixed-use within existing and new premises (e.g. combined book shop, library and cafés).

This guidance considers two regulatory processes which together impact on the night time and evening economy. The use of land or buildings is considered through the planning system and licensable activities on land or in buildings are considered through the licensing system.

For the purposes of this guidance the licensing regime refers to the authorisation or permission given under the Licensing Act 2003 (the Act) for the:

- the sale of alcohol;
- the supply of alcohol in relation to 'private members clubs';
- the provision of regulated entertainment (plays, films, indoor sporting events, boxing or wrestling, live music, recorded music, dance); and
- supply of hot food/drinks from takeaway food outlets and night cafes (late night refreshment).

This takes the form of a premises licences, club premises certificates, temporary event notices and personal licences.

## A

For the purposes of this guidance the planning regime (policy and permissions) is determined under the Town and Country Planning Act 1990 (as amended) and associated legislation and planning policy including the development plan and other material considerations.

The two regimes are legally distinct from one another but may have regard to similar issues. Consequently in applying for a licence or planning permission it is important to be aware of and comply with any restrictions imposed by the other regime.

This guidance does not, in any way, give a presumption that any licence or planning permission will be granted for any of the activities or uses identified.

### Aims of this guidance

To inform those interested in both planning and licencing regimes of the scope of controls under each regulatory regime having regard to the following key matters:

- town centres and rural settlements are the heart of our communities;
- health and wellbeing of the people who live, learn, work and visit Shropshire;
- the transition between day, evening and night-time trading with shop opening hours increasing;
- responsible trading that takes account of the hours during which licensable activities operate;
- the provision for a cohesive environment;
- customer choice through a diverse range of recreational activities;
- a diverse retail offer which reflects the individuality of our communities;
- a reduction in traffic congestion/ pollution;
- cultural and social events to help entice workers to remain in the centre a little longer;
- the principle of mitigation so that the residual impacts of a proposal are acceptable in planning and licencing terms.

### Licensing and planning process

Licensing	Planning
<p><b>The purpose</b></p> <p>To promote the four licensing objectives:</p> <ul style="list-style-type: none"> <li>• the prevention of crime and disorder</li> <li>• public safety</li> <li>• the prevention of public nuisance</li> <li>• protection of children from harm</li> </ul> <p>which collectively seek to protect the quality of life for those who live and work in the vicinity</p>	<p><b>The purpose</b></p> <p>To take decisions in accordance with the development plan policies having regard also to relevant planning considerations.</p> <p>To promote sustainable development through frameworks and policies: sustainable means change for the better and development means growth</p>

A

<p>of licenced premises and those who take part in the licenced activities</p>	<p>There are three dimensions to sustainable development that need to be considered together through the planning system:</p> <ul style="list-style-type: none"> <li>• an economic role</li> <li>• a social role</li> <li>• an environmental role</li> </ul> <p>These are described in further detail through national policy in the National Planning Policy Framework</p>
<p><b>Primary policy/guidance documents</b></p> <ul style="list-style-type: none"> <li>• Shropshire Council’s Statement of Licensing Policy 2019 to 2024</li> <li>• Home Office guidance issued under section 182 of the Licensing Act 2003</li> </ul>	<p><b>Primary policy/guidance documents</b></p> <ul style="list-style-type: none"> <li>• The Local Plan which comprises:- Core Strategy Development Plan) Document (DPD) – with key strategic policies to maintain the vitality and viability of market towns across Shropshire (CS1, CS2, CS3);</li> <li>• The Site Allocations and Development Management (SAMDev) Plan this has specific policies for Town centre Development, Leisure, Tourism and Culture:</li> <li>• Neighbourhood Plans (to date Shifnal and Much Wenlock)</li> <li>• and;</li> <li>• Supplementary Planning Guidance</li> <li>• The Economic Growth Strategy</li> <li>• The Big Town plan (Shrewsbury)</li> <li>• National policy and guidance including the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)</li> </ul>
<p><b>Key principles associated with the application</b></p> <p><b>The onus is on the applicant to demonstrate:</b></p> <ul style="list-style-type: none"> <li>• how they and/or their staff have sufficient expertise in the business roles relevant to the licence application which demonstrate an ability to understand and promote the licensing objectives</li> <li>• clear evidence that there is appropriate training for all staff with regard to the responsibilities under the Act and the adoption of industry wide good practice, which is supported by</li> </ul>	<p><b>Key principles associated with the application</b></p> <p><b>The onus in the applicant to demonstrate:</b></p> <ul style="list-style-type: none"> <li>• development is in accordance with the development plan policies and any other material planning considerations</li> <li>• details of the proposed development, works or change of use</li> <li>• existing and proposed floor and elevation plans</li> <li>• location of the site through relevant plans</li> <li>• how the proposed development is a suitable response to the site and its</li> </ul>

A

<p>adequate management and supervision practices</p> <ul style="list-style-type: none"> <li>• detailed description of the nature of all activities/business, including non licensable activities, and how the business will operate e.g. business plan including number of people attending the premises, customer profile (including age of patrons and the potential for underage drinking) and hours of operation and hours of opening</li> <li>• clear evidence specifying the staffing structure, including details of key personnel and the Designated Premises Supervisor (DPS) and sufficient information to confirm that the DPS is actively the person in charge of the business</li> <li>• information that demonstrates that the physical characteristics (condition, design and layout) of the premises are suitable for the general operation of the premises and compatible with the licensable activities e.g. detailed floor plans, photographs and technical specifications relating to fixtures and fittings</li> <li>• evidence of the location of the premises and the nature of the surrounding area, including what is around the premises and the wider impact that the licensable and non-licensable activities may have e.g. physical environment crime and disorder hotspots, proximity to residential premises, proximity to areas where children may congregate potential for the misuse of drugs and abuse of alcohol including drunkenness and the potential for anti-social behaviour (This is not about proving demand for or lack of a particular type of premises or activity, rather demonstrating that licensable activity at the premises will not undermine any of the licensing objectives.)</li> <li>• sufficient information to demonstrate that the impact on the wider location has been properly considered to take account of the movement of people</li> </ul>	<p>setting and that it can be adequately accessed by prospective users</p> <ul style="list-style-type: none"> <li>• the character and amenity of the existing area having regard to design, layout, landscape and prevailing uses</li> </ul>
---	--

A

<p>into and out of the area, including the potential impact on the transport network and provisions made to take account of this</p> <ul style="list-style-type: none"> <li>• evidence of steps that will be taken that will have a positive impact on health and wellbeing for groups such as local residents and those who will participate in the licensable activities and on the environment e.g. litter and refuse collection times and clean-up costs.</li> <li>• identify all relevant local initiatives that may assist in promoting the four licensing objectives and mitigate potential risks e.g. taxi marshals, purple flag, pub watches, street pastors and local crime reduction initiatives</li> <li>• a clearly set out operating schedule that provides positive proposals that adequately addresses the anticipated impacts and risk posed to the local area and identifies the necessary conditions enabling appropriate control of the licensable activities</li> </ul> <p>how their business priorities will enhance the wider community interest</p> <p>It is important that applicants sufficiently demonstrate how their business priorities will enhance the wider community interest and once a licence is granted that licensees demonstrate this in practice</p>	
	<p><b>The onus is on the Planning Service to determine the application against the Local Plan and other material planning considerations including primary policy/guidance documents (see above) and consultee responses</b></p> <p><b>Key considerations</b></p> <ul style="list-style-type: none"> <li>• protecting, enhancing and conserving the historic built environment</li> <li>• protecting, enhancing and conserving the natural environment (ecology and biodiversity - green space and protected species)</li> <li>• transport and highways</li> <li>• surface and foul water drainage</li> </ul>



A

	<ul style="list-style-type: none"> <li>• size scale and mass</li> <li>• landscape and visual impacts</li> <li>• amenities of the area</li> <li>• market need sequential approach (subject to size/scale of the proposed development) for town centre development</li> <li>• Disability Discrimination Act</li> </ul>
<p><b>Mandatory conditions</b></p> <ul style="list-style-type: none"> <li>• There are a significant number of mandatory conditions provided in the Licensing Act 2003, and regulations made under it, specific to the licensable activities taking place at or from a premises</li> </ul>	<p><b>Mandatory conditions</b></p> <ul style="list-style-type: none"> <li>• Planning applications have to be commenced within 3 years of the decision.</li> </ul>
<p><b>other conditions</b></p> <ul style="list-style-type: none"> <li>• Conditions relevant to the application circumstances as proposed by the applicant or responsible authorities</li> <li>• Licence conditions should be: <ul style="list-style-type: none"> <li>- specific to the premises</li> <li>- necessary and proportionate</li> <li>- enforceable</li> <li>- evidenced</li> <li>- precise</li> </ul> </li> </ul> <p>It is acknowledged that it is desirable for Licensing and Planning conditions to align wherever practicable</p>	<p><b>other conditions</b></p> <ul style="list-style-type: none"> <li>• Conditions relevant to the application circumstances.</li> <li>• Planning conditions should be: <ul style="list-style-type: none"> <li>- necessary;</li> <li>- relevant to planning and to the development to be permitted;</li> <li>- enforceable;</li> <li>- precise and;</li> <li>- reasonable in all other respects</li> </ul> </li> </ul> <p>It is acknowledged that it is desirable for Planning and Licensing conditions to align wherever practicable</p>
<p><b>Informatives</b></p> <p>Informatives on licenses are not permitted by the Licensing Act 2003</p>	<p><b>Informatives</b></p> <p>To advise that a separate licence might also be required for licensable activity.</p>
<p><b>Presumptions</b></p> <p>The Council does not have a blanket policy on the hours licensable activities may take place; however, the Council actively encourages applicants to limit their licensable activity hours to reflect the necessities of their specific proposed business operation.</p> <p>The start and finish times of licensable activities will be determined by the licensing process.</p>	<p><b>Presumptions</b></p> <p>Premises opening hours will be determined by the Planning regime.</p>

A

<p><b>Responsible Authorities</b></p> <p>Applicants are not required to seek the views of responsible authorities or other persons before submitting their application; however, this is actively encouraged by the Council and the application should include evidence of the outcome of these views.</p> <p>The Responsible Authorities able to comment on licence applications are:</p> <ul style="list-style-type: none"> <li>• Licensing Service (in its capacity as a Responsible Authority)</li> <li>• Planning Service</li> <li>• Environmental Health Service or Health and Safety Executive (depending on premises type)</li> <li>• Environmental Health for the purposes of human health and pollution</li> <li>• Trading Standards Service</li> <li>• Children’s Services</li> <li>• Director of Public Health for Shropshire</li> <li>• Chief Officer of Police, West Mercia Police</li> <li>• Shropshire Fire and Rescue Service</li> <li>• Home Office (Immigration Enforcement) Alcohol Licence Team</li> <li>• Maritime &amp; Coastguard Agency (if an application is for a vessel on a waterway only)</li> <li>• Environment Agency</li> <li>• Canal and River Trust</li> </ul> <p>Other persons e.g. members of the public also have the opportunity to comment on licence applications</p>	<p><b>Consultees</b></p> <p>Applicants are not required to seek the views of statutory consultees or local residents/businesses before submitting their application; however, this is actively encouraged by the Council and the application should include evidence of the outcome of these views</p> <p>The Planning Service will consult the following as appropriate:</p> <ul style="list-style-type: none"> <li>• Highways</li> <li>• Drainage and Flooding</li> <li>• Public Health</li> <li>• Natural England</li> <li>• Historic England</li> <li>• Highways England</li> <li>• Environment Agency</li> <li>• Parish &amp; Town Councils</li> </ul> <p>This list is not exhaustive</p>
<p><b>Publication and Consultation</b></p> <p>Premise Licences</p> <ul style="list-style-type: none"> <li>• there is a legal requirement on the applicant to publish details of certain applications in a local newspaper and display a notice at the site immediately on or outside the premises and on the Council to place a notice on the website</li> </ul>	<p><b>Publication and Consultation</b></p> <p>Planning Application</p> <ul style="list-style-type: none"> <li>• there is a requirement for the Council to publish details of most planning applications in a local newspaper, display a notice at the site in a prominent position on or outside the premises and on the Council to place a notice on its online planning register</li> </ul>

A

<ul style="list-style-type: none"> <li>• other persons and responsible authorities have a prescribed number of days (dependent on and determined by the application type) to make representations with appropriate evidence</li> </ul> <p>Temporary Events - there is no legal requirement for a notice to be published or displayed prior to the event taking place. Environmental Health and the Police have three working days from receipt of the notice to make any comments.</p>	<ul style="list-style-type: none"> <li>• other persons and statutory consultees normally have 21 days (if additional information is received and re-consultation is required this period may be subject to change) to make representations</li> </ul>
<p><b>Determining an Application</b></p> <ul style="list-style-type: none"> <li>• if no representations are received the licence will be granted in terms that relate to the operating schedule submitted by the applicant</li> <li>• if representations are made and are not withdrawn there will be a Licensing Act Sub-committee hearing to determine the application</li> <li>• the name and address of persons making representations will be disclosed to the applicant, premises licence holder and any other interested person</li> <li>• no new evidence can be introduced at the Licensing Act Sub-committee hearing therefore, it is important that all matters are included in the initial representation</li> <li>• person making the representation are encouraged to attend the hearing</li> </ul> <p>Licensing Officers will liaise with Planning Officer in respect of cases under consideration on a regular basis</p>	<p><b>Determining an Application</b></p> <ul style="list-style-type: none"> <li>• if no representations are received the planning application may be approved or refused in accordance with the legislation, policy/guidance documents after a period of not less than 21 days</li> <li>• applications are determined either by officers or by a planning committee in accordance with procedures set out in part 8 of the Council's constitution the name and address of persons making representations will be made available via the Council's online planning register</li> <li>• new evidence can be supplied up to the point the decision is taken and must be taken into account</li> <li>• anyone can attend the Planning Committee where an application is not delegated to officers for determination</li> <li>• there are procedures for public speaking at planning committee</li> </ul> <p>Planning Officers will liaise with Licensing Officers in respect of cases under consideration on a regular basis</p>
<p><b>Variation</b></p> <ul style="list-style-type: none"> <li>• An applicant or existing licence holder can apply to vary the licence</li> <li>• Variations can be a result of a licence review</li> </ul>	<p><b>Variation</b></p> <ul style="list-style-type: none"> <li>• An applicant can apply to remove or amend planning conditions subsequently</li> </ul>
<p><b>Maintaining Compliance</b></p>	<p><b>Maintaining Compliance</b></p>

A

<ul style="list-style-type: none"> <li>• Governed by the Better Regulation and Enforcement Policy that promotes an escalated approach to securing compliance e.g. advice, mediation, agreed action plans, warnings, licence review and prosecution</li> <li>• Licence reviews may be sought by any responsible authority or any other person and can result in modification of the conditions, exclusion of licensable activities, removal of the Designated Premises Supervisor, suspension or revocation of the licence</li> </ul>	<ul style="list-style-type: none"> <li>• Governed by the Better Regulation and Enforcement Policy that promotes an escalated approach to securing compliance e.g. advice, mediation, agreed action plans, warnings, revocation and prosecution</li> <li>• The Council's Planning Enforcement Protocol describes when it is considered expedient to take formal enforcement action.</li> </ul>
<p><b>Appeals</b></p> <ul style="list-style-type: none"> <li>• to the Magistrates Court</li> </ul>	<p><b>Appeals</b></p> <ul style="list-style-type: none"> <li>• The applicant can lodge an appeal against a refusal or non-determination of a planning application to the Secretary of State. Appeals are determined by an independent planning inspector employed by the Planning Inspectorate on his behalf.</li> </ul> <p>Appeals can also be made to the Planning Inspectorate in the event of non-determination.</p>

# **APPENDIX E**

## **EXTRACT FROM THE SHROPSHIRE COUNCIL CONSTITUTION SETTING OUT DELEGATIONS**

## Appendix A

### Council Delegations

#### Licensing Act 2003

Matter to be determined	Full Council	Strategic Licensing Committee	Licensing Act Sub-Committee	Public Protection Officer (Professional)* (unless otherwise specified)
Final approval of the Licensing Authority Policy Statement	X			
Fee setting		X		
Exemptions from fees				X (Team Manager responsible for the Licensing Function)
Application for Personal Licence with no convictions or spent convictions			X If a police objection	X If no objection made
Application for Personal Licence with unspent convictions			X	
Application for Premises Licence/Club Premises Certificate			X If a relevant representation made and not withdrawn	X If no relevant representation made or representations have been withdrawn
Application for Provisional Statement			X If a relevant representation made and not withdrawn	X If no relevant representation made or representations have been withdrawn
Application to vary Premises Licence/Club Premises Certificate			X If a relevant representation made and not withdrawn	X If no relevant representation made or representations have been withdrawn
Application to vary Designated Premises Supervisor			X If a police objection	X

**Appendix A**

<b>Request to be removed as Designated Premises Supervisor</b>				X
<b>Application for transfer of Premises Licence</b>			X If a police objection	X
<b>Application for Interim Authorities</b>			X If a police objection	X
<b>Application to review Premises Licence/Club Premises Certificate</b>			X	
<b>Licensing Authority initiating a review Premises Licence/Club Premises Certificate</b>				X (Operations Manager)
<b>Decision on whether a representation is irrelevant, frivolous, vexatious, etc.</b>				X
<b>Decision to object when Licensing Authority is a consultee and not the relevant authority considering the application</b>			X	
<b>Determination of objections to a Temporary Event Notice</b>			X	
<b>Determination of objections to a late Temporary Event Notice</b>				X
<b>Determination of application to vary premise licence at community premises to include alternative licence condition</b>			X If a police objection	X

## Appendix A

<b>Decision whether to consult other responsible authorities on minor variation applications</b>				X (Public Protection Officer – Specialist)
<b>Determination of minor variation application</b>				X (Public Protection Officer – Specialist)
<b>Acknowledgement of notices, applications and other documents</b>				X (Public Protection Officer – Technical Support)
<b>Revocation of Personal Licence under Section 124 of the Licensing Act 2003</b>			X If a police or Secretary of State (immigration) objection notice	X
<b>Review of Premise Licence following closure under Section 167 of the Licensing Act 2003</b>			X	
<b>Issue of counter notice to temporary event under Section 107 of the Licensing Act 2003</b>				X

X indicates the lowest level to which decisions can be delegated  
 \*Or equivalent if post designations are amended



# APPENDIX F

## LIST OF DOCUMENTS THAT DEMONSTRATE ENTITLEMENT TO WORK IN THE UK

**Documents that demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the

## A

person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.

## A

- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i). any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

**Shropshire Council**  
**Equality, Social Inclusion and Health Impact Assessment (ESHIA)**  
**Stage One Screening Record 2023**

**A. Summary Sheet on Accountability and Actions**

<b>Name of proposed service change</b>
Licensing Act 2003 Statement of Licensing Policy 2024 - 2029

<b>Name of the officer carrying out the screening</b>
Mandy Beever, Transactional Management and Licensing Team Manager

<b>Decision, review, and monitoring</b>
---

<b>Decision</b>	<b>Yes</b>	<b>No</b>
Initial (Stage One) ESHIA Only?	✓	
Proceed to Stage Two Full ESHIA or HIA (part two) Report?		✓

*If completion of a Stage One screening assessment is an appropriate and proportionate action at this stage, please use the boxes above, and complete both part A and part B of of this template. If a Full or Stage Two report is required, please move on to full report stage once you have completed this initial screening assessment as a record of the considerations which you have given to this matter.*

<b>Actions to mitigate negative impact or enhance positive impact of the service change in terms of equality and social inclusion considerations</b>
<p>The revised policy stems from provisions within the Licensing Act 2003 and it is intended to benefit the community as a whole by generally improving the licensing regime operated by the Council. This will naturally lead to benefits for people across the nine Protected Characteristic Groupings simply because they are part of the wider community. The policy will be a key tool that will drive licensing related standards up for everyone.</p> <p>For all the groupings, the impact of the proposed policy is rated as ‘low positive’. However, in practice the impact in reality is likely to be neutral – neither positive nor negative – with no anticipated need to take actions to mitigate or enhance the impact beyond common sense considerations that will benefit all groupings.</p> <p>Once the policy is in force, there is potential for any officer of the Council to help by being made aware of the new policy and by being encouraged to act as the eyes and ears of the Council in helping feedback to the licensing team. This could help ensure effectiveness as well as efficiency of the new policy. All those who access licensed premises and take part in licensable activities, all applicants and licensees, and wider stakeholders in general will be able to submit comments,</p>

complaints and compliments directly to the Council's licensing team and through the corporate complaints and representations procedures in relation to any negative or positive impacts that arise as a result of the implementation of the revised policy.

The licensing team continually review the viability of options to inform the public on an ongoing basis, through the traditional press/media routes and social media (both corporate and service level), to assist in raising awareness of the responsibilities of licence holders. This will help the public to be better informed and potentially facilitate an increased level of feedback through the channels referred to above. Furthermore, it would be beneficial for the licensing team to consider future engagement with those taking on safeguarding responsibilities for adults with care and support needs and for children and young people, and for these groupings themselves, in order to make these groupings, in particular, aware of the responsibilities of licence holders and the actions that they or their advocates can take should there be concerns or issues.

The revised policy does not breach any individual or group's human rights; the policy sets out processes and procedures that aim to protect human rights, in particular those rights that relate to a right to a fair trial, no punishment without law and right to respect for private and family life. If the policy was not followed, there is a risk that human rights may be breached.

The public consultation has already helped the Council to modify the policy. Members of the Strategic Licensing Committee will consider the revised policy on the 4 October 2023 and will decide whether further consultation is necessary or whether they are in a position to recommend to full Council that the policy is formally adopted. Legally, the policy must be adopted no later than 1 April 2024.

**Actions to mitigate negative impact or enhance positive impact of the service change in terms of health and wellbeing considerations**

The policy will be the subject of continuous evaluation and, if necessary, formally reviewed at any time. At the time of review all relevant stakeholders will again be consulted. Any industry representative may request a review of the policy at any time. This is made clear in the policy itself. In addition, the Council's 'local area profile' will continue to develop over time and will be influenced by information and intelligence gathered from key partners and other stakeholders. This links into our strategic equality action to proactively collect quality data, as well as our organisation objective to make decisions based on current data and intelligence. As a result, the local area profile will be the subject of additional review and revision outside the wider policy review process.

There will be ongoing dialogue with all stakeholders and, in particular, with industry representatives through direct contact with the Licensing Team. This will provide the opportunity for stakeholders to provide feedback on any matter. A dedicated telephone number and email address is and will continue to be generally publicised on the Council's website for all stakeholders, including

members of the public, to provide feedback on the impact of the changes made to the policy. All feedback will be recorded either on the Idox system (or any subsequent replacement system) used to administer the licensing regime or in appropriate electronic files maintained by the Licensing Team Manager. This approach is likely to advance equality of opportunity and foster good relations on an ongoing basis.

With respect to 'age' and 'disability' groups and with regard to what we term 'social inclusion', in particular around the Council's safeguarding responsibilities, there will be ongoing dialogue with the Shropshire Safeguarding Children Board and the Keeping Adults Safe in Shropshire Board. In addition, dialogue with West Mercia Police and those service areas within the Council that have particular responsibilities for the care of children, young people and adults with care and support needs, i.e. currently Children Services and Adult Services, will occur as a result of the increasing role that officers from these services play in the licensing processes.

As no feedback was received regarding Equality and Social Inclusion Impact issues for Protected Characteristic groupings during the consultation period that has just concluded, the Equality, Social Inclusion and Health Impact Assessment (ESHIA) has been updated only to clarify the specific consultation period. The groupings for whom there will be direct impacts, and with whom there will continue to be efforts made to ensure that impacts are kept under review, remain as follows: Age, in relation to children and young people; Disability, in relation to vulnerable adults; and intersectionality between these groupings and other groupings. This is particularly for those whom we may describe as vulnerable. This includes armed forces service personnel and ex-armed forces personnel. It continues to be the case that, across all nine national Protected Characteristic groupings and our tenth grouping in Shropshire of social inclusion, the impact is predicted to be 'low positive'. The impact in reality is anticipated as being neutral – neither positive nor negative – with no anticipated need to take specific actions to mitigate or enhance the impact.

Ongoing consideration will be given to the definition of 'vulnerable', as it relates specifically to alcohol related harm, through working with the Council's Feedback and Insight Team. By continually reviewing emerging information, trends and risks, the Council will have to consider the implications for the definition of 'vulnerable' and also the impact on its 'local area profile' and policy statement accordingly.

Elected Member involvement will continue through the Strategic Licensing Committee and the Licensing Act Sub-Committee, with issues brought before these Committees as appropriate.

**Actions to review and monitor the impact of the service change in terms of equality, social inclusion, and health considerations**

The policy will be the subject of continuous evaluation based on ongoing feedback from stakeholders and will definitely be formally reviewed and considered by the Council's Strategic Licensing Committee and Council before 1 April 2029. At the time of review all relevant stakeholders will again be consulted. Anyone may request a review of the policy at any time.

There will be ongoing dialogue with applicants and licensees through direct contact as a result of the licence application and review process. This will provide the opportunity for the trade and the public to provide feedback to the licensing team. A generic licensing telephone number and email address is and will continue to be generally publicised on the Council's website for stakeholders, including members of the public, to provide feedback on the impact of the changes made to the policy. In addition, licensees must display a summary of their licence at their premises; this will highlight to members of the public that Shropshire Council is the issuing authority and can be contacted in the event of any complaint or other issue that they wish to raise. All feedback will be recorded either on the licensing database used to administer the licensing regime or in appropriate electronic files maintained by the Licensing Team Manager.

Elected Member involvement will continue through the Strategic Licensing Committee and the Licensing Act Sub-Committee, with issues brought before these Committees as appropriate. Professional leads within the licensing team will have a key role to play in understanding the impact of the policy. Feedback will be sought from Members and Officers to inform the ongoing informal and, in due course, the formal review of the policy which will be undertaken in the future.

**Associated ESHIAs**

Statement of Licensing Policy 2019 to 2024 (ESIA undertaken in 2018/19)  
[Agenda for Strategic Licensing Committee on Wednesday, 3rd October, 2018, 10.00 am — Shropshire Council](#)

Statement of Licensing Policy 2019 to 2024 (ESIA undertaken in 2018/19)  
[Agenda for Council on Thursday, 13th December, 2018, 10.00 am — Shropshire Council](#)

**Actions to mitigate negative impact, enhance positive impact, and review and monitor overall impacts in terms of climate change considerations and any other impacts with regard to economic and societal implications**

The Shropshire Plan recognises the importance of supporting businesses to provide safer services. The fundamental purpose of the Licensing service is to support businesses to deliver their services in a way which allows them to thrive






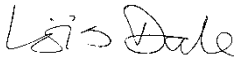
whilst protecting the safety and welfare of the public who live, work and visit Shropshire; together this will help to achieve a Healthy Economy.

In addition to the Council's corporate approach towards prioritising and measuring the overall outcomes that are set out The Shropshire Plan (<https://www.shropshire.gov.uk/shropshire-council/corporate-plan/>), the Licensing Team will continue to utilise the expertise within Environmental Protection Team in Regulatory Services, Public Health, Climate Change and Economic Growth Teams to assess the impact, on both health and the environment.

Ongoing promotion and compliance with the Council's Modern Anti-Slavery and Human Trafficking Statement and Policy will further enhance the overall positive impact of the revised policy.

There is no anticipated environmental impact associated with the recommendation in this report.


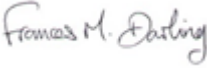
### Scrutiny at Stage One screening stage

People involved	Signatures	Date
<i>Lead officer for the proposed service change</i> <b>Mandy Beever – Transactional and Licensing Team Manager</b>		4 September 2023
<i>Officer carrying out the screening</i> <b>Mandy Beever – Transactional and Licensing Team Manager</b>		4 September 2023
<i>Any other internal service area support*</i> <b>Jessica Moores – Public Protection Officer (Professional)</b>		4 September 2023
<i>Any external support**</i> <b>Lois Dale – Ruralities and Equalities Specialist</b>		15 September 2023

\*This refers to other officers within the service area

**\*\*This refers to support external to the service but within the Council, e.g, the Performance and Research Specialist for Rurality and Equalities, Public Health colleagues, the Feedback and Insight Team, performance data specialists, Climate Change specialists, etc.**

**Sign off at Stage One screening stage**

Name	Signatures	Date
<p><i>Lead officer's name</i>  <b>Mandy Beever – Transactional and Licensing Team Manager</b></p>		<p>4 September 2023</p>
<p><i>Service manager's name</i>  <b>Frances Darling - Head of Business and Consumer Protection</b></p>		<p>4 September 2023</p>

***\*This may either be the Head of Service or the lead officer***

**B. Detailed Screening Assessment**

Aims of the service change and description
<p>Shropshire Council's existing Licensing Act Statement of Licensing Policy ('the policy') was adopted from the 1 April 2019 and ceases to have effect on 31 March 2024. The Licensing Act 2003 ('the Act') places a legal duty upon the Council, in its capacity as the licensing authority, to prepare and publish a statement of licensing policy with respect to its licensing functions at least every five years; hence, a revised policy must be approved by the Council and in effect no later than 1 April 2024. The revised policy will satisfy the legal duty place on the Council.</p> <p>The format and content of the Council's policy proactively promotes the four licensing objectives (for further details of the objectives, see description below) that are contained within the Act and also:</p> <ul style="list-style-type: none"> <li>• reflects the latest guidance issued under the Act, and amendments made to the Act itself since the current policy was adopted;</li> <li>• further strengthens safeguarding provisions in relation to children, young people and adults with care and support needs to tackle all forms of exploitation where this may be or is impacted by the licensing regime;</li> </ul>

- highlights the positive contribution that well managed licenced premises bring in support of local businesses and the growth and prosperity of Shropshire's economy, and, in particular, that the licensing regime can and should be utilised to shape and manage the growth of the evening and night time economy taking account of public health outcomes;
- provides practical guidance in respect of the application of the Act so that existing and potential licence holders and other stakeholders can ensure that the requirements that must be satisfied before an applicant can obtain and then retain any such licence are met (including the creation of a local area profile – see bullet point below);
- maps local areas of concern, including actual and future emerging evidence-based risks that may impact on the licensing of premises and licensable activities through the development of a local area profile (existing and potential licensees will be encouraged to use the profile to help inform them of specific risks prior to submitting licence applications);
- provides information relating to the regulatory licensing and planning regimes and how these are applied in Shropshire in relation to the evening and night time economy;
- clearly sets out the licence review process to ensure all stakeholders understand when and how this process may be utilised in accordance with the provisions of the Act;
- ensures the way in which the Council deals with the exchange of information is robustly addressed;
- clearly sets out the Council's overarching approach to inspection, compliance, enforcement and complaints and appropriate links made to the Council's Better Regulation and Enforcement Policy; and
- assists council officers to correctly apply the legal provisions of the Licensing Act 2003.

### **Description**

The Act regulates licensable activities through premises licences, club premises certificates, temporary event notices and personal licences. The licensable activities are:

- The sale by retail of alcohol
- 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 Act contains four licensing objectives, which must be addressed when licensing functions are undertaken. These objectives are central to the Act and are:

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

The policy acts as the primary vehicle for setting out the Council's approach to licensing regulation under the Act. It forms the Council's mandate for managing local licensable activities and sets out the Council's position on local risks and, therefore, its expectations in relation to applicants/licence holders. The policy is not a stand-alone document and does not attempt to explain all the requirements of the Act for each type of licence/notice and the associated licensable activities. It must be read in conjunction with relevant legislation and guidance; the policy signposts applicants/licence holders accordingly.

The policy makes it clear that the Council's aim is to establish responsibly managed and safe licensed premises. It aims to support the Council's high level outcomes by creating an environment through the promotion of the licensing objectives that encourages people to be healthy, communities to be resilient and to develop a prosperous economy.

The policy sets out that the Council is committed to supporting a vibrant, balanced and safe licensed trade and evening and night time economy and recognises that this type of activity can have undesirable and unintended side effects, which can undermine the four licensing objectives and lead to negative public health outcomes. In this regard, the policy makes it clear that the Council is seeking to curtail the negative elements of the licensed economy through supporting licence holders, prospective licence holders, personal licence holders and those with temporary authorisations to eliminate, through rigorous and enforceable licences, the potential negative outcomes. The policy also recognises that it is crucial that the licensing regime supports the elements of the economy which make Shropshire's towns and communities exciting and attractive places to live, learn, work and visit. It is further recognised that this will require partnership working with other Council services and/or agencies and organisations e.g. with applicants, licence/notice holders, responsible authorities, other local businesses and communities.

There is a recognition that the evening and night time economy is growing across a number of Shropshire market towns and that the policy has a key role in shaping and managing this growth. It is recognised that such growth can lead to the licensing objectives being undermined; however, it is important to simultaneously understand the positive contribution that well managed licenced premises bring in support of local businesses and the growth and prosperity of Shropshire's economy.

### Intended audiences and target groups for the service change

The Council's Strategic Licensing Committee has overseen the review of the Licensing Act 2003 Statement of Licensing Policy 2024-2029. The Committee is a group of Councillors drawn from across the whole of the Shropshire area. The Members of the Committee considered and approved a draft policy for formal public consultation through the Council's website and directly with relevant stakeholders. The relevant report can be found in the papers for the Committee meeting held on the 14 June 2023 at Agenda Item 5

[Agenda for Strategic Licensing Committee on Wednesday, 14th June, 2023, 10.00 am — Shropshire Council](#)

A public consultation (legally required by the Licensing Act 2003) in respect of the policy was undertaken over a 10 week period from 19 June 2023 to the 27 August 2023.

In addition to the general information about the consultation that was made available on the Council's 'Get involved' section of its website, through a press release, on the Council and licensing team social media platforms and direct emails to all existing premises licence holders where an email address was available, direct engagement by email was undertaken with trade representatives, responsible authorities, solicitors specialising in licensing matters that are in regular contact with the Council's licensing team, pub companies/breweries and other relevant stakeholders. These are listed below:

- Association of Convenience Stores (ACS)
- Association of Licensed Multiple Retailers (ALMR)
- British Beer and Pub Association (BBPA)
- British Institute of Inn Keeping (BIK)
- British Retail Consortium (BRC)
- British Board of Film Classification (BBFC)
- Licensed Victuallers Associations (LVAs)
- Shropshire Fire and Rescue Service
- West Mercia Police
- Environmental Health, Shropshire Council
- Trading Standards, Shropshire Council
- Community Protection, Shropshire Council
- Planning Services, Shropshire Council
- Case Management Team(Children)
- Director of Public Health for Shropshire
- Home Office (Immigration Enforcement) Alcohol Licence Team
- Maritime & Coastguard Agency
- Canal and River Trust
- Poppleston Allen
- TLT
- John Gaunt

- Flint Bishop
- DWF
- Punch Taverns
- Joules
- Marston's
- Enterprise Inns
- Admiral Taverns
- Greene King
- J D Weatherspoons
- Ludlow Brewing Company
- Mitchells and Butler
- Star Pubs & Bars
- Shropshire Association of Local Councils
- Shropshire Chamber of Trade
- County Pubwatch Chairs
- Neighbourhood Authorities Working Group for Licensing

Details of the consultation were also circulated, through a newsletter, by the Shropshire Voluntary and Community Sector Assembly (VCSA) to around 250 different voluntary groups/organisations.

The consultation welcomed and encouraged all interested parties to provide feedback in relation to the content and format of the whole policy and did not ask specific consultation questions.

No consultation responses were received.

The policy has been embedded in the processing of licences under the Licensing Act 2003 since a major revision of the policy was undertaken in 2018, licence applicants and stakeholders continue to positively engage with the requirements of the policy. Although no responses were received officers consider this an endorsement that the policy is working effectively.

#### **Evidence used for screening of the service change**

- Legal requirement contained in the Licensing Act 2003 that the existing policy can only legally last for a maximum period of five years and then it must be reviewed, consulted upon, approved and re-published by the Council.
- Officer feedback in relation to the difficulties encountered when administering and enforcing the Licensing Act 2003 regime often as a result of poor quality applications.
- Emphasis on the safeguarding role that local authorities have, which has strong links to all licensing regimes, including those under the Licensing Act 2003.

- Shropshire Council's drive to increase the robustness of safeguarding practices, particularly with respect to children and adults with care and support needs.
- Shropshire Council's own 'Local Area Profile – Licensed Premises', which forms part of the policy document.
- Licensing Act 2003, as amended and subordinate legislation
- Shropshire Council's Licensing Act 2003 Statement of Licensing Policy (effective 1 April 2019)
- Current guidance issued under Section 182 of the Licensing Act 2003 ('Section 182 Guidance') issued by the Home Office
- 2003 Licensing Act: evidence & decision making 10 years on report by Jon Foster, Senior Research and Policy Officer, Institute of Alcohol Studies
- Shropshire Council's Economic Growth Strategy 2022- 2027
- The Shropshire Plan 2022 to 2025

**Specific consultation and engagement with intended audiences and target groups for the service change**

- Communities of Shropshire, including those who live, visit and work in the county
- Persons who wish to apply for premises licences, club premises certificates, temporary event notices and personal licences;
- Persons who hold existing licences and notices, including those that are the subject of review;
- The Council, in its capacity as the licensing authority, including licensing officers and members of the relevant licensing committees
- Shropshire Safeguarding Children Board (SSCB)
- Shropshire Council Children Services
- Keeping Adults Safe in Shropshire Board (KASiS)
- Shropshire Council Adults Services
- Children, young people and other vulnerable people including adults with care and support needs
- Federation of Small Businesses
- Shropshire Chamber of Commerce
- Shrewsbury Business Improvement District

- Oswestry Business Improvement District
- Licensing consultants, solicitors and barristers advising and/or representing applicants and licence holders
- Magistrates and judges hearing appeals against Council decisions
- Members of the public who access licensed premises and take part in licensable activities
- Other local authorities, particularly those that border the Shropshire Council area including relevant Welsh authorities
- Shropshire Voluntary and Community Sector Assembly (VCSA)
- Voluntary Groups/Organisations
- Shropshire Business Board
- Shropshire Tourist Board
- The Marches Local Enterprise Partnership
- Government Departments and Agencies
- Police forces, in particular West Mercia Police (Chief Inspector of West Mercia Police), and neighbouring Welsh police forces
- Police and Crime Commissioner West Mercia and neighbouring Welsh Police and Crime Commissioners
- Shropshire Clinical Commissioning Group
- Local NHS Trusts
- Shropshire Council Public Health (Director of Public Health)
- Public Health England
- Shropshire located Town and Parish Councils
- Shropshire MPs
- Shropshire Fire and Rescue Service
- Shropshire Council Development Management (Planning Service)
- Shropshire Council Environmental Health (Regulatory Services)
- Health and Safety Executive



- UK Border Agency (The Home Office)
- Environment Agency in England and Wales
- Canal and Rivers Trust
- Maritime and Coastguard Agency (Secretary of State for Transport)

The above list is not intended to be exhaustive or in order of priority and will be added to and amended as and when appropriate.

**Initial equality impact assessment by grouping (Initial health impact assessment is included below this table)**

*Please rate the impact that you perceive the service change is likely to have on a group, through stating this in the relevant column. Please state if it is anticipated to be neutral (no impact) and add any extra notes that you think might be helpful for readers.*

<b>Protected Characteristic groupings and other groupings in Shropshire</b>	<b>High negative impact</b> <i>Stage Two ESHIA required</i>	<b>High positive impact</b> <i>Stage One ESHIA required</i>	<b>Medium positive or negative impact</b> <i>Stage One ESHIA required</i>	<b>Low positive, negative, or neutral impact (please specify)</b> <i>Stage One ESHIA required</i>
<u>Age</u> (please include children, young people, young people leaving care, people of working age, older people. Some people may belong to more than one group e.g., a child or young person for whom there are safeguarding concerns e.g., an older person with a disability)				✓
<u>Disability</u> (please include cancer; HIV/AIDS; learning disabilities; mental health conditions and syndromes; multiple sclerosis; neurodiverse conditions such as autism; hidden disabilities such as Crohn's disease; physical and/or sensory disabilities or impairments)				✓
<u>Gender re-assignment</u> (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				✓

<u>Marriage and Civil Partnership</u> (please include associated aspects: caring responsibility, potential for bullying and harassment)				✓
<u>Pregnancy and Maternity</u> (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				✓
<u>Race</u> (please include ethnicity, nationality, culture, language, Gypsy, Roma, Traveller)				✓
<u>Religion or belief</u> (please include Buddhism, Christianity, Hinduism, Islam, Jainism, Judaism, Nonconformists; Rastafarianism; Shinto, Sikhism, Taoism, Veganism, Zoroastrianism, and any others)				✓
<u>Sex</u> (this can also be viewed as relating to gender. Please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				✓
<u>Sexual Orientation</u> (please include associated aspects: safety; caring responsibility; potential for bullying and harassment)				✓
<u>Other: Social Inclusion</u> (please include families and friends with caring responsibilities; households in poverty; people for whom there are safeguarding concerns; people you consider to be vulnerable; people with health inequalities; refugees and asylum seekers; rural communities; and veterans and serving members of the armed forces and their families)				✓

### **Initial health and wellbeing impact assessment by category**

*Please rate the impact that you perceive the service change is likely to have with regard to health and wellbeing, through stating this in the relevant column.*

*Please state if it is anticipated to be neutral (no impact) and add any extra notes that you think might be helpful for readers.*

<b>Health and wellbeing: individuals and</b>	<b>High negative impact</b>	<b>High positive impact</b>	<b>Medium positive or</b>	<b>Low positive negative or</b>
--	-----------------------------	-----------------------------	---------------------------	---------------------------------

communities in Shropshire	<i>Part Two HIA required</i>		negative impact	neutral impact (please specify)
<p><b>Will the proposal have a <i>direct impact</i> on an individual's health, mental health and wellbeing?</b></p> <p>For example, would it cause ill health, affecting social inclusion, independence and participation?</p> <p>.</p>			✓ positive	
<p><b>Will the proposal <i>indirectly impact</i> an individual's ability to improve their own health and wellbeing?</b></p> <p>For example, will it affect their ability to be physically active, choose healthy food, reduce drinking and smoking?</p> <p>.</p>			✓ positive	
<p><b>Will the policy have a <i>direct impact</i> on the community - social, economic and environmental living conditions that would impact health?</b></p> <p>For example, would it affect housing, transport, child development, education, employment opportunities, availability of green space or climate change mitigation?</p> <p>.</p>			✓ positive	
<p><b>Will there be a likely change in <i>demand</i> for or access to health and social care services?</b></p> <p>For example: Primary Care, Hospital Care, Community Services, Mental Health, Local Authority services including Social Services?</p> <p>.</p>			✓ positive	

## Guidance Notes

### 1. Legal Context

It is a legal requirement for local authorities to assess the equality and human rights impact of changes proposed or made to services. It is up to us as an authority to decide what form our equality impact assessment may take. By way of illustration, some local authorities focus more overtly upon human rights; some include safeguarding. It is about what is considered to be needed in a local authority's area, in line with local factors such as demography and strategic objectives as well as with the national legislative imperatives.

Carrying out these impact assessments helps us as a public authority to ensure that, as far as possible, we are taking actions to meet the general equality duty placed on us by the Equality Act 2010, and to thus demonstrate that the three equality aims are integral to our decision making processes.

These are: eliminating discrimination, harassment and victimisation; advancing equality of opportunity; and fostering good relations.

These screening assessments for any proposed service change go to Cabinet as part of the committee report, or occasionally direct to Full Council, unless they are ones to do with Licensing, in which case they go to Strategic Licensing Committee.

Service areas would ordinarily carry out a screening assessment, or Stage One equality impact assessment. This enables energies to be focussed on review and monitoring and ongoing evidence collection about the positive or negative impacts of a service change upon groupings in the community, and for any adjustments to be considered and made accordingly.

These screening assessments are recommended to be undertaken at timely points in the development and implementation of the proposed service change.

For example, a Stage One ESHIA would be a recommended course of action before a consultation. This would draw upon the evidence available at that time, and identify the target audiences, and assess at that initial stage what the likely impact of the service change could be across the Protected Characteristic groupings and our tenth category of Social Inclusion. This ESHIA would set out intended actions to engage with the groupings, particularly those who are historically less likely to engage in public consultation eg young people, as otherwise we would not know their specific needs.

A second Stage One ESHIA would then be carried out after the consultation, to say what the feedback was, to set out changes proposed as a result of the feedback, and to say where responses were low and what the plans are to engage with groupings who did not really respond. This ESHIA would also draw more upon actions to

review impacts in order to mitigate the negative and accentuate the positive. Examples of this approach include the Great Outdoors Strategy, and the Economic Growth Strategy 2017-2021

Meeting our Public Sector Equality Duty through carrying out these ESHIAs is very much about using them as an opportunity to demonstrate ongoing engagement across groupings and to thus visibly show we are taking what is called due regard of the needs of people in protected characteristic groupings

If the screening indicates that there are likely to be significant negative impacts for groupings within the community, the service area would need to carry out a full report, or Stage Two assessment. This will enable more evidence to be collected that will help the service area to reach an informed opinion.

In practice, Stage Two or Full Screening Assessments have only been recommended twice since 2014, as the ongoing mitigation of negative equality impacts should serve to keep them below the threshold for triggering a Full Screening Assessment. The expectation is that Full Screening Assessments in regard to Health Impacts may occasionally need to be undertaken, but this would be very much the exception rather than the rule.

## **2. Council Wide and Service Area Policy and Practice on Equality, Social Inclusion and Health**

This involves taking an equality and social inclusion approach in planning changes to services, policies, or procedures, including those that may be required by Government. The decisions that you make when you are planning a service change need to be recorded, to demonstrate that you have thought about the possible equality impacts on communities and to show openness and transparency in your decision-making processes.

This is where Equality, Social Inclusion and Health Impact Assessments (ESHIA) come in. Where you carry out an ESHIA in your service area, this provides an opportunity to show:

- What evidence you have drawn upon to help you to recommend a strategy or policy or a course of action to Cabinet.
- What target groups and audiences you have worked with to date.
- What actions you will take in order to mitigate any likely negative impact upon a group or groupings, and enhance any positive effects for a group or groupings; and
- What actions you are planning to monitor and review the impact of your planned service change.

The formal template is there not only to help the service area but also to act as a stand-alone for a member of the public to read. The approach helps to identify whether or not any new or significant changes to services, including policies, procedures, functions, or projects, may have an adverse impact on a particular group of people, and whether the human rights of individuals may be affected.

There are nine Protected Characteristic groupings defined in the Equality Act 2010. The full list of groupings is: Age; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation.

There is also intersectionality between these. Eg a young person with a disability would be in the groupings of Age and Disability, and if they described themselves as having a faith they would then also be in the grouping of Religion or Belief.

We demonstrate equal treatment to people who are in these groups and to people who are not, through having what is termed 'due regard' to their needs and views when developing and implementing policy and strategy and when commissioning, procuring, arranging, or delivering services.

For the individuals and groupings who may be affected, ask yourself what impact do you think is likely and what actions will you currently anticipate taking, to mitigate or enhance likely impact of the service change? If you are reducing a service, for example, there may be further use you could make of awareness raising through social media and other channels to reach more people who may be affected.

Social inclusion is then the wider additional category we use in Shropshire, in order to help us to go beyond the equality legislation in also considering impacts for individuals and households with regard to the circumstances in which they may find themselves across their life stages. This could be households on low incomes, or households facing challenges in accessing services, such as households in rural areas, and veterans and serving members of the armed forces and their families, or people that we might consider to be vulnerable, such as young people leaving care or refugee families.

Please note that the armed forces are now a grouping to whom we are required to give due regard under new Armed Forces legislation, although in practice we have been doing so for a number of years now.

When you are not carrying out an ESHIA, you still need to demonstrate and record that you have considered equality in your decision-making processes. It is up to you what format you choose.–You could use a checklist, an explanatory note, or a document setting out our expectations of standards of behaviour, for contractors to read and sign. It may well not be something that is in the public domain like an ESHIA, but you should still be ready for it to be made available.

**Both the approaches sit with a manager, and the manager has to make the call, and record the decision made on behalf of the Council.**

*Carry out an ESHIA:*

- If you are building or reconfiguring a building.
- If you are planning to reduce or remove a service.
- If you are consulting on a policy or a strategy.
- If you are bringing in a change to a process or procedure that involves other stakeholders and the wider community as well as particular groupings

*Carry out an equality and social inclusion approach:*

- If you are setting out how you expect a contractor to behave with regard to equality, where you are commissioning a service or product from them.
- If you are setting out the standards of behaviour that we expect from people who work with vulnerable groupings, such as taxi drivers that we license.
- If you are planning consultation and engagement activity, where we need to collect equality data in ways that will be proportionate and non-intrusive as well as meaningful for the purposes of the consultation itself.
- If you are looking at services provided by others that help the community, where we need to demonstrate a community leadership approach

### **3. Council wide and service area policy and practice on health and wellbeing**

This is a relatively new area to record within our overall assessments of impacts, for which we are asking service area leads to consider health and wellbeing impacts, much as they have been doing during 2020-2021 and 2021-2022, and to look at these in the context of direct and indirect impacts for individuals and for communities.

A better understanding across the Council of these impacts will also better enable the Public Health colleagues to prioritise activities to reduce health inequalities in ways that are evidence based and that link effectively with equality impact considerations and climate change mitigation.

### **Health in All Policies – Health Impact Assessment**

Health in All Policies is an upstream approach for health and wellbeing promotion and prevention, and to reduce health inequalities. The Health Impact Assessment (HIA) is the supporting mechanism

- Health Impact Assessment (HIA) is the technical name for a process that considers the wider effects of local policies, strategies and initiatives and how they, in turn, may affect people's health and wellbeing.
- Health Impact Assessment is a means of assessing both the positive and negative health impacts of a policy. It is also a means of developing good evidence-based policy and strategy using a structured process to review the impact.
- A Health Impact Assessment seeks to determine how to maximise health benefits and reduce health inequalities. It identifies any unintended health consequences. These consequences may support policy and strategy or may lead to suggestions for improvements.
- An agreed framework will set out a clear pathway through which a policy or strategy can be assessed and impacts with outcomes identified. It also sets out the support mechanisms for maximising health benefits.

The embedding of a Health in All Policies approach will support Shropshire Council through evidence-based practice and a whole systems approach, in achieving our

corporate and partnership strategic priorities. This will assist the Council and partners in promoting, enabling and sustaining the health and wellbeing of individuals and communities whilst reducing health inequalities.

### **Individuals**

#### **Will the proposal have a *direct impact* on health, mental health and wellbeing?**

For example, would it cause ill health, affecting social inclusion, independence and participation?

Will the proposal directly affect an individual's ability to improve their own health and wellbeing?

This could include the following: their ability to be physically active e.g., being able to use a cycle route; to access food more easily; to change lifestyle in ways that are of positive impact for their health.

An example of this could be that you may be involved in proposals for the establishment of safer walking and cycling routes (e.g., green highways), and changes to public transport that could encourage people away from car usage. and increase the number of journeys that they make on public transport, by foot or on bicycle or scooter. This could improve lives.

#### **Will the proposal *indirectly impact* an individual's ability to improve their own health and wellbeing?**

This could include the following: their ability to access local facilities e.g., to access food more easily, or to access a means of mobility to local services and amenities? (e.g. change to bus route)

Similarly to the above, an example of this could be that you may be involved in proposals for the establishment of safer walking and cycling routes (e.g. pedestrianisation of town centres), and changes to public transport that could encourage people away from car usage, and increase the number of journeys that they make on public transport, by foot or on bicycle or scooter. This could improve their health and well being.

### **Communities**

Will the proposal directly or indirectly affect the physical health, mental health, and wellbeing of the wider community?

A *direct impact* could include either the causing of ill health, affecting social inclusion, independence and participation, or the promotion of better health.

An example of this could be that safer walking and cycling routes could help the wider community, as more people across groupings may be encouraged to walk more, and as there will be reductions in emission leading to better air quality.



An *indirect impact* could mean that a service change could indirectly affect living and working conditions and therefore the health and well being of the wider community.

An example of this could be: an increase in the availability of warm homes would improve the quality of the housing offer in Shropshire and reduce the costs for households of having a warm home in Shropshire. Often a health promoting approach also supports our agenda to reduce the level of Carbon Dioxide emissions and to reduce the impact of climate change.

Please record whether at this stage you consider the proposed service change to have a direct or an indirect impact upon communities.

### **Demand**

#### **Will there be a change in demand for or access to health, local authority and social care services?**

For example: Primary Care, Hospital Care, Community Services, Mental Health and Social Services?

An example of this could be: a new housing development in an area would affect demand for primary care and local authority facilities and services in that location and surrounding areas. If the housing development does not factor in consideration of availability of green space and safety within the public realm, further down the line there could be an increased demand upon health and social care services as a result of the lack of opportunities for physical recreation, and reluctance of some groupings to venture outside if they do not perceive it to be safe.

***For further advice: please contact  
Lois Dale via email [lois.dale@shropshire.gov.uk](mailto:lois.dale@shropshire.gov.uk), or  
Sue Lloyd via email [susan.lloyd@shropshire.gov.uk](mailto:susan.lloyd@shropshire.gov.uk)***

This page is intentionally left blank



**PROBLEM PROFILE:**

LOCAL AREA PROFILE – LICENSED PREMISES

**AUTHOR:**

NIKKI ARMSTRONG-SMITH

INTELLIGENCE ANALYST

BUSINESS AND CONSUMER PROTECTION SERVICE

**CREATED DATE:**

05 JUNE 2023

VERSION	DATE
V1	05.06.2023
V2	11.09.2023

*Trading Standards & Licensing*

*Business and Consumer Protection Service*

*Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND. Tel: 01743 258765*

- INTRODUCTION

One of the key pieces of legislation enforced by licensing authorities in England and Wales is the Licensing Act 2003 which regulates the sale and supply of alcohol, the provision of entertainment, and the provision of late-night refreshment.

The authority is divided into two parts;

- Premises Licence – includes on and off licences and details the times and conditions under which alcohol can be sold.
- Personal Licence – allows individuals to sell alcohol or authorise the sale.

The licensing process focuses on four key objectives of the Act, which include;

- Prevention of crime and disorder
- Promotion of public safety
- Prevention of public nuisance
- Protection of children from harm

All applicants must serve notice on Responsible Authorities and evidence that they can satisfy these key objectives. Applications may be subject to representation, and in the event of an objection(s) to the licence that cannot be resolved through negotiation with the applicant a hearing is held to determine the outcome.

The Licensing Act 2003 requires the licensing authority to develop, consult on and publish a statement of licensing policy with respect to its licensing functions every five years in order to set out the approach to regulation and assist operators in terms of compliance. Shropshire Council are currently revising this statement ahead of implementation during 2024, and it is vital that this policy reflects local issues in order to identify and reduce risks to the licensing objectives (outlined above). This requires an understanding of local trends and geographical areas of risk; therefore, the need to develop a local area profile has been identified in order to inform and support the Statement of Licensing Policy.

- AIM OF THE REPORT

The following local area profile aims to summarise existing national research regarding alcohol-related harm, as well as providing a local evidence base regarding issues relevant to the licensing objectives and geographical areas of potential risk. Data from various sources will be utilised in order to provide an understanding of current and emerging issues in order to support the statement of licensing policy, as well as identifying issues that will need to be considered by operators during the application process.

The report will also serve to support the decision-making process regarding future applications in order to minimise the risks associated with licensed premises. Ultimately the

findings will assist the Licensing Authority in terms of meeting the objectives and ensuring the specific needs of local communities are considered and vulnerable groups are protected.

All population rates are based on ONS mid-2020 population estimates for Shropshire, and geographical analysis has been completed at electoral ward level. Please note, COVID-19 restrictions will have had an impact on reporting trends during 2020/2021.

- **BACKGROUND: EXISTING RESEARCH – ALCOHOL RELATED HARM**

Addressing the harm caused by alcohol misuse is Public Health priority, and a key theme of the four licensing objectives. Alcohol misuse is the biggest risk factor for death, ill-health and disability among 15-49 year olds in the UK, and the fifth biggest risk factor across all ages. Alcohol is a causal factor in more than 60 medical conditions, including mouth, throat, stomach, liver and breast cancers, high blood pressure, cirrhosis of the liver, and depression<sup>1</sup>. Alcohol-related harm is largely determined by the volume of alcohol consumed and the frequency of drinking occasions. As such, the risk of harm is directly related to levels and patterns of consumption<sup>2</sup>. In England, over 10 million people consume alcohol at levels above the UK CMOs' low-risk drinking guidelines and increase their risk of alcohol-related ill health<sup>3</sup>.

In addition to the obvious health impacts, the economic impact nationally is estimated to be £21 billion:

- £11 billion - alcohol related crime
- £7 billion – lost productivity through unemployment and sickness
- £3.5 billion – cost to the NHS

Between 2015-18, 8.4% of adults living in Shropshire reported abstaining from drinking alcohol, significantly lower than the West Midlands (20.7%) and England rate (16.2%). This ranks Shropshire second worst in the region behind Herefordshire. This measure indicates the adult population who are at no risk of alcohol-related harm from their current consumption behaviour, therefore Shropshire has a larger population at risk of alcohol related harm compared to other areas in the region<sup>4</sup>.

The table overleaf displays alcohol related hospital admissions data and mortality rates for Shropshire, allowing for national and regional comparisons.

---

<sup>1</sup> [Local Alcohol Profiles for England - OHID \(phe.org.uk\)](https://phe.org.uk)

<sup>2</sup> Drug and Alcohol JSNA 2022/23

<sup>3</sup> Alcohol: applying All Our Health, 2022

<sup>4</sup> Shropshire Drug and Alcohol Needs Assessment 2022/23

INDICATOR	PERIOD	ENGLAND	WEST MIDLANDS	SHROPSHIRE
Admissions episodes for alcohol specific conditions	2021/22	626	619	412
Admission episodes for alcohol specific conditions - Under 18's	2018/19 - 2020/21	29.3	24.9	22.2
Admission episodes for alcohol-related unintentional injuries	2021/22	50.8	50.1	41.7
Admission episodes for mental and behavioural disorders due to use of alcohol	2021/22	67.2	66.1	44.3
Admission episodes for intentional self-poisoning by and exposure to alcohol	2021/22	33.7	30.4	35
Admission episodes for alcohol-related cardiovascular disease	2021/22	759	854	739
Admission episodes for alcoholic liver disease	2021/22	154.4	172.1	124.7
Incidence rate of alcohol-related cancer	2017 - 19	38	39.13	36.78
Alcohol related mortality	2021	38.5	41.9	33.3
Casualties in road traffic accidents where a failed breath test (or refusal to provide a sample) occurred	2018 - 20	3.6	3.56	4.18

Figure 1: Local Alcohol Profiles, Public Health Data

In Shropshire during 2021/22, there were 1385 admission episodes for alcohol specific conditions to give a rate per 100,000 population of 412. Of note, there were 539 (per 100,000) admission episodes for alcohol specific conditions involving males as compared to 291 (per 100,000) involving females. Shropshire's all age alcohol-specific admission rate has been rising over time but has remained below the national rate since 2008/09.

Nationally there has been a shift in the way alcohol is consumed which presents a challenge to the Act in terms of promoting behaviour change amongst those groups who cause the most significant alcohol related harms. For example, people are visiting pubs less frequently; more than two-thirds of all alcohol sold is through the off-trade<sup>5</sup>. Such trends suggest more alcohol is consumed within the home which has potential implications in terms of domestic abuse and child protection issues, as opposed to public place stranger violence.

It is important to note that the COVID-19 pandemic is likely to have had an impact on alcohol consumption patterns and alcohol related harm since 2020. Lockdown restrictions resulted in the closure of on-trade licensed premises, which will have influenced off-trade sales and the consumption of alcohol at home. Research also indicates increased alcohol consumption levels (particularly amongst heavy drinkers) during the pandemic in comparison to previous years, which longer term will have repercussions on health services. The pandemic had a significant impact on the hospitality sector; however, locally we are beginning to see an increase in new licence applications. Public Health England stated that addressing alcohol consumption and harm "must be an essential part of the UK government's Covid-19 recovery plan, given that tackling geographic health disparities are part of the government's Build Back Better plans".

<sup>5</sup> The Licensing Act 2003: post-legislative scrutiny, Nov 17

Alcohol related harms are therefore impacted by both consumption patterns and social factors. In order to explore trends at a local level, the remainder of the profile will focus on key demographic and socio-economic datasets in order to provide an evidence base in support of the four key licensing objectives. The data has been mapped against ward boundaries, with the location of licensed premises also displayed in order to identify high risk localities, and correlations with specific criteria.

- LICENSED PREMISES: SHROPSHIRE OVERVIEW

Nationally, a considerable body of evidence exists to suggest that alcohol outlet density is related to alcohol consumption and alcohol-related harm. It is also an indicator of availability and exposure to alcohol<sup>6</sup>.

Shropshire currently licence 1594 premises for the sale of alcohol and late-night refreshments; this includes on and off licensed premises. The night time economy in Shropshire is predominantly centred on the main market towns of Shrewsbury, Oswestry, Whitchurch, Bridgnorth and Ludlow; areas which offer a variety of pubs, bars, restaurants, fast food outlets and nightclubs. A vibrant and diverse night time economy can provide many benefits to the community, however alcohol related issues can also prove problematic if activity is unregulated<sup>7</sup>. It is vital to minimise any negative impact from licensed premises whilst also encouraging economic diversity and prosperity.

The map overleaf displays the location of licensed premises across Shropshire, and indicates cluster sites in the main county towns. As illustrated, the highest number of premises are located in Shrewsbury which is the key centre for entertainment. At a lower geographical level, the tables below identify the number and rate of licensed premises for the top 5 hotspot wards.

WARD	TOTAL
Quarry and Coton Hill	154
Oswestry South	76
Ludlow North	72
Bridgnorth East and Astley Abbots	69
Whitchurch North	53

Figure 2: Number of premises per ward

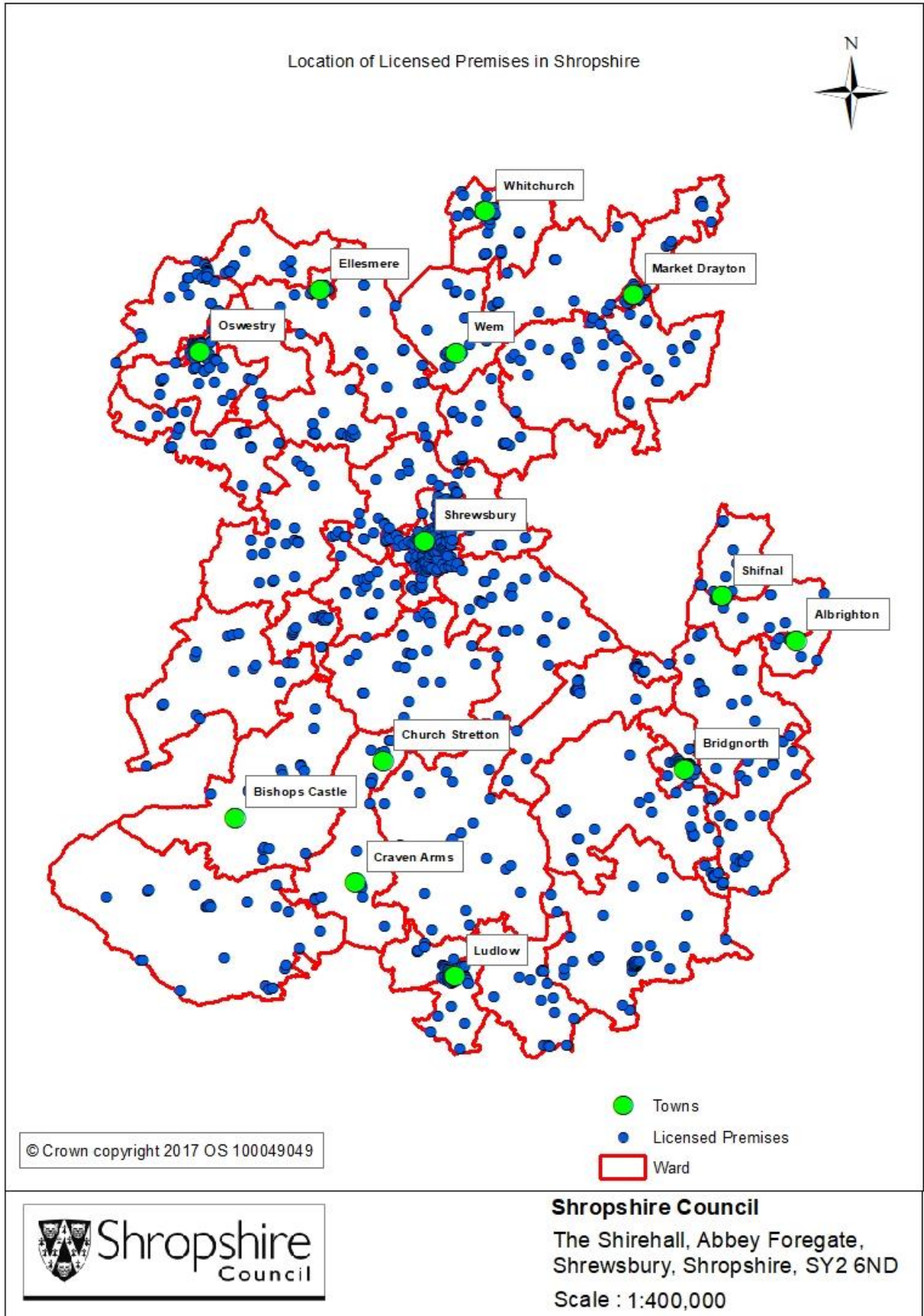
WARD	RATE PER 1000 POPN
Quarry and Coton Hill	31.19
Ludlow North	18.88
Oswestry South	16.86
Bridgnorth East and Astley Abbots	10.00
Bishop's Castle	9.43

Figure 3: Rate of premises per 1000 population

<sup>6</sup> PHE Local Alcohol Profiles for England, March 17

<sup>7</sup> Strategy to Reduce Alcohol Related Harm 2016-2019







**Key findings:** Both the highest number and rate of licensed premises per 1000 population are recorded in Quarry and Coton Hill ward in Shrewsbury. This ward encompasses Shrewsbury town centre; it is predominantly urban in nature and densely populated. The ward provides a wide range of shops, entertainment venues and other amenities. In 2021 there were 1208 recorded businesses within this particular ward, and the largest job sector is retail.

Licensed premises in Shropshire are routinely monitored to ensure compliance with the four licensing objectives. Intelligence led visits are conducted at new licensed premises or following changes to the designated premises supervisor. Problems or concerns with licensed premises are identified at the earliest opportunity, and in the first instance advice is offered to the licensee in order to improve standards at the premises. If problems persist, a hearing may be held. During 2022/23, 8 hearings were held indicating the success of early intervention.

- PREVENTION OF CRIME AND DISORDER

Objective 1 of the Licensing Act focuses on the prevention of crime and disorder. Alcohol can often be a causal factor leading to crime and disorder, impacting on the safety of those in the wider community and increasing fear of crime levels. In order to identify hotspot areas and any correlation with the location of existing licensed premises, crime data has been analysed for the period 01 April 2020 – 31 March 2023.

ALL RECORDED CRIME

The map overleaf displays the location of licensed premises, alongside the rate of crimes per 1000 population by ward in Shropshire. The tables below identify the top 5 hotspot wards regarding both the number and rate of recorded crimes.

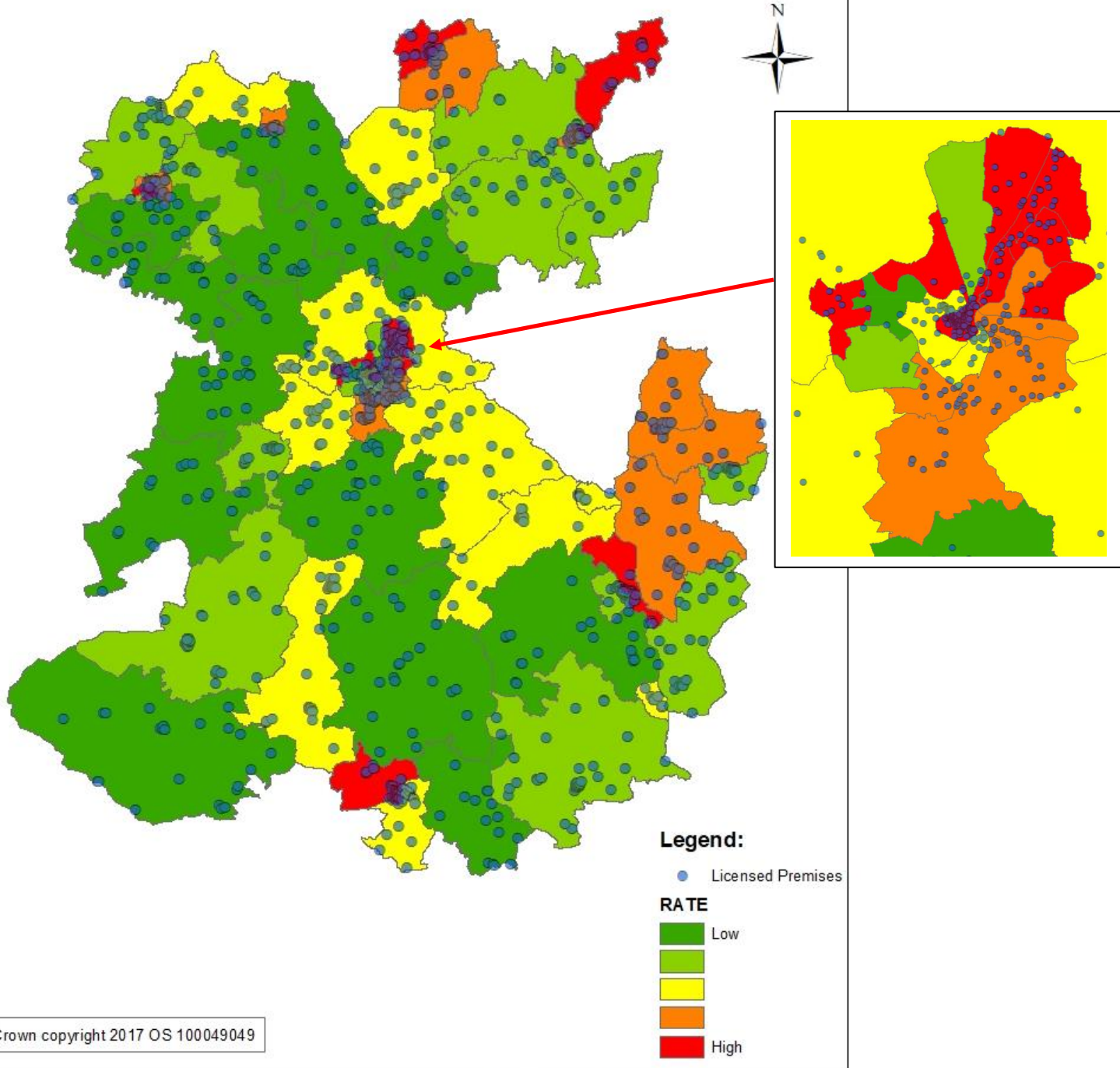
WARD	TOTAL CRIMES
Quarry and Coton Hill	3680
Bayston Hill, Column and Sutton	1943
Oswestry South	1940
Harlescott	1788
Castlefields and Ditherington	1502

Figure 4: Number of crimes per ward

WARD	RATE PER 1000 POPN
Quarry and Coton Hill	745.39
Oswestry South	430.44
Harlescott	360.19
Castlefields and Ditherington	325.81
Monkmoor	299.40

Figure 5: Rate of crimes per 1000 population by ward

Location of Licensed Premises in Shropshire by Rate of Crime per 1000 Population by Ward



© Crown copyright 2017 OS 100049049



**Shropshire Council**  
The Shirehall, Abbey Foregate,  
Shrewsbury, Shropshire, SY2 6ND  
Scale : 1:400,000

**Key findings:** Quarry and Coton Hill has been identified as the hotspot ward in relation to recorded crime. As outlined previously, this ward encompasses Shrewsbury town centre and therefore includes a wide range of amenities including retail and commercial premises. A higher number of licensed premises are also located in this particular ward, indicating a correlation with the night-time economy. Indices of Multiple Deprivation (IMD) data for 2019 indicate that 64% of residents within this ward live in areas of higher deprivation in relation to crime. Oswestry South, Harlescott, and Castlefields & Ditherington also feature within the top 5 in relation to both volume and rate of recorded crime.

The findings of several studies link violent incidents with alcohol consumption and the night-time economy. In 2019-20 alcohol was linked to 42% of all violent crime, up from 40% the previous year<sup>8</sup>. Alcohol related crime, and particularly violence, can have wider consequences for both personal health and safety as well as the delivery of health services. It would be expected that alcohol related crime would be more prevalent in town centre locations with a higher concentration of licensed premises; however, the consumption of alcohol is also likely to have an impact on domestic abuse trends and violence within the home. Therefore data regarding alcohol related crime, violence, and more specifically domestic abuse is also presented in order to identify higher risk localities.

#### ALCOHOL RELATED CRIME

The map overleaf displays the location of licensed premises, alongside the rate of alcohol related crime per 1000 population by ward. If alcohol is deemed a contributory factor leading to a crime, an alcohol marker is attached to the record, therefore trends may differ from overall crime rates. The tables below identify the top 5 hotspot wards with regard to both the number of rate of alcohol related crimes.

WARD	TOTAL CRIMES
Quarry and Coton Hill	706
Oswestry South	317
Market Drayton West	188
Whitchurch North	168
Bayston Hill, Column and Sutton	159

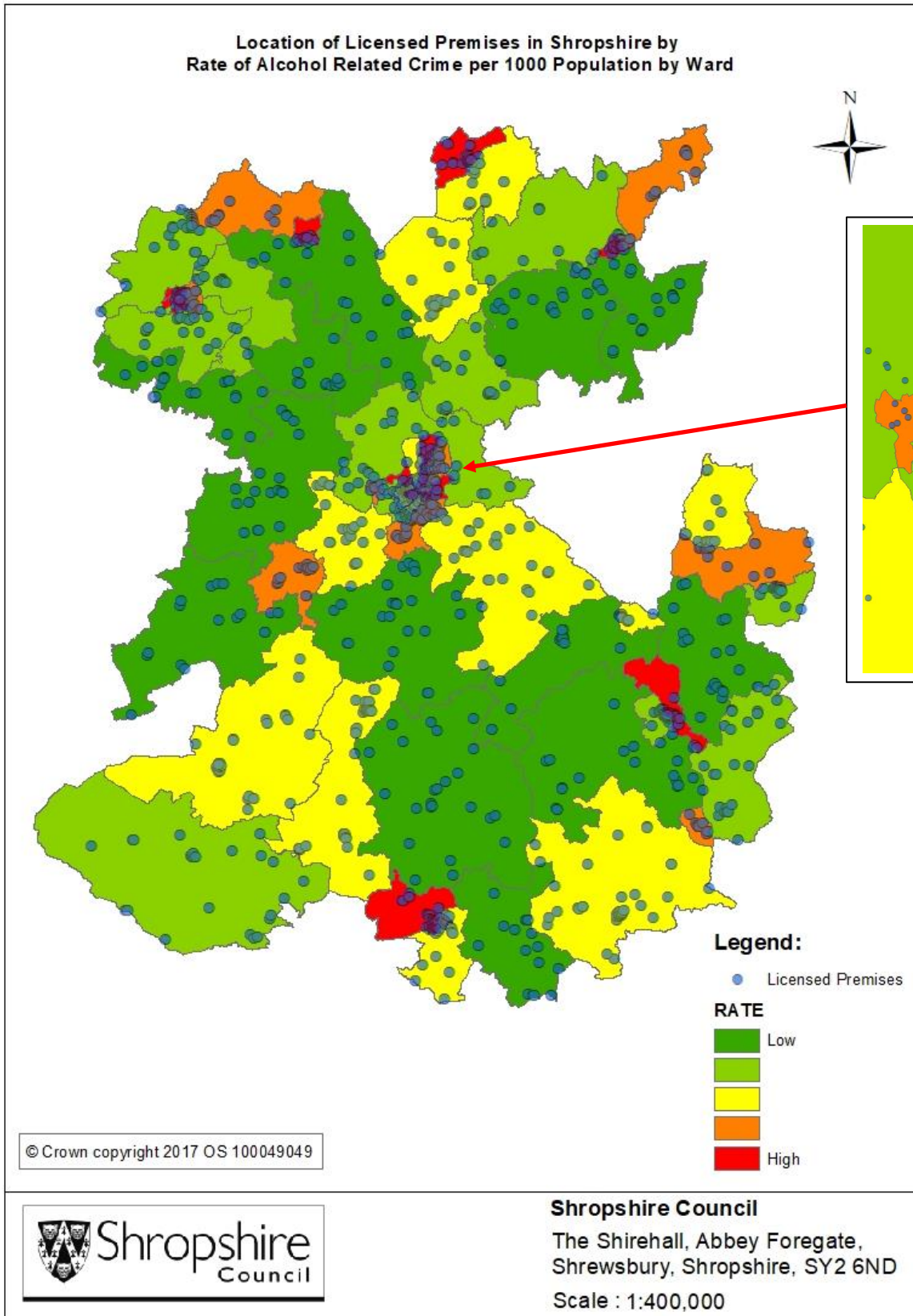
Figure 6: Number of alcohol related crimes per ward

WARD	RATE PER 1000 POPN
Quarry and Coton Hill	143.00
Oswestry South	70.34
Ludlow North	30.16
Castlefields and Ditherington	27.33
Abbey	24.58

Figure 7: Rate of alcohol related crimes per 1000 population

**Key findings:** Again, Quarry and Coton Hill ward features as the most problematic hotspot area in terms of both the number and rate of alcohol related crimes. More than double the number of crimes were committed in this ward in comparison to those recorded in Oswestry South, which is the second hotspot area in terms of volume.

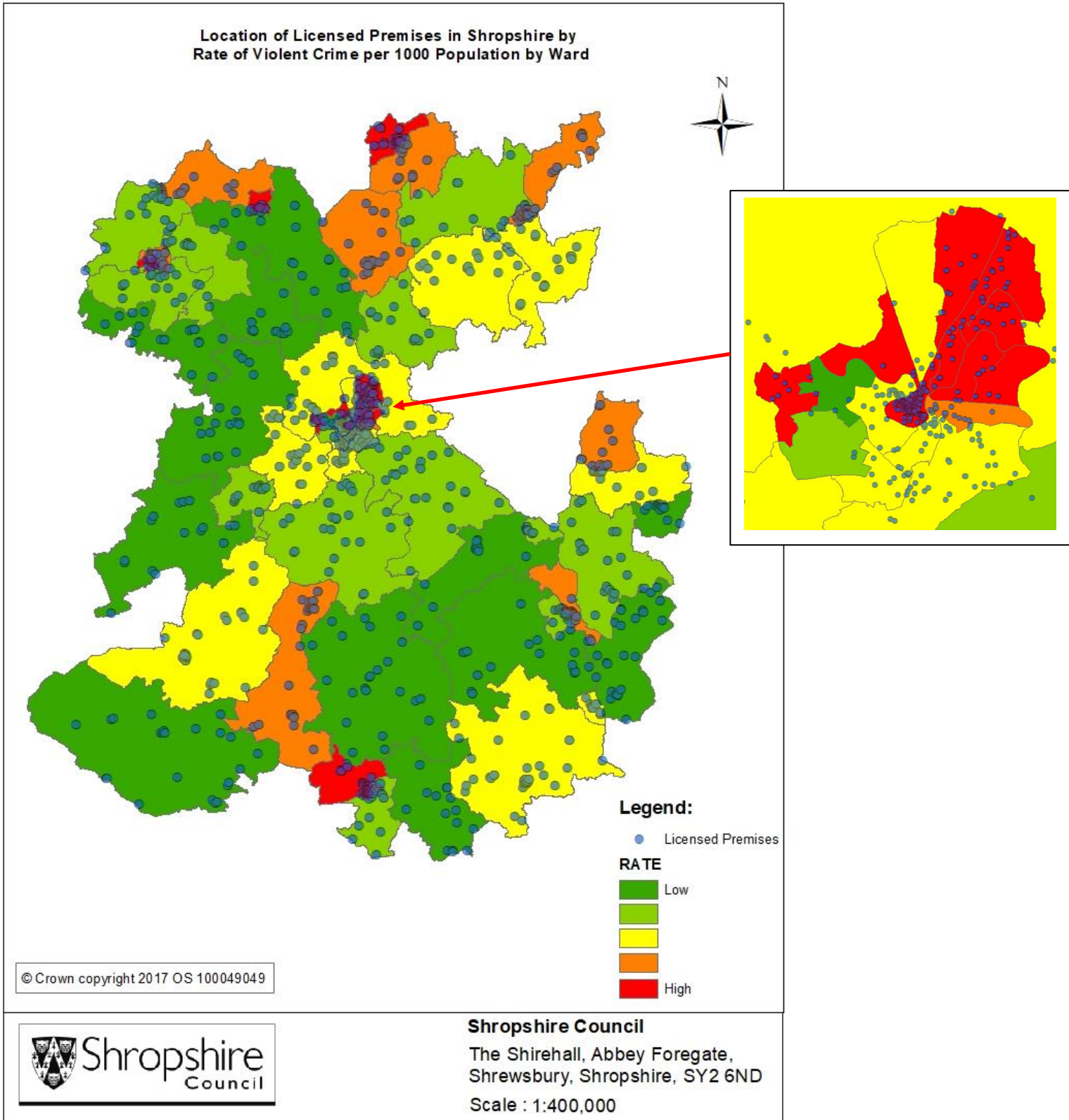
<sup>8</sup> <https://committees.parliament.uk/>





VIOLENT CRIME

The map below displays the location of licensed premises, alongside the rate of violent crime per 1000 population by ward in Shropshire.



The tables below identify the top 5 hotspot wards regarding both the number and rate of recorded violent crimes.

WARD	TOTAL CRIMES
Quarry and Coton Hill	744
Oswestry South	367
Market Drayton West	259
Monkmoor	258
Whitchurch North	254

Figure 8: Number of violent crimes per ward

WARD	RATE PER 1000 POPN
Quarry and Coton Hill	150.70
Oswestry South	81.43
Monkmoor	56.97
Harlescott	50.16
Castlefields and Ditherington	45.34

Figure 9: Rate of violent crimes per 1000 population

**Key findings:** Quarry and Coton Hill has again been identified as the hotspot ward in relation to violent crime, which correlates with overall crime trends. As illustrated previously, a higher number of licensed premises are also located in this particular ward. Oswestry South and Monkmoor also feature in the top 5 regarding both volume and rate of violent crime.

#### DOMESTIC ABUSE

The map overleaf displays the location of licensed premises, alongside the rate of domestic abuse offences per 1000 population by ward in Shropshire. The tables below identify the top 5 hotspot wards regarding both the number and rate of recorded domestic abuse offences.

WARD	TOTAL OFFENCES
Oswestry East	352
Market Drayton West	346
Bayston Hill, Column and Sutton	326
Castlefields and Ditherington	319
Quarry and Coton Hill	319
Harlescott	306

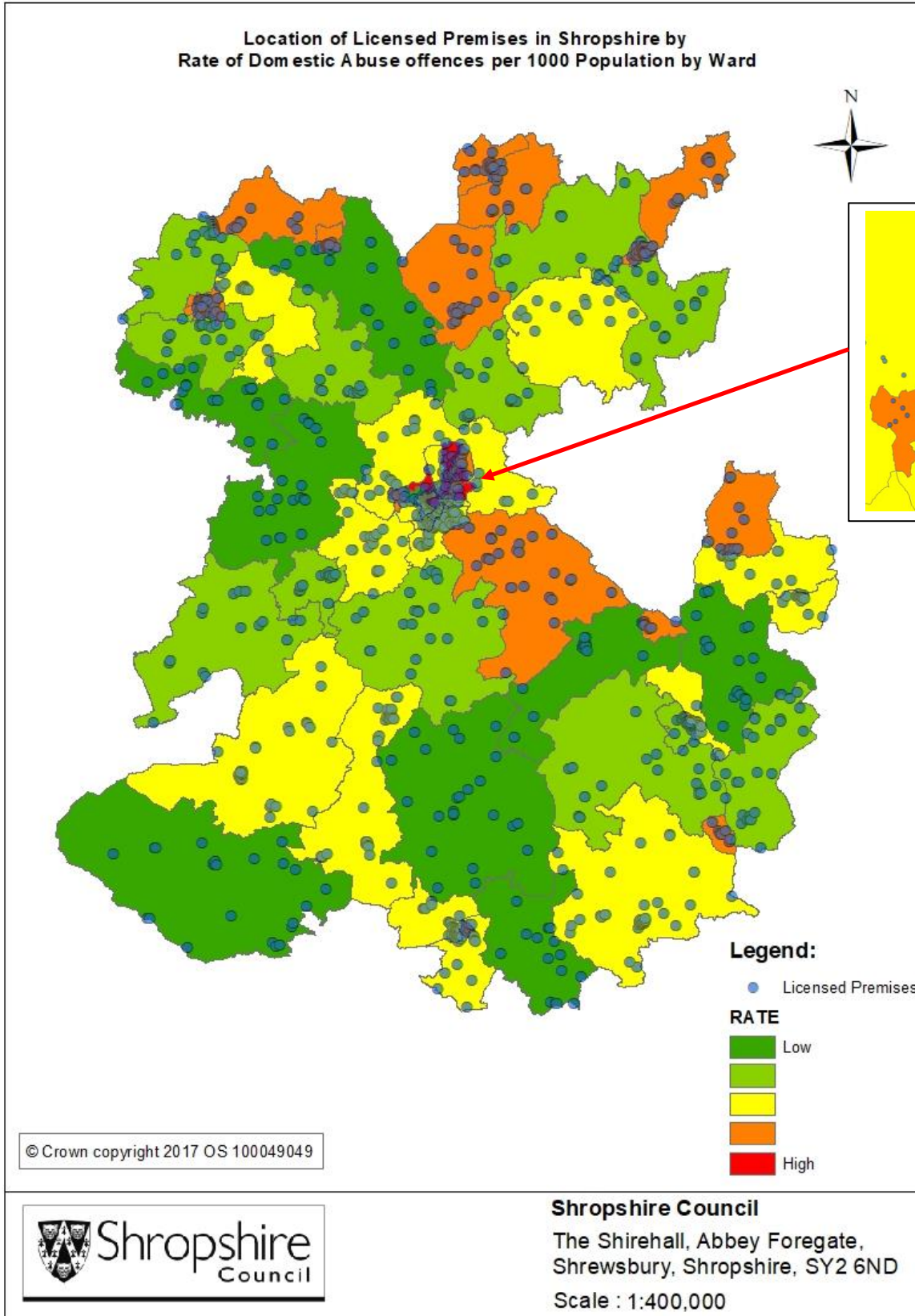
Figure 10: Number of domestic abuse offences per ward

WARD	RATE PER 1000 POPN
Castlefields and Ditherington	69.20
Quarry and Coton Hill	64.61
Harlescott	61.64
Monkmoor	58.95
Sundorne	51.59

Figure 11: Rate of domestic abuse per 1000 population by ward

**Key findings:** As illustrated above, the highest number of domestic abuse offences were recorded in the Oswestry East ward; this area is predominantly urban in nature and densely populated. Higher levels of deprivation are evident in this particular ward, in terms of education, income & employment<sup>9</sup>. With regard to the rate of domestic abuse, Castlefields & Ditherington has been identified as the hotspot ward; this area is predominantly residential but in close proximity to Shrewsbury town centre. This particular ward is the most densely populated in the county, and just under half of all residents live in relatively more deprived areas. Of note, Quarry and Coton Hill ward still features in the top 5 hotspot areas in terms of both volume and rate.

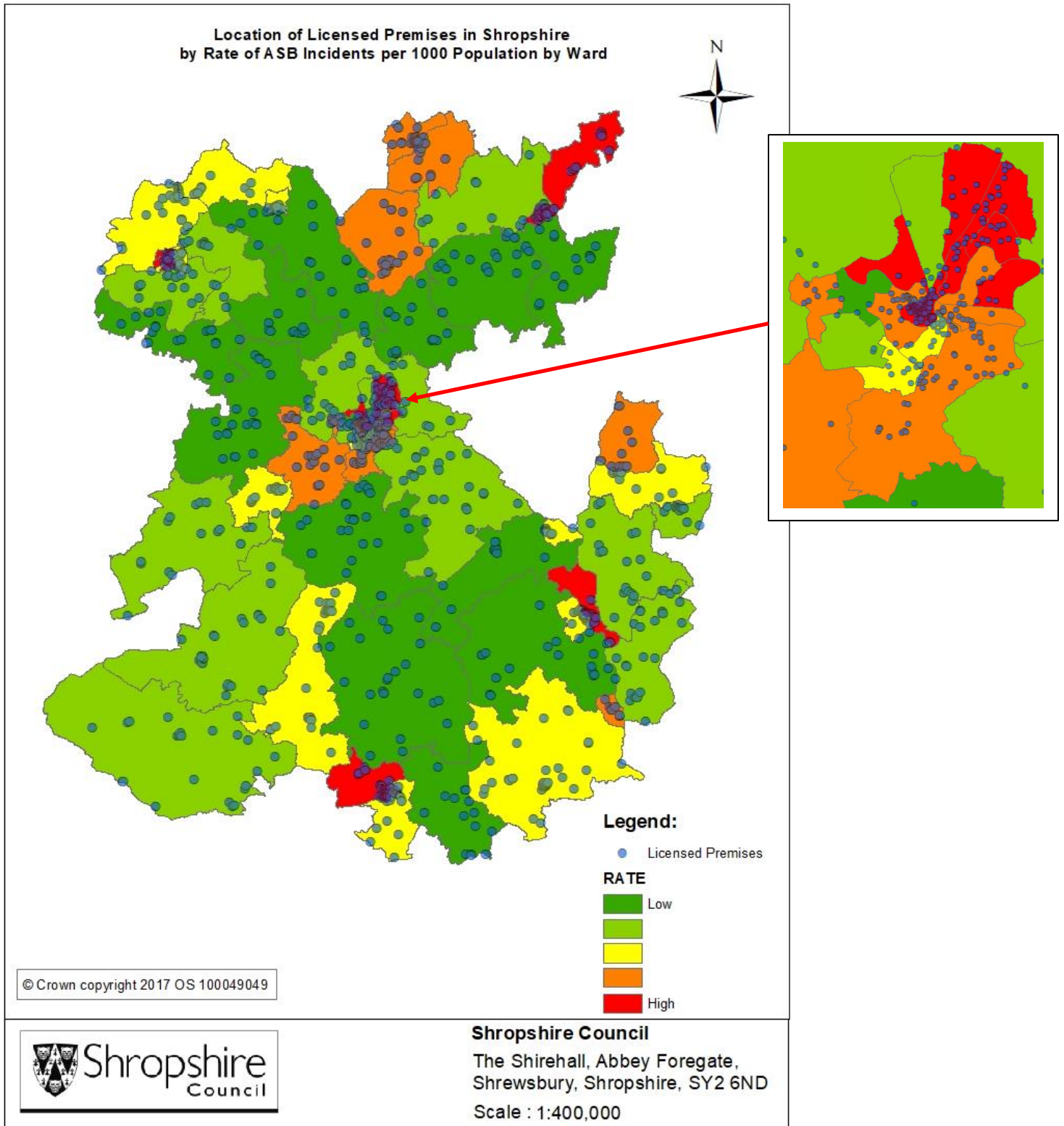
<sup>9</sup> IMD 2019





ANTI-SOCIAL BEHAVIOUR

The map below displays the location of licensed premises, alongside the rate of ASB incidents per 1000 population by ward. Please note, due to system changes data is only available for the period 01 July 2020 – 31 March 2023.





The tables below identify the top 5 hotspot wards in relation to the number and rate of ASB incidents.

WARD	TOTAL INCIDENTS
Quarry and Coton Hill	1972
Oswestry South	843
Bayston Hill, Column and Sutton	811
Market Drayton West	692
Bridgnorth East and Astley Abbots	596

Figure 12: Number of ASB incidents per ward

WARD	RATE PER 1000 POPN
Quarry and Coton Hill	399.43
Oswestry South	187.04
Sundorne	129.67
Castlefields and Ditherington	124.51
Ludlow North	116.18

Figure 13: Rate of ASB incident per 1000 population by ward

**Key findings:** Quarry and Coton Hill has been identified as the hotspot ward in relation to ASB, primarily due to the nature of the town centre location. Of note, more than double the number of ASB incidents were recorded in this ward in comparison to the second most problematic area (Oswestry South). Oswestry South features as a hotspot ward regarding both the volume and rate of incidents; this ward is predominantly urban in nature and 91% of residents live in areas of higher deprivation in respect of living environment<sup>10</sup>.

**Recommendation:** With regard to future licence applications in relation to premises located in the wards identified above, ensure the required measures are in place to minimise the impact on increased crime and disorder levels; for example, door supervision, adequate staffing levels, CCTV, personal safety advice and other appropriate crime prevention tactics. Also consider the use of ASB powers to tackle any ongoing nuisance issues in the vicinity of existing licensed premises. Of note, a Public Spaces Protection Order is currently in place in Shrewsbury town centre (situated within Quarry and Coton Hill ward) and prohibits the consumption of alcohol in a public place in order to tackle alcohol related crime and anti-social behaviour.

---

<sup>10</sup> IMD 2019

- PROMOTION OF PUBLIC SAFETY

As part of their duties under the 2003 Act, licence holders have a responsibility to ensure the safety of those using their premises. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning<sup>11</sup>.

Shropshire has a number of schemes and initiatives in place to ensure alcohol is sold responsibly, supporting the use of existing laws, regulations and controls available to all the local partners in order to minimise alcohol related harm. For example, Pubwatch schemes are currently in place across the County, and Shrewsbury has also retained Purple Flag status for the town's night-time economy; this is a national award recognising excellence in the management of town and city centres after hours. As outlined previously, Quarry and Coton Hill ward has been identified as a hotspot area regarding the volume and rate of licensed premises, alongside key risk factors linked to crime and anti-social behaviour. This ward encompasses Shrewsbury town centre, and additional measures are in place in order to promote public safety in this area; for example, patrols are conducted by town rangers, taxi marshalls, Quarry Park security and street pastors in order to reduce risks linked to alcohol related harm and the night-time economy. A Public Spaces Protection Order (PSPO) is also enforced in Shrewsbury town centre in order to prevent anti-social behaviour, with specific conditions aiming to prohibit alcohol related incidents.

In terms of protecting those vulnerable to alcohol related harm, issues are complex as there is no clear definition regarding those at risk and there is currently a lack of evidence regarding social determinants. Social factors can result in health inequalities; however, there has been little research examining the link with alcohol related issues. Alcohol treatment rates can provide an overview in terms of the number of individuals locally who are vulnerable to alcohol related harm. The location of drug and alcohol treatment centres are likely to draw vulnerable people into specific locations and have therefore been considered at a local level in terms of the proximity to areas with a higher concentration of licensed premises.

The table below displays treatment data for Shropshire, allowing for national and regional comparisons.

INDICATOR	PERIOD	ENGLAND	WEST MIDLANDS	SHROPSHIRE
Number in treatment at specialist alcohol misuse services	2020/21	76740	n/a	468
Proportion waiting more than 3 weeks for alcohol treatment	2020/21	2	n/a	10.2
Successful completion of alcohol treatment	2021	36.6	36.7	27.9

Figure 14: Local Alcohol Profiles, Public Health Data

<sup>11</sup> Amended Guidance Issued Under Section 182 of the Licensing Act 2003, October 2012

As illustrated above, treatment completion rates in Shropshire are lower than the national average. During the review period, 1530 individuals aged 18 and over were actively in treatment in Shropshire, where alcohol was cited as either their primary, secondary or tertiary problem drug.

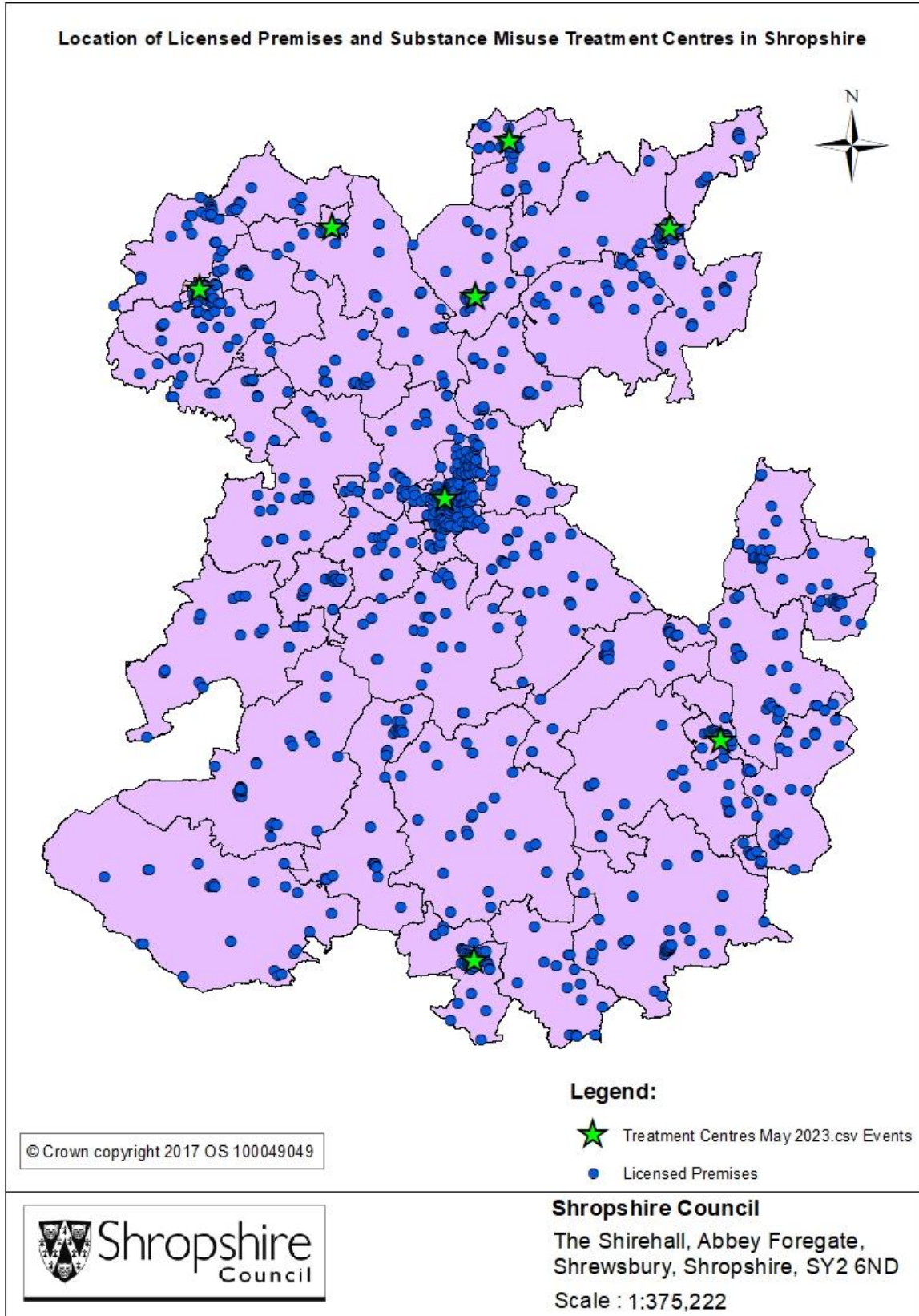
2020/21 recorded an 11% reduction in adults in treatment for alcohol use, in comparison to the year previous. Of the 468 alcohol users in treatment during this period, 51% were male and 49% female<sup>12</sup>. 243 people were new presentations (52%), and 61% had a mental health need, with need higher among females in comparison to males<sup>13</sup>. Half (52%) of Shropshire's alcohol treatment clients during 2020-21 were aged 30-49, with a further 23% aged 50-59, therefore showing a slightly older age structure of alcohol clients compared to drug treatment clients. Clients between the ages of 40-59 were more likely to be female and clients aged 60-69 more likely to be male. Nationally, there is a different profile, with 18-39s more likely to be female and 50-59s more likely to be male.

The map overleaf displays the location of treatment facilities in Shropshire, and their proximity to licensed premises.

---

<sup>12</sup> Drug and Alcohol JSNA Summary, 2023

<sup>13</sup> Shropshire Drug and Alcohol Needs Assessment 2022/23



**Key findings:** As would be expected, treatment hubs are located in town centre locations where the concentration of licensed premises is generally greater. This is particularly evident in Quarry and Coton Hill ward, which has already been identified as a hotspot area regarding rates of crime and ASB. In order to effectively identify geographical areas of concern, further data at ward level is required in relation to individuals accessing services and treatment for substance misuse issues.

**Recommendation:** Premises licence holders should have clear policies and procedures in place identifying all public safety risks, alongside measures to prevent and manage those risks. The safety of individuals leaving the premises should also be acknowledged; for example, promoting safe night-time transport options. Consideration should also be given to the location of licensed premises in areas frequented by individuals vulnerable to alcohol related harm; for example, preventing the sale of alcohol to those already intoxicated.

- PREVENTION OF PUBLIC NUISANCE

Public nuisance retains its broad common law meaning within Licensing Act 2003, and the relevant issues predominantly concern noise nuisance, light pollution, odour and litter. The Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates<sup>14</sup>.

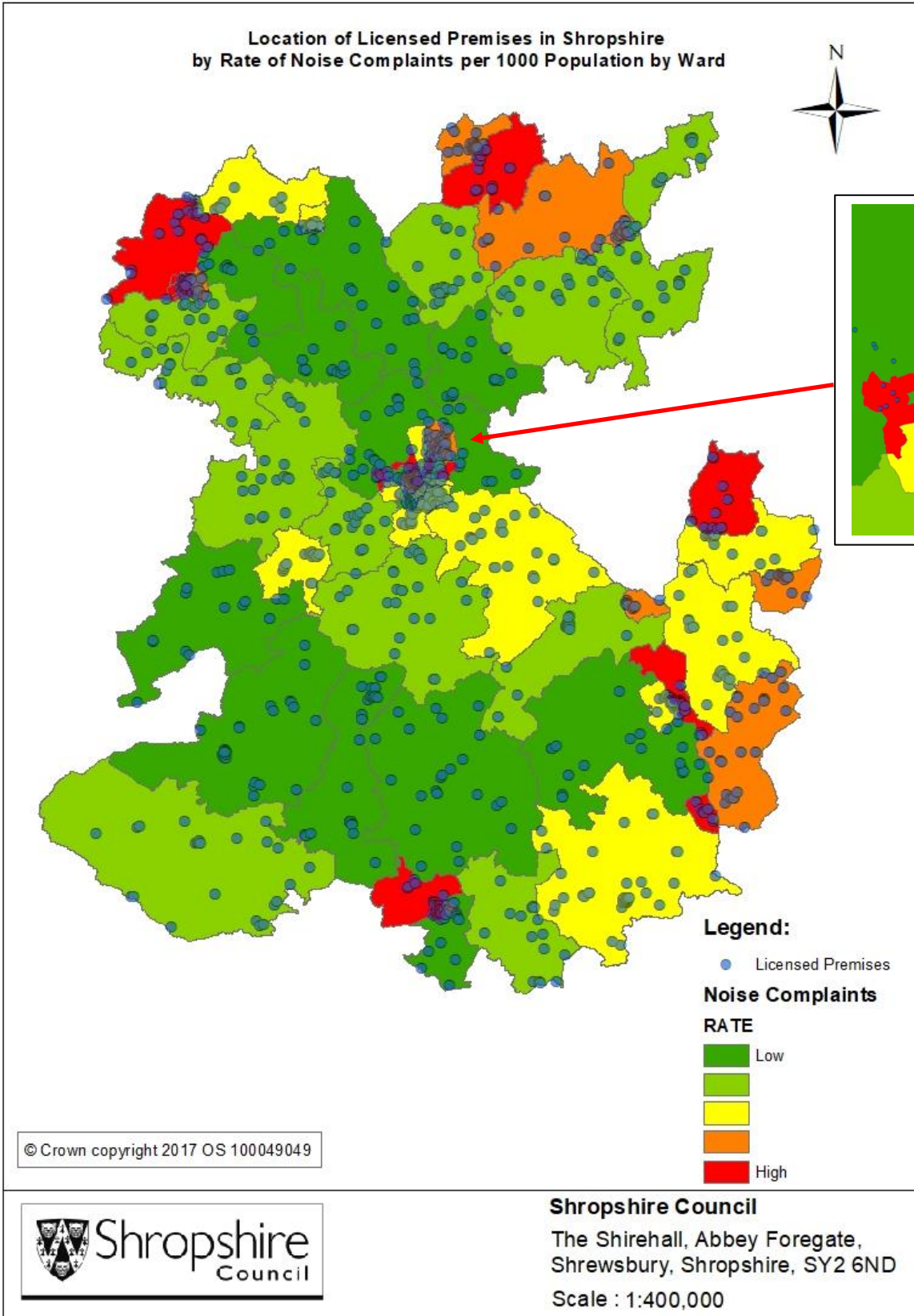
In order to identify hotspot areas and any correlation with the location of existing licensed premises, Environmental Health noise complaints have been analysed for the period 01 April 2020 – 31 March 2023. Noise complaints include both domestic and non-domestic reports recorded by Shropshire Council.

The map overleaf displays the location of licensed premises, alongside the rate of noise complaints per 1000 population by ward in Shropshire. Of note, 2628 complaints in total were recorded, however only 2513 have been geocoded allowing for hotspot analysis.

---

<sup>14</sup> Amended Guidance Issued Under Section 182 of the Licensing Act 2003, October 2012





The tables below identify the top 5 hotspot wards with regard to both the number and rate of noise complaints.

WARD	TOTAL COMPLAINTS
Quarry and Coton Hill	167
Bayston Hill, Column and Sutton	87
Oswestry East	87
Bridgnorth East and Astley Abbots	77
Market Drayton West	74
Gobowen, Selattyn and Weston Rhyn	66

Figure 15: Number of noise complaints per ward

WARD	RATE PER 1000 POPN
Quarry and Coton Hill	33.83
Oswestry South	14.42
Highley	12.64
Ludlow North	12.33
Bridgnorth East and Astley Abbots	11.16

Figure 16: Rate of noise complaints per 1000 population

**Key findings:** Quarry and Coton Hill ward has been identified as the primary hotspot area in relation to both the number and rate of noise complaints. As identified previously, this ward also contains the highest number of licensed premises and has recorded the highest rate of crime and anti-social behaviour. Of note, 21% of all noise complaints in Quarry and Coton Hill ward were linked to licensed premises.

**Recommendation:** Consideration should be given to applications for new licensed premises in the identified hotspot areas already recording higher levels of noise complaints. Applicants need to evidence that additional premises will not contribute to existing issues and cause a public nuisance for local residents.

- PROTECTION OF CHILDREN FROM HARM

The fourth objective of the Licensing Act 2003 states that children should be protected from harm, and as such recognises young people as a vulnerable group. If someone is under the age of 18 it is illegal to sell them alcohol, to buy (or attempt to buy) alcohol, for an adult to buy (or attempt to buy) alcohol for them, or to drink alcohol in licensed premises. Premises licence holders must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. In addition, a number of licensed premises in Shropshire also adhere to best practise schemes such as 'Challenge 25' which require individuals who appear to be under the age of 25 to also provide ID.

Intelligence led test purchase exercises are routinely conducted across Shropshire in order to prevent the underage sale of age restricted products. In relation to alcohol, 7 off licensed premises were visited during 2022/23 which resulted in 1 sale, and 1 on licensed premises where the sale of alcohol was refused.

Locally, alcohol was the second most reported substance problem among young people in treatment during 2020/21; 46%, which is higher than the England figure of 42%, meaning

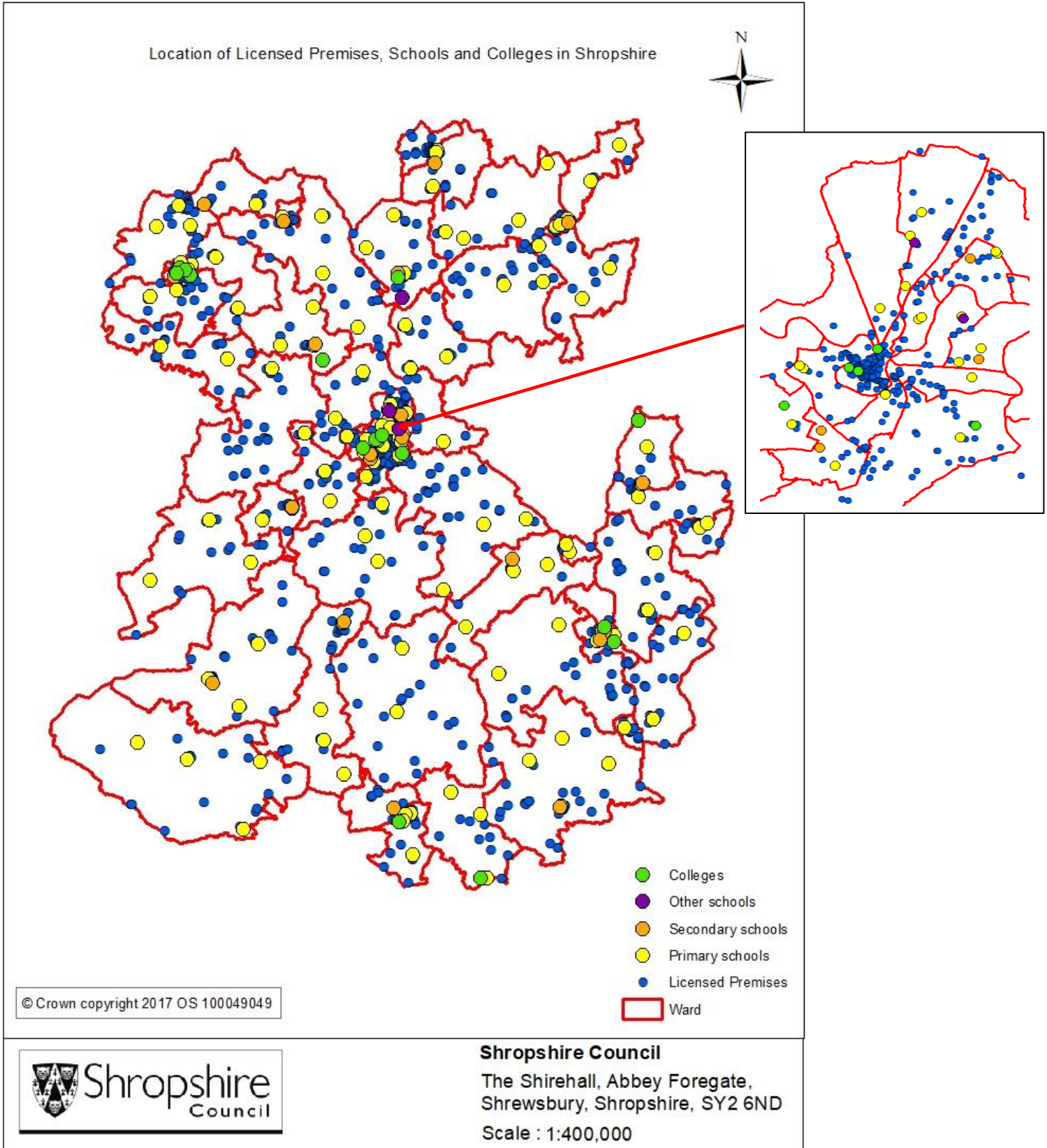
Shropshire had a higher percentage of young people in treatment for alcohol dependence in 2020-21 than nationally<sup>15</sup>.

Further consideration should be given to interventions which will prevent underage alcohol consumption. For example, identifying existing concentrations of licensed premises and the proximity to schools and colleges. The map overleaf displays the location of all Shropshire schools and colleges alongside licensed premises, in order to highlight areas where younger people will be present in greater number during certain points of the day.

---

<sup>15</sup> Shropshire Drug and Alcohol Needs Assessment 2022/23





## AGE PROFILE

18% of the population in Shropshire are under 18 years of age, and 13% are of school age (aged 5-16 years). The table below displays the top 10 wards in relation to the rate of school aged children per 1000 population. The number of children by age is also provided.

WARD	5	6	7	8	9	10	11	12	13	14	15	16	RATE PER 1000 POPN
Sundorne	58	70	57	60	75	74	53	62	64	66	60	50	177.24
Porthill	31	60	40	69	49	52	56	45	68	126	134	124	172.56
Underdale	63	58	65	68	74	53	60	73	65	44	61	50	162.93
Ruyton and Baschurch	45	50	36	54	45	63	67	70	77	72	77	65	162.46
Copthorne	37	45	42	50	54	61	62	81	65	55	60	55	152.84
Harlescott	74	55	69	73	73	63	51	65	60	54	55	63	152.10
Meole	53	45	49	62	64	59	60	63	57	73	55	51	151.67
Monkmoor	54	43	69	43	64	88	53	59	51	56	48	54	150.59
Whittington	59	43	62	39	53	55	54	56	50	49	51	55	146.98
Cheswardine	61	53	58	47	65	55	65	64	49	47	40	55	145.73

Figure 17: Top 10 Wards - Rate of school aged children per 1000 population

**Key findings:** Sundorne has the highest rate of school aged children across Shropshire; this area is predominantly urban in nature and densely populated. Of note, this ward also features as a hotspot area in relation to domestic abuse rates. Porthill also has a higher rate of school aged children; this ward is adjacent to the licensed premises cluster site in Quarry and Coton Hill ward and as such should be considered a risk area. As outlined previously, the highest number of licensed premises are located in Quarry and Coton Hill ward; this area also contains two Shrewsbury Sixth Form College campuses, and Coleham Primary School is located just outside the ward border. Bridgnorth East and Astley Abbots ward contains the highest number of schools and colleges, and also features as a hotspot area regarding both the number and rate of licensed premises.

**Recommendation:** With regard to future licence applications in relation to premises located in the wards identified above, ensure the required measures are in place to prevent underage alcohol consumption and to protect young people from alcohol related harm. For example, age restricted sales policies and door supervision, restricting hours of sale, and removing drinks promotions.

- SOCIO-ECONOMIC FACTORS

#### INDICES OF DEPRIVATION 2019

The Indices of Deprivation 2019 provide a set of relative measures of deprivation for small areas across England, based on seven different indicators which include the following:

- Income Deprivation
- Employment Deprivation
- Education, Skills and Training Deprivation
- Health Deprivation and Disability
- Crime
- Barriers to Housing and Services
- Living Environment Deprivation<sup>16</sup>

The IMD score is an important tool for identifying disadvantaged areas and can provide a useful indicator in terms of highlighting potential areas of risk in relation to alcohol-related harm, as greater deprivation is associated with higher rates of alcohol dependency.

In order to establish a picture of overall deprivation at ward level in Shropshire, an average score measure is calculated, and ensures values can be ranked with a rank of 1 (most deprived) assigned to the highest score. 5% of Shropshire's population live in the 20% most deprived areas in England. The table below displays the 10 most deprived areas in Shropshire.

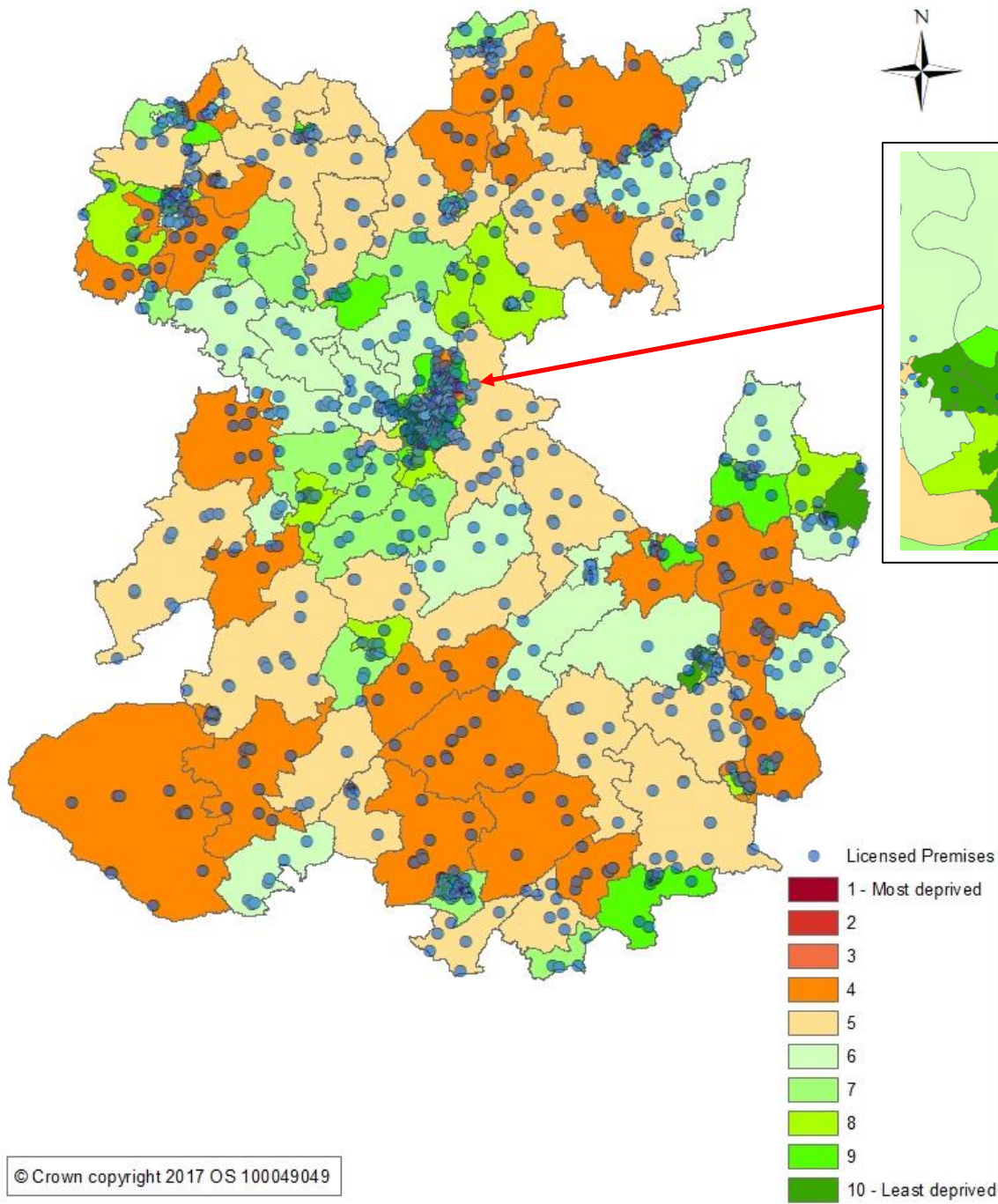
ELECTORAL DIVISION	AVERAGE SCORE RANK
Harlescott	1
Monkmoor	2
Ludlow East	3
Castlefields and Ditherington	4
Sundorne	5
Worfield	6
Market Drayton East	7
Prees	8
Corvedale	9
Bishop's Castle	10

Figure 18: Top 10 Wards – Average Deprivation Score

The map overleaf displays the most to least deprived areas based on overall IMD score, alongside the location of licensed premises.

<sup>16</sup> Shropshire Snapshot Indices of Deprivation 2019; Shropshire Council

Location of Licensed Premises in Shropshire by Overall IMD Deprivation Levels



© Crown copyright 2017 OS 100049049



**Shropshire Council**

The Shirehall, Abbey Foregate,  
Shrewsbury, Shropshire, SY2 6ND

Scale : 1:400,000



**Key findings:** 4 of the top 10 wards are located in Shrewsbury; as outlined previously Shrewsbury has the greatest concentration of licensed premises. Harlescott has been identified as the most deprived ward, and although this ward does not feature as a hotspot in relation to the number and rate of licensed premises, it has been identified as a risk area regarding crime levels. Over 80% of residents in Harlescott live in areas of higher deprivation. The largest job sector is manufacturing.

## UNEMPLOYMENT

Significant negative health impacts can arise as a result of unemployment, both for the individual and their families. This impact worsens when it involves alcohol misuse<sup>17</sup>. Harmful drinking and the associated increased risk of mental health problems can make it harder for people with alcohol dependence issues to find work again.

The number of economically active unemployed residents (excluding full time students) has been considered in order to indicate unemployment levels among resident populations. This data is based on the 2021 UK Census, and is a measure of whether or not a person was an active participant in the labour market. The table below displays the top 5 hotspot areas regarding the number of unemployed residents.

WARD	UNEMPLOYED
Battlefield	271
Oswestry East	201
Bayston Hill, Column and Sutton	198
Wem	177
Whitchurch North	151

Figure 19: Top 5 wards – number of residents unemployed (2021 Census)

In order to further identify areas of increased income and employment deprivation, the table below displays the top 5 wards based on the number of people claiming Jobseeker's Allowance plus those who claim Universal Credit and are required to seek work and be available for work, during the period 01 April 2022 – 21 March 2023.

WARD	TOTAL
Oswestry East	2,160
Whitchurch North	1,940
Quarry and Coton Hill	1,755
Wem	1,720
Harlescott	1,690

Figure 20: Top 5 wards – number of people claiming JSA and UC (Nomis)

<sup>17</sup> Health Matters: Harmful Drinking and Alcohol Dependence, PHE Jan 2016

**Recommendation:** Research indicates that those living in deprived areas are more likely to experience health inequalities and as such are potentially more vulnerable to alcohol related harm. Consideration should therefore be given to future licence applications for premises located in the areas posing a greater risk as identified above.

- CONCLUSION AND RECOMMENDATIONS

Findings indicate that the highest number of risk areas are located within the Shrewsbury and Atcham district, which would be expected as this is the most densely populated area in Shropshire. At a lower geographical level Quarry and Coton Hill ward poses the greatest risk due to the concentration of licensed premises, higher crime and ASB rates, as well as increased levels of noise nuisance. These findings reinforce links with the night time economy and alcohol related harm.

The risk matrix displayed below details the ward areas across Shropshire posing the greatest risk, alongside the specific indicator. However, all areas outlined within the profile should be considered risk areas and future applications for licensed premises located in these wards should be evaluated in order to effectively manage and minimise the impact of alcohol in line with the four key objectives of the Licensing Act 2003.

WARD	LICENSED PREMISES - NUMBER	LICENSED PREMISES - RATE	CRIME RATE	ALCOHOL RELATED CRIME RATE	VIOLENT CRIME RATE	DOMESTIC ABUSE RATE	ASB RATE	NOISE RATE	RATE OF 5-16 YR OLDS	NO. OF SCHOOLS/ COLLEGES	DEPRIVATION	UNEMPLOYMENT
Quarry and Coton Hill	*	*	*	*	*		*	*				
Sundorne									*			
Harlescott											*	
Castlefields & Ditherington						*						
Oswestry East												*
Battlefield												*
Bridgnorth East and Astley Abbots										*		

Figure 21: Risk Matrix – High Risk Localities

This profile provides a starting point in terms of identifying local risk factors requiring consideration in order to aid compliance with the four key licensing objectives. However, it is important to build on this profile via engagement with other partner organisations in order to enhance the range of local risk factors considered.



## Committee and Date

Strategic Licensing  
Committee

4 October 2023

Item

Public



## Licensing Fees and Charges 2024 - 2025

<b>Responsible Officer:</b>	Mandy Beever, Transactional Management and Licensing – Team Manager		
email:	Mandy.Beever@shropshire.gov.uk	Tel:	01743 251702
<b>Cabinet Member (Portfolio Holder):</b>	Councillor Chris Schofield, Portfolio Holder for Planning and Regulatory Services		

### 1. Synopsis

- 1.1 This report proposes the revision of licensing fees where the authority has the discretion to determine the relevant fees for the financial year from 1 April 2024 to 31 March 2025.

### 2. Executive Summary

- 2.1 The Shropshire Plan recognises the importance of supporting businesses to provide safer services. The fundamental purpose of the Licensing service is to support businesses to deliver their services in a way which allows them to thrive whilst protecting the safety and welfare of the public who live, work and visit Shropshire; together this will help to achieve a Healthy Economy.

2.2 This report proposes revised fees for the period 1 April 2024<sup>1</sup> to 31 March 2025 for licences and licensing related activities where the authority has the discretion to determine the relevant fees and relates to:

- hackney carriage and private hire vehicles and drivers;
- private hire operators;
- public health (acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing, electrolysis);
- animals (hiring out horses, providing day care for dogs, boarding for cats, home boarding, kennel boarding, breeding for dogs, selling animals as pets, keeping or training animals for exhibition, dangerous wild animals and zoos);
- scrap metal;
- sex establishments;
- street trading;
- explosives and fireworks;
- distribution of free printed matter;
- relevant protected sites and
- pleasure boats and vessels.

2.3 This report also proposes revised fees under the Gambling Act 2005 in relation to gambling activities where the authority has the discretion to determine fees up to legally set statutory maximums.

2.4 The statutory fees that must be charged for specific licences, permits and registrations under the Licensing Act 2003, the Gambling Act 2005 and explosives and fireworks legislation are also set out within the report.

2.5 Those licensed activities for which no fees may be set are also highlighted.

### 3. Recommendations

3.1. That the Committee notes the statutory fees that Shropshire Council is required to charge in accordance with the Licensing Act 2003 as set out in **Appendix A**, in accordance with the Gambling Act 2005 as set out in **Appendix B** and in accordance with explosives and fireworks legislation as set out in **Appendix C** and recommends that the authority implements these fees (or if subject to statutory amendment, the relevant amended fees) on the 1 April 2024 and instructs the Transactional Management and Licensing Team Manager to arrange for the fees to be included in the 2024/25 annual fees and charges reports that are presented to Cabinet and Council and further instructs the Transactional Management and Licensing Team Manager to implement, as appropriate, any other statutory fees that may be brought into force during the 2024/25 financial year and to publish all relevant statutory fees on the licensing pages of the Council's website as soon as is practicable.

---

<sup>1</sup> The fees applicable to hackney carriage, private hire vehicle and operator licences may become effective on a date prior to the 1 April 2024. This is because the Council must follow the process prescribed by Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 to vary these fees and the actual date that the fees become legally effective is dependent on whether or not objections are made as part of the prescribed process. Whilst not legally required to do so, the Council has historically applied the same process to hackney carriage and private hire vehicle drivers licences.



- 3.2. That the Committee implements, with any necessary modification and with effect from 1 April 2024, the proposed fees as set out in **Appendices D, E, F, G, H and I** that relate to those licences and licensing related activities where the authority has the discretion to determine the fees and instructs the Transactional Management and Licensing Team Manager to arrange for the fees to be included in the 2024/25 annual fees and charges reports that are presented to Cabinet and Council and further instructs the Transactional and Licensing Team Manager to publish the fees on the licensing pages of the Council's website as soon as is practicable.
- 3.3. That the Committee proposes to vary the fees relevant to driver, hackney carriage, private hire vehicle and operator licences as set out in **Appendix F**, with any necessary modification, and instructs the Transactional Management and Licensing Team Manager, in accordance with the provisions of Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 to undertake the necessary work to consult and implement the fees.
- 3.4. That the Committee instructs the Transactional Management and Licensing Team Manager to arrange for the proposed fees as set out in **Appendix F**, with any necessary modification, to be included in the 2024/25 annual fees and charges reports that are presented to Cabinet and Council and, where necessary, in respect of those fees a note is recorded in the said annual reports stating 'Provisional fees under consultation fees to be confirmed by the Strategic Licensing Committee'.
- 3.5. That the Committee agrees the Relevant Protected Site fees policy as set out at **Appendix J** and instructs the Transactional Management and Licensing Team Manager is published the fees policy on the licensing pages of the Council's website.

## Report

### 4. Risk Assessment and Opportunities Appraisal

- 4.1. The Council makes every effort to recover regulatory and enforcement costs from those who are licensed. However, it is acknowledged that the Council's licensing fees and charges may be challenged through a number of routes, including service complaints to the Local Government Ombudsman and judicial review; hence, the importance of undertaking robust processes to set discretionary fees and charges.
- 4.2. The Council is permitted to include costs for clerical and administrative aspects when determining licence fees but these must be reasonable and proportionate to the actual costs of the procedures. The costs of regulatory and enforcement activities, including enforcement to address unlicensed activity, can also be included. Only successful applicants can be required to make a contribution towards the regulatory and enforcement costs.

- 4.3. Where the Council intends to recover regulatory and enforcement costs, it cannot include these costs in the fee that is payable at the time any application is submitted. Such costs are only payable after the decision has been taken to grant or renew a licence. This means that for those licences that incur post application regulatory and enforcement costs, the fees are charged in two parts:
- (a) the first part is payable at the time an application is submitted and aims to recover the costs associated with the administrative procedures and formalities of the application process (this includes the costs of undertaking all the required checks relevant to each licence type); and
  - (b) the second part is payable by the applicant only once the licence is granted or renewed and aims to recover the costs associated with the ongoing regulation and enforcement of the licencing regimes.
- 4.4. There are a number of licences that do not incur post application regulatory and enforcement costs. This is because the work undertaken as part of the application process is deemed to be proportionate to the level of risk associated with the activity that is controlled by these particular licence types. For these licences, there is only one fee payable and this is at the point of application.
- 4.5. The two-part fee is not applicable to hackney carriage, private hire and gambling related licences; consequently, for these licence types a single fee is payable at the point of application. The same is applicable to all statutory fees.
- 4.6. To reduce the risk of challenge to the Council, a financial modelling tool was introduced in 2013 to calculate licensing fees from 2014/15 onwards. This continues to be updated, modified and refined to take account of amendments to the law, changes made by licensing officers, recommendations from the Council's finance officers and to reflect ongoing changes to the way in which the licensing function is resourced.
- 4.7. Overall, the tool draws together detailed information regarding the costs associated with undertaking the administrative procedures and formalities associated with all licensing procedures, including the costs of investigating the background and suitability of applicants for licences together with the cost of monitoring the compliance of those who are licensed against the conditions of their licences. It also aims to demonstrate that the cost of enforcing the licensing regime against unlicensed operators has been considered and is included in licence fees. Enforcement costs are not included for joint hackney and private hire drivers' licenses in line with specific provisions of the Local Government (Miscellaneous Provisions) Act 1976. Fees are compared on an ongoing rolling basis.
- 4.8. An Equality and Social Inclusion Impact Assessment has not been undertaken as the report does not concern the implementation of a new policy; the focus of the report is the review of licensing costs to ensure the Council is in a position to recoup its costs on a cost recovery basis in line with current legislative requirements.
- 4.9. The recommendations are not at variance with the Human Rights Act 1998 and are unlikely to result in any adverse Human Rights Act implications. The recommendations are in line with current legal procedures laid down in domestic

licensing legislation and takes into consideration relevant European provisions and case law.

- 4.10. There is no statutory duty on the Council to consult when setting or revising licensing fees with the exception of those fees relating to hackney carriage, private hire vehicles and operators' licences under Section 70 of the Local Government (Miscellaneous Provisions) Act 1976. This duty is reflected in the recommendation set out at paragraph 3.3 above. Historically, the Council has also consulted on driver licence fees and consequently it is recommended that this practice continues. With respect to the remaining discretionary fees, it is suggested that publishing the Council's intentions, prior to the fees coming into force, is sufficient and this reflects previous practice.
- 4.11. The Committee's legal authority to agree the recommendations is based within a range of specific licensing legislation together with the delegated functions set out in the Council's Constitution. Extracts from the relevant legislation are provided in **Appendix K**. Due consideration has also been given to relevant European legislation.

## 5. Financial Implications

- 5.1. The total cost to the Council of delivering the licensing service in 2022/23 was calculated to be £878,685 and the income received was £735,969. There was an overall deficit of £142,716 with specific surpluses and deficits relating to each licence type calculated separately – see **Appendix L**. Steps have been, and continue to be taken, to improve cost recovery across all appropriate licence types in order to reduce the overall deficit and to redistribute, return and recoup fees in relation to each licence type as appropriate.
- 5.2. The proposed fees are based on undertaking the administrative procedures and formalities associated with the relevant licencing procedures, including the costs of investigating the background and suitability of applicants for licences together with the cost of monitoring the compliance of those who are licensed against the conditions of their licences and enforcement for unlicensed activities where it is permitted. Where relevant, the fees have been split into two parts. The recovery of the deficits and the return of the surpluses as set out in **Appendix L** have been included in the fee calculations for 2024/25. As a result of this work, the proposed fees have been calculated and are set out in **Appendices D to I**.
- 5.3. Costs can be recovered over a period of time allowing surpluses to be returned to licensees and deficits to be recouped by the Council. This does not mean that fees have to be adjusted every year to reflect immediately previous deficits or surpluses. In any case, it must be demonstrable over a period of time that only legitimately incurred costs are recovered. Costs associated with enforcing unlicensed operators/businesses are recoverable by the Council but these costs are excluded from the calculation for the joint hackney and private hire drivers' licences in line with provisions in the Local Government (Miscellaneous Provisions) Act 1976. In addition, costs of providing advice to those who may consider applying for a licence in the future are included.

- 5.4. The surpluses and deficits for hackney carriage and private hire licence fees are set out in **Appendix L (Table 2)** and have been incorporated into the revised fees as set out **Appendix F**. Where a surplus has been generated in 2022/23 but a cumulative deficit position exists from 2014/15 to 2022/23, licence fees have not been reduced. A summary of those fees where a variation is proposed are listed below.
- Driver's Joint Badge New 3 year (inc. DVLA, DBS check, first knowledge test, first driver training assessment and Safeguarding Course) increased by 2.6%
  - Driver's Joint Badge New 3 year (inc. DVLA, first knowledge test, first driver training assessment and Safeguarding Course) increased by 2.4%
  - Driver's Badge 3-year Renewal (inc. DVLA, DBS check and Safeguarding Course) increased by 2.2%
  - Driver's Badge 3-year Renewal (inc. DVLA and Safeguarding Course) increased by 2.8%
  - Standard Private Hire Vehicle – new increased by 1.0%
  - Standard Private Hire Vehicle – renewal increased by 1.0%
  - Standard Private Hire Vehicle – transfer increased by 1.0%
  - Novelty Private Hire Vehicle – new increased by 1.1%
  - Novelty Private Hire Vehicle – transfer increased by 1.6%
  - Executive Private Hire Vehicle – new increased by 1.6%
  - Executive Private Hire Vehicle – transfer increased by 1.6%
  - Private Hire Vehicle Licence Transfer (transfer of existing licence to a new vehicle) increased by 1.0%
  - Hackney Carriage Vehicle – new increased by 0.5%
  - Hackney Carriage Vehicle – renewal increased by 0.5%
  - Hackney Carriage Licence Transfer (transfer of existing licence to a new vehicle) increased by 0.5%
  - Licence Holder Transfer/Change of Details increased by 4.0%
  - New Private Hire Operator Large - 31 vehicles and more and/or more than one base increased by 2.8%
  - Renewal Hire Operator Small - up to and including 30 vehicles and one base increased by 6.3%
  - Renewal Private Hire Operator Large - 31 vehicles and more and/or more than one base increased by 2.3%
- 5.5. The fees under the Licensing Act 2003 are statutory fees that the Council cannot change. **Appendix L (Table 1)** shows a fee surplus of £206,512 was generated. This is largely due to the requirement for licensed premises to pay an annual fee to maintain their licence. The process of offsetting the overall licensing deficit using Licensing Act fees is permissible; however, this is only because the Licensing Act fees are statutory. Where the Council has the authority to set specific discretionary fees, these fees must be used only for the purposes of funding those specific licences.
- 5.6. Public health licences are issued indefinitely; hence, there is no opportunity to recoup deficits or return surpluses through a renewal process. Fee payments are entirely reliant on new applicants. The number of applicants is difficult to forecast, although there currently appears to be an upward trend. The administration and enforcement of the public health licences has, and continues to be, reviewed and efficiencies identified. However, the applications received still contributed to a

£15,969 deficit across the public health licences in 2022/23. Where a surplus has been generated in 2022/23 but a cumulative deficit position exists from 2014/15 to 2022/23, licence fees have not been reduced.

- 5.7. On the 1 October 2018 the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (the Regulations) came into effect. This provides for the licensing of providing day care for dogs, breeding for dogs, boarding for cats, kennel boarding, home boarding, selling animals as pets, keeping or training animals for exhibition and hiring out horses. The new regulations do not include zoos and dangerous wild animals, the issuing of these licenses remain under the existing legislative requirements.
- 5.8. The work that has been undertaken to recover the deficits associated with animal licences from 2014/15 to date has not been fully effective. However, the cumulative deficit has increased by a smaller amount than in previous years with only a further £1,748 incurred in 2022/23. This is principally due to the changes introduced by the Regulations. The regulations required an increase in staffing resource to carry out inspections, particularly to address the increasing risk to animal welfare because of importation and over-breeding. Furthermore, the regulations allowed for licences to be issued to those businesses who met the higher standards for an extended period of up to three years, (previous legislation only allowed for a one-year licence to be issued). This resulted in a reduction in fees being received on an annual basis. The administration and enforcement of the animal health licences has, and continues to be, reviewed and efficiencies identified.
- 5.9. All licences subject to the Regulations are given a star rating (with the exception of Keeping or Training Animals for Exhibition Licences, which replaced Performing Animals Certificates and are subject to an automatic three year licence which is not star rated). The purpose of the star rating system is to ensure consistency in the implementation and operation of the licensing system, and to ensure that consumers can clearly see the star rating a business has received and therefore the risk level and standards of animal welfare they have. The star rating is determined by a scoring matrix set out in the Regulations. In order to calculate the star rating the results of an inspection of a premises and an assessment of the level of risk a business poses are combined to produce a rating between one and five stars. The higher the star rating is the better the standard of the business. The star rating also determines the length of time a licence lasts. One and two star licences last for one year, three and four star licences last for two years and five star licences last for three years.
- 5.10. The introduction of the star rating and different length licences makes it challenging to forecast annual income in relation to animal licences, this is due to the fact that under the new regime the number of licences issued in one financial year does not reflect the number that will be due for renewal in the following financial year. There are also a number of other variables which may affect when, or if, a licence is renewed, including:
- Surrender or non-renewal of a licence – there has been an increase in this since the new Regulations came into force as they are more difficult to comply with and some business have chosen not to continue operating.

- A licence not being granted, or an application being withdrawn after the initial application and inspection phase (and therefore not paying the second part of the fee) because the business is not able to comply with the Regulations – instances of this have also increased due to some businesses finding it hard to comply with the new Regulations.
- A business requesting a re-rating inspection mid-licence because they have carried out work identified as needed at the initial inspection and are now able to reach a higher standard. The star rating and therefore the length of the licence would increase as a result, changing the original renewal date.
- A businesses star rating being downgraded following an unannounced inspection (either the mandatory unannounced inspection carried out during the course of the licence as required by the Regulations or as the result of a complaint), resulting in the licence lasting for a shorter period of time than originally issued, changing the original renewal date.
- A business deciding not to continue with one activity where they carry out more than one or deciding to add a new activity. For example, a business which was a kennel and a cattery deciding not to offer cat boarding but continuing with kennel boarding when they come to renew their licence, reducing the renewal fee due.

5.11. Under the previous regimes the majority of licences lasted for one year, there were no star ratings and the regimes were less rigorous, so there were relatively fewer variables which could impact on the likelihood of when and if a licence was renewed. It was therefore possible to forecast expected income from animal licences in year more accurately.

5.12. A list of the fees under the new regulations is set out at **Appendix H**.

5.13. Explosives and fireworks licence and registration fees are all statutory fees (with the exception of those discretionary fees listed in **Appendix D**), which cannot be changed by the Council. **Appendix L (Table 1)** shows a deficit of £13,220, which will only be able to be reduced through making efficiency improvements across the administration and enforcement processes. The service is continuing to review how these efficiencies can be achieved. It should be noted that the activities to which the discretionary fees relate are little used in practice and were not used at all during 2022/23; hence there being no opportunity to generate additional discretionary income in order to recover the deficit incurred. However, the statutory fees did increase on the 1 April 2023 and the additional charge has been applied to all applications since this date.

5.14. The work that has been undertaken to recover the deficit associated with scrap metal licences from 2014/15 to date has been partially effective. There was a surplus of £6,764 generated in 2022/23 which has been offset against the cumulative deficit which now stands at £54,224. This is, in part, due to those existing businesses, at the time the legislation came into effect, being issued a licence for three years rather than the annual licence which had previously been required. The financial year 2022/23 is part way through the three-year cycle. The staffing resource required to carry out inspections to address the recognised criminal risks associated with scrap metal dealing is continually reviewed. The administration and enforcement of scrap metal licences has and continues to be

reviewed and efficiencies identified. The fees associated with scrap metal licences are set out in **Appendix G**.

5.15. The licences that are grouped as miscellaneous include those for non-residential caravan sites, sex establishments, free printed matter, street collections, house to house collections, street trading and pleasure boats and vessels as listed in **Appendix G**. Work that has been undertaken to recover the deficit associated with these licences from 2014/15 to date has not been effective with the cumulative deficit increasing with a further £13,458 incurred in 2022/23. A proportion of these costs are not recoverable and will always be borne by the local taxpayer as there are certain licences where the Council is unable to charge fees, e.g. licensing house to house collections, street collections and non-residential caravan sites. The administration and enforcement of these licences has and continues to be reviewed and efficiencies identified. However, to reduce the risk of further deficits, work has been done to identify the specific areas which largely contributed to the deficit in the miscellaneous licences' category. Street Trading Consents were identified as one such area this was due to the administration and enforcement required. A summary of the proposed variation is listed below.

- Street Trading Consents (minimum charge for up to 7 days (the 7 days may be used at any time within a 12-month period commencing from the date the consent is issued) to be increased by 4.9%.
- Street Trading Consents – Annual to be increased by 6.1%
- Street Trading Consents – Annual Renewal to be increased by 6.1%
- Street Trading Event Consent (minimum charge for up to 7 days (the 7 days may be used at any time within a 12-month period commencing from the date the consent is issued) to be increased by 7.5%
- Street Trading Event Consent – Annual to be increased by 7.2%

5.16. The Caravan sites and control of development act 1960 as amended by the Mobile Homes Act 2013 (the Act) allows for the Council to fix fees for a new application for a Relevant Protected Site, fix a fee for the alteration of the site licence (whether by the variation or cancellation of existing conditions, or by the addition of new conditions, or by a combination of any such methods), fix a fee the transfer of a site licence, fix annual fees and prepare and publish a fees policy. The fees associated with Relevant Protected Sites are set out at **Appendix I**. The Relevant Protected Site Fees Policy information it set out at **Appendix J**.

5.17. The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 allows for the Council to fix a fee for an application for inclusion in the register of fit and proper persons and prepare and publish a fees policy.

5.18. The Mobile homes (site rules) (England) Regulations 2014 allows the Council to determine a fee for the owner of a Relevant Protected Site to deposit site rules or a deletion notice with the local authority.

5.19. A Relevant Protected Site under the Act is a residential caravan site; it does not include any site licence which is granted for holiday use only or a site which is subject to conditions that include periods of time when no caravan may be stationed on land for human habitation.

- 5.20. The Act came into effect from 1 July 2021, fees were set along with a fees policy from 1 April 2022. All existing licence holders were required to apply under the Act prior to the fees coming into effect. Each licence is renewed every five years and there were no new applications received and no income received under the Act in the year from 1 April 2022 to 31 March 2023. As a result, it has not been possible to report on any licensing costs, income, surplus/deficit adjustments. The fees have been set considering the details contained in the fees policy. The fees policy will continue to be reviewed and published each year.
- 5.17. The Gambling Act 2005 provides for licences, permits, notices and registrations. The Council has the discretion to set the fees for licences and notices up to certain statutory maximums. The fees for permits and registrations are statutory and the Council has no authority to change these.
- 5.18. The majority of the Gambling Act work undertaken relates to the administration and enforcement of permits and registrations, which are the subject of statutory fees. There is a clear indication that these statutory fees are insufficient to cover the cost of the work associated with the administration and enforcement of the permits, e.g. basic administrative costs are at least 20% more than the statutory fee payable and there are a considerable number where the overall costs are significantly more. Processes continue to be reviewed and refined to ensure efficiencies wherever practicable.
- 5.19. The Council has the authority to set the licence fees under the Gambling Act (up to certain statutory maximums). The proposed fees, which directly reflect the calculations to recover the costs incurred, or the statutory maximum depending on which of the two is lower, are set out in **Appendix E**. As with explosives licences referred to above, the activities to which the discretionary fees relate are little used in practice; hence there being no opportunity to generate additional discretionary income in order to recover the deficit incurred.
- 5.20. An assumption has been made about the number of renewals that will take place in 2024/25 in order to recover or redistribute the deficits and surpluses. Until the end of the 2024/25 financial year it will not be known whether the assumptions about the number of renewals were accurate or not. The activity in 2023/24 will again change the cumulative position and further adjustments will be required in this rolling annual process. The adjustments to correct any material discrepancy in the recovery or redistribution of the deficits and surpluses will be made against 2025/26 fees and so on until the recovery of the surplus or deficit reaches a satisfactory position.
- 5.21. Where licenses have a renewal period of greater than one year, the recovery or redistribution calculation is spread across the same period.
- 5.22. The setting of licensing fees and charges for the 2024/25 includes:
- An estimation of a 2.0% pay award for local government staff effective from 1 April 2023.
- 5.23. Where legislation allows the Council to recover licensing costs, it is important that this is undertaken effectively. Losses that are not funded by other means, including being subsidised by council tax payers, may result in a reduction in the Council's ability to effectively deliver the overall licensing regime in the Shropshire



Council area. However, it is recognised that not all licensing costs are recoverable.

## 6. Climate Change Appraisal

- 6.1. There are no anticipated climate change or environmental impacts associated with the recommendations in this report.

## 7. Background

- 7.1 The principle of cost recovery under licensing legislation applies to the licensing of hackney carriages and private hire vehicles, operators and drivers. It also extends to sex establishments, street trading, acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing, electrolysis, zoos, providing day care for dogs, breeding for dogs, boarding for cats, kennel boarding, home boarding, selling animals as pets, keeping or training animals for exhibition, hiring out horses, dangerous wild animals, scrap metal dealers, pleasure boats/vessels, distribution of free printed matter, residential caravan sites, some explosives and fireworks licences, together with the issuing of various licences under the Gambling Act 2005.
- 7.2 Caravan sites are currently licensed by the Council under the Caravan Sites and Control of Development Act 1960, as amended by the Mobile Homes Act 2013. The amendment to the 1960 Act permits the Council to charge fees for the licensing of residential caravan sites.
- 7.3 The financial modelling tool, referred to in paragraph 4.6, has been set up to allow Licensing Act 2003 fees to be incorporated and calculated as and when the Council is in a position to do so both from a policy and a legislative perspective.
- 7.4 The government has previously consulted on its intention to move from centrally set to locally set licence fees under the Licensing Act 2003 but has yet to take this forward. As a result, the nationally determined statutory fees are retained and the Licensing Act 2003 fees are included in **Appendix A**. There are no discretionary Licensing Act 2003 fees proposed other than for providing a copy of information contained in an entry in the public register; this is reflected in **Appendix G**.
- 7.5 The costs associated with the licensing procedures that the Council may legally recover in fees consists of administrative costs, the costs of investigating the background and suitability of applicants for licences and the costs of monitoring the compliance of those with licences with their terms. Where applicable the cost of enforcement against unlicensed operators is also included in the fee. These will certainly include the costs that are directly attributable to licensing procedures and a proportion of indirect costs. The Council must be in a position to demonstrate that the costs included in any fees calculations are reasonable and proportionate to the cost of the licensing procedures.
- 7.6 Fees cannot exceed the cost of the licensing procedures and cannot be used to finance the delivery of other Council services.

7.7 To aid the Council to properly recover relevant licensing costs all licensing procedures have been considered and reviewed in detail; this work continues to evolve through an iterative process to further develop, improve and refine the processes involved. Managers, licensing officers and finance officers have collaborated in this work. The licensing procedures are considered from receipt of application to the issue of the final licence, permit, notice or registration with both variable and fixed costs being considered. These costs include officer, management and member time, including running of relevant Committees and the Licensing Panel, to administer and monitor compliance of both those already licensed and those who are unlicensed but exclude time spent enforcing matters that relate to joint hackney and private hire drivers' licences. In addition, a proportion of all indirect costs that can reasonably be attributed to licensing procedures have been included; for example, office accommodation, ICT, travelling, advertising, postage & printing, subscriptions, telephone costs, training and all other relevant internal market recharges and supplies and services costs.

## 8. Additional information

8.1. In respect of the discretionary fees proposed in **Appendix F**, namely the setting of fees for hackney carriages, private hire vehicles and operators' licences, statutory procedures must be followed. Consequently, to vary the fees from those currently set, the Council is required to follow specific procedures that allow for objections to be made and considered by the Committee.

8.2 The process that has been undertaken to determine the fees for 2024/25 is an extension of the process that commenced in 2013. This process will continue annually with amendments being made to take account of changes in the law and Council procedures and costs.

### List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

- Services Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market
- Provision of Services Regulations 2009 - SI 2009 No 2999
- Supreme Court Judgement in the case of R (on the application of Hemming and others v Westminster City Council – 29 April 2015 - [2015] UKSC 25 on appeal from [2013] EWCA Civ 591
- Court of Justice for the European Union Judgement in the case of Hemming [2016] EUECJ C-316/15 (16 November 2016)
- Mobile Homes Act 2013
- The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018
- The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020

**Local Member:** This report covers all areas of Shropshire.

## Appendices

**Appendix A** Licensing Act 2003 Statutory Fees

**Appendix B** Gambling Act 2005 Statutory Fees

**Appendix C** Explosives and Fireworks Legislation Statutory Fees

**Appendix D** Explosives and Fireworks Legislation Discretionary Fees

**Appendix E** Gambling Act 2005 Discretionary with Statutory Maximum Fees

**Appendix F** Hackney Carriage and Private Hire Discretionary Fees

**Appendix G** Other Legislation Discretionary Fees

**Appendix H** New Animal Legislation Discretionary Fees

**Appendix I** Relevant Protected Site Fees

**Appendix J** Relevant Protected Site Fees Policy Information

**Appendix K** Extracts from relevant licensing legislation providing legal framework within which local authorities may charge licensing fees

**Appendix L** Licensing costs, income and surplus/deficit



## Appendix A – Licensing Act 2003 Statutory Fees

Rateable Value Bands	A	B	C	D	E
Initial Application / Variation Fee	£100	£190	£315	£450	£635
Annual Fee:	£70	£180	£295	£320	£350
<b>Variation Fee:</b>	£100	£190	£315	£450	£635

All premises are licensable based on the non-domestic rateable value of the property as follows:

Rateable Value	Band	Band	D (x 2)	E (x 3)
No value up to £4,300	<b>A</b>	Premises in Bands D & E (whose primary business is the sale of alcohol)	<b>900</b>	<b>1905</b>
£4,301 - £33,000	<b>B</b>	Premises in Bands D & E (whose primary business is the sale of alcohol) annual charge	<b>640</b>	<b>1050</b>
£33,001 - £87,000	<b>C</b>			
£87,001 - £125,000	<b>D</b>			
£125,001 and Above	<b>E</b>			

### Exceptionally large events:

Additional Premises Fees can be charged for such events:

Number in attendance at any one time	Additional Application Fee	Additional Annual Fee
5,000 to 9,999	<b>£1,000</b>	<b>£500</b>
10,000 to 14,999	<b>£2,000</b>	<b>£1,000</b>
15,000 to 19,999	<b>£4,000</b>	<b>£2,000</b>
20,000 to 29,999	<b>£8,000</b>	<b>£4,000</b>
30,000 to 39,999	<b>£16,000</b>	<b>£8,000</b>
40,000 to 49,999	<b>£24,000</b>	<b>£12,000</b>
50,000 to 59,999	<b>£32,000</b>	<b>£16,000</b>
60,000 to 69,999	<b>£40,000</b>	<b>£20,000</b>
70,000 to 79,999	<b>£48,000</b>	<b>£24,000</b>
80,000 to 89,999	<b>£56,000</b>	<b>£28,000</b>
90,000 and over	<b>£64,000</b>	<b>£32,000</b>

### Personal Licences, Temporary Events and other fees:

Type of Application	Fee
• Grant of Personal Licence	<b>£37</b>
• Temporary Event Notice	<b>£21</b>
• Theft, Loss etc. of Premises Licence or summary	<b>£10.50</b>
• Provisional Statement (where premises are being built)	<b>£315.00</b>
• Notification of change of name or address	<b>£10.50</b>
• Vary licence to specify individual as Premises Supervisor	<b>£23</b>
• Transfer of Premises Licence	<b>£23</b>
• Interim authority notice following death etc. of Licence holder	<b>£23</b>
• Theft, loss etc. of Certificate or summary	<b>£10.50</b>
• Notification of change of name or alteration of rules of club	<b>£10.50</b>
• Change of relevant registered address of club	<b>£10.50</b>
• Theft, loss etc. of Temporary Event Notice	<b>£10.50</b>
• Theft, loss etc. of Personal Licence	<b>£10.50</b>
• Duty to notify change of name or address	<b>£10.50</b>
• Right of freeholder etc. to be notified of licensing matters	<b>£21</b>
• Minor Variation	<b>£89</b>
• Removal of DPS at Community Premises	<b>£23</b>

This page is intentionally left blank

**Appendix B - Gambling Act 2005 Statutory Fees**

Licence Type	2023/24 Fees (£)	2024/25 Fees (£)	Difference (£)	Difference (%)
Prize Gaming Permit - New	300.00	300.00	0.00	0%
Prize Gaming Permit - Renewal	300.00	300.00	0.00	0%
Prize Gaming Permit - Request for a new name to be substituted for the old name specified on a permit	25.00	25.00	0.00	0%
Prize Gaming Permit - Copy of a Permit	15.00	15.00	0.00	0%
Club Machine Permit - New	200.00	200.00	0.00	0%
Club Machine Permit - New - Fast Track procedure for holder of a club premises certificate	100.00	100.00	0.00	0%
Club Machine Permit - Annual Fee	50.00	50.00	0.00	0%
Club Machine Permit - Renewal	200.00	200.00	0.00	0%
Club Machine Permit -Renewal - Fast Track procedure for holder of a club premises certificate	100.00	100.00	0.00	0%
Club Machine Permit - Variation	100.00	100.00	0.00	0%
Club Machine Permit - Copy	15.00	15.00	0.00	0%
Club Gaming Permit - New	200.00	200.00	0.00	0%
Club Gaming Permit - New - Fast Track procedure for holder of a club premises certificate	100.00	100.00	0.00	0%
Club Gaming Permit - Annual Fee	50.00	50.00	0.00	0%
Club Gaming Permit - Renewal	200.00	200.00	0.00	0%
Club Gaming Permit -Renewal - Fast Track procedure for holder of a club premises certificate	100.00	100.00	0.00	0%
Club Gaming Permit - Variation	100.00	100.00	0.00	0%

Club Gaming Permit - Copy	15.00	15.00	0.00	0%
Licenced Premises Gaming Machine Permit - New	150.00	150.00	0.00	0%
Licenced Premises Gaming Machine Permit - Annual Fee	50.00	50.00	0.00	0%
Licenced Premises Gaming Machine Permit - Variation	100.00	100.00	0.00	0%
Licenced Premises Gaming Machine Permit - Transfer	25.00	25.00	0.00	0%
Licenced Premises Gaming Machine Permit - Request for a new name to be substituted for the old name specified on a permit	25.00	25.00	0.00	0%
Licenced Premises Gaming Machine Permit - Copy of a Permit	15.00	15.00	0.00	0%
Gaming Machines Automatic Entitlement	50.00	50.00	0.00	0%
Unlicenced Family Entertainment Centre - New	300.00	300.00	0.00	0%
Unlicenced Family Entertainment Centre - Renewal	300.00	300.00	0.00	0%
Unlicenced Family Entertainment Centre - Request for a new name to be substituted for the old name specified on a permit	25.00	25.00	0.00	0%
Unlicenced Family Entertainment Centre - Copy of a Permit	15.00	15.00	0.00	0%
Small Society Lottery - New	40.00	40.00	0.00	0%
Small Society Lottery - Renewal	20.00	20.00	0.00	0%



## Appendix C – Explosives and Fireworks Legislation Statutory Fees

<b>NEW</b> -Licence to store explosives where, by virtue of regulation 27 of, and schedule 5 to, the 2014 regulations, a minimum separation distance of <b>greater than 0 metres</b> is prescribed.	
One year's duration	£193.00
Two year's duration	£253.00
Three year's duration	£317.00
Four year's duration	£390.00
Five year's duration	£441.00

<b>Renewal</b> of licence to store explosives where a minimum separation distance of <b>greater than 0 metres</b> is prescribed.	
<b>One year's duration</b>	£90.00
<b>Two year's duration</b>	£153.00
<b>Three year's duration</b>	£215.00
<b>Four year's duration</b>	£277.00
<b>Five year's duration</b>	£340.00

<b>NEW</b> Licence to store explosives where no minimum separation distance or a <b>0 metres minimum</b> separation distance is prescribed.	
One year's duration	£113.00
Two year's duration	£147.00
Three year's duration	£181.00
Four year's duration	£215.00
Five year's duration	£248.00

<b>Renewal</b> of licence to store explosives where no minimum separation distance or a <b>0 metres minimum</b> separation distance is prescribed	
One year's duration	£56.00
Two year's duration	£90.00
Three year's duration	£125.00
Four year's duration	£158.00
Five year's duration	£193.00

<b>Varying a licence</b>	
Varying name of licensee or address of site	£38.00
Transfer of licence	£38.00
Replacement of licence	£38.00

<b>Licensing of Firework Suppliers</b>	
One year's duration	£500

This page is intentionally left blank

## Appendix D – Explosives and Fireworks Legislation Discretionary Fees

Type	2023/24	2024/25
Any other kind of variation (Not varying name of licensee or address of site)	£721.00*	£743.00*
Explosives Assent Procedure	£470.00	£470.00
Copy of public register entry (per individual entry)	£46.00	£46.00

\*The reasonable cost to the licensing authority of having the work carried out

This page is intentionally left blank

## Appendix E Gambling Act 2005 Discretionary with Statutory Maximum Fees

Licence Type				
<b>All Casinos</b>	See Gambling Act 2005 Policy Statement 2022 to 2025 paragraphs 36.1 and 36.2			
Licence Type	2023/24 Fees (£)	Proposed Fees 2024/25 (£)	Difference (£)	Difference (%)
<b>Bingo premises licence</b>				
Fee in respect of new premises	1,888.00	2,020.00	132.00	7.0%
Annual Fee	1,000.00	1,000.00	0.00	0.0%
Fee for application to vary licence	1,747.00	1,750.00	3.00	0.2%
Fee for application to transfer a licence	1,200.00	1,200.00	0.00	0.0%
Fee for application to reinstate a licence	1,200.00	1,200.00	0.00	0.0%
Fee for application for provisional statement	1,877.00	2,007.00	130.00	6.9%
<b>Adult Gaming Centre Premises Licence</b>				
Fee in respect of new premises	1,888.00	2,000.00	112.00	5.9%
Annual Fee	1,000.00	1,000.00	0.00	0.0%
Fee for application to vary licence	1,000.00	1,000.00	0.00	0.0%
Fee for application to transfer a licence	1,200.00	1,200.00	0.00	0.0%
Fee for application to reinstate a licence	1,200.00	1,200.00	0.00	0.0%
Fee for application for provisional statement	1,877.00	2,000.00	123.00	6.6%
<b>Betting Premises (track) licence</b>				
Fee in respect of new premises	1,888.00	2,020.00	132.00	7.0%
Annual Fee	1,000.00	1,000.00	0.00	0.0%
Fee for application to vary licence	1,250.00	1,250.00	0.00	0.0%
Fee for application to transfer a licence	950.00	950.00	0.00	0.0%
Fee for application to reinstate a licence	950.00	950.00	0.00	0.0%
Fee for application for provisional statement	1,877.00	2,007.00	130.00	6.9%
<b>Family Entertainment Centre Premises Licence</b>				
Fee in respect of other premises	1,888.00	2,000.00	112.00	5.9%
Annual Fee	750.00	750.00	0.00	0.0%
Fee for application to vary licence	1,000.00	1,000.00	0.00	0.0%
Fee for application to transfer a licence	950.00	950.00	0.00	0.0%
Fee for application to reinstate a licence	950.00	2,028.00	1078.00	113.5%
Fee for application for provisional statement	1,877.00	2,000.00	123.00	6.6%

## Appendix E Gambling Act 2005 Discretionary with Statutory Maximum Fees

<b>Betting Premises (other) licence</b>				
Fee in respect of other premises	1,888.00	2,020.00	132.00	7.0%
Annual Fee	600.00	600.00	0.00	0.0%
Fee for application to vary licence	1,500.00	1,500.00	0.00	0.0%
Fee for application to transfer a licence	1,200.00	1,200.00	0.00	0.0%
Fee for application to reinstate a licence	1,200.00	2,028.00	828.00	69.0%
Fee for application for provisional statement	1,877.00	2,007.00	130.00	6.9%
<b>Temporary Use of Premises</b>				
Temporary Use Notice	500.00	500.00	0.00	0.0%
Occasional Use Notice	No Fee	No Fee	No Fee	No Fee
Replacement of an endorsed copy of a Temporary Use Notice	25.00	25.00	0.00	0.0%
<b>Applicable to all gaming licences</b>				
Change of circumstances fee - for all gaming licences	50.00	50.00	0.00	0.0%
Fee for copy licence - for all gaming licences	25.00	25.00	0.00	0.0%

## Appendix F - Hackney Carriage and Private Hire Discretionary Fees

2023 - 2024		2024 - 2025				
Licence Type	2023/24 Fee (£)	Licence Type	Calculated 2024/25 Fee (£) without surplus/deficit	Proposed 2024/25 Fee (£) including surplus/deficit adjustment	Difference (£)	Difference (%)
<b>Drivers</b>						
Driver's Joint Badge New 3 year (inc. DVLA, DBS check, first knowledge test, first driver training assessment and Safeguarding Course)	309.00	Driver's Joint Badge New 3 year (inc. DVLA, DBS check, first knowledge test, first driver training assessment and Safeguarding Course)	317.00	317.00	8.00	2.6%
Driver's Joint Badge New 3 year (inc. DVLA, first knowledge test, first driver training assessment and Safeguarding Course)	254.00	Driver's Joint Badge New 3 year (inc. DVLA, first knowledge test, first driver training assessment and Safeguarding Course)	260.00	260.00	6.00	2.4%
Driver's Badge 3 yr Renewal (inc. DVLA, DBS check and Safeguarding Course)	267.00	Driver's Badge 3 yr Renewal (inc. DVLA, DBS check and Safeguarding Course)	273.00	273.00	6.00	2.2%
Driver's Badge 3 yr Renewal (inc. DVLA and Safeguarding Course)	213.00	Driver's Badge 3 yr Renewal (inc. DVLA and Safeguarding Course)	219.00	219.00	6.00	2.8%
Driver's Knowledge Test	59.00	Driver's Knowledge Test	41.00	59.00	0.00	0.0%
Driver's Knowledge Test Resit	52.00	Driver's Knowledge Test Resit	40.00	52.00	0.00	0.0%
Change of Details	48.00	Change of Details	40.00	48.00	0.00	0.0%
Vehicle Licensee Transfer	98.00	Vehicle Licensee Change	40.00	98.00	0.00	0.0%

### Appendix F - Hackney Carriage and Private Hire Discretionary Fees

Driver Badge replacement following damage or loss	45.00	Driver Badge replacement following damage or loss	36.00	45.00	0.00	0.0%
Driver Training assessment	70.00	Driver Training assessment	65.00	70.00	0.00	0.0%
Safeguarding Training	48.00	Safeguarding Training	37.00	48.00	0.00	0.0%
<b>Vehicles</b>						
Standard Private Hire Vehicle - new	201.00	Standard Private Hire Vehicle - new	203.00	203.00	2.00	1.0%
Standard Private Hire Vehicle - renewal	207.00	Standard Private Hire Vehicle - renewal	209.00	209.00	2.00	1.0%
Standard Private Hire Vehicle - transfer	201.00	Standard Private Hire Vehicle - transfer	203.00	203.00	2.00	1.0%
Novelty Private Hire Vehicle - new	188.00	Novelty Private Hire Vehicle - new	190.00	190.00	2.00	1.1%
Novelty Private Hire Vehicle - renewal	201.00	Novelty Private Hire Vehicle - renewal	199.00	201.00	0.00	0.0%
Novelty Private Hire Vehicle - transfer	183.00	Novelty Private Hire Vehicle - transfer	186.00	186.00	3.00	1.6%
Executive Private Hire Vehicle - new	192.00	Executive Private Hire Vehicle - new	195.00	195.00	3.00	1.6%
Executive Private Hire Vehicle - renewal	213.00	Executive Private Hire Vehicle - renewal	209.00	213.00	0.00	0.0%
Executive Private Hire Vehicle - transfer	192.00	Executive Private Hire Vehicle - transfer	195.00	195.00	3.00	1.6%
Private Hire Vehicle Licence Transfer (transfer of existing licence to a new vehicle)	201.00	Standard Private Hire Vehicle Licence Transfer (transfer of existing licence to a new vehicle)	203.00	203.00	2.00	1.0%
Hackney Carriage Vehicle - new	192.00	Hackney Carriage Vehicle - new	193.00	193.00	1.00	0.5%



### Appendix F - Hackney Carriage and Private Hire Discretionary Fees

Hackney Carriage Vehicle - renewal	193.00	Hackney Carriage Vehicle - renewal	194.00	194.00	1.00	0.5%
Hackney Carriage Licence Transfer (transfer of existing licence to a new vehicle)	193.00	Hackney Carriage Licence Transfer (transfer of existing licence to a new vehicle)	194.00	194.00	1.00	0.5%
Exterior plate replacement following damage, loss and for trailer	45.00	Exterior plate replacement following damage or loss	22.00	45.00	0.00	0.0%
Internal plate replacement following damage or loss	45.00	Internal plate replacement following damage or loss	22.00	45.00	0.00	0.0%
Fare Card replacement following damage or loss	3.00	Fare Card replacement following damage or loss	3.00	3.00	0.00	0.0%
Private Hire Door Signs (pair)	45.00	Private Hire Door Signs (pair)	22.00	45.00	0.00	0.0%
New Fee		Additional DBS	59.00	59.00	59.00	0.0%
Licence Holder Transfer/Change of Details	25.00	Licence Holder Transfer/change of Details	26.00	26.00	1.00	4.0%

## Appendix F - Hackney Carriage and Private Hire Discretionary Fees

2023 - 2024		2024 - 2025				
Licence Type	2023/24 Fee (£)	Licence Type	Calculated 2024/25 Fee (£) without surplus/deficit adjustment	Calculated 2024/25 Fee (£) including surplus/deficit adjustment	Difference (£)	Difference (%)
<b>Private Hire Operator - 5 Year - New</b>						
Private Hire Operator Small - up to and including 30 vehicles and one base	328.00	Private Hire Operator Small - up to and including 30 vehicles and one base	322.00	328.00	0.00	0.0%
Private Hire Operator Large - 31 vehicles and more and/or more than one base	850.00	Private Hire Operator Large - 31 vehicles and more and/or more than one base	874.00	874.00	24.00	2.8%
<b>Private Hire Operator - 5 Year - Renewal</b>						
Private Hire Operator Small - up to and including 30 vehicles and one base	349.00	Private Hire Operator Small - up to and including 30 vehicles and one base	371.00	371.00	22.00	6.3%
Private Hire Operator Large - 31 vehicles and more and/or more than one base	832.00	Private Hire Operator Large - 31 vehicles and more and/or more than one base	851.00	851.00	19.00	2.3%

## Appendix G Other Legislation Discretionary Fees FINAL

### Appendix G - Other Discretionary Fees

2023-2024			2024-2025					
Licence Type	2023/24 Fee (£)		Licence Type	Calculated 2024/25 Fee (£) without surplus/deficit adjustment	Proposed 2024/25 Fee (£) including surplus/deficit adjustment	Difference (£)	Difference (%)	
<b>Public Health</b>								
Acupuncture Premises, inc. 1 person	317.00		Additional persons included on same application £29/person	129.00	317.00	Additional persons included on same application £29/person	-	0.0%
Acupuncture Person	152.00		When application submitted separately from premises application	129.00	152.00	When application submitted separately from premises application	-	0.0%
Electrolysis Premises, inc. 1 person	317.00		Additional persons included on same application (£29/person)	129.00	317.00	Additional persons included on same application (£29/person)	-	0.0%
Electrolysis Person	152.00		When application submitted separately from premises application	129.00	152.00	When application submitted separately from premises application	-	0.0%
Cosmetic-piercing Premises, inc. 1 person	317.00		Additional persons included on same application £29/person	129.00	317.00	Additional persons included on same application £29/person	-	0.0%
Cosmetic-piercing Person	152.00		When application submitted separately from premises application	129.00	152.00	When application submitted separately from premises application	-	0.0%

### Appendix G Other Legislation Discretionary Fees FINAL

Tattooing Premises, inc. 1 person	317.00		Additional persons included on same application £29/person	129.00	317.00	Additional persons included on same application £29/person	-	0.0%
Tattooing Person	152.00		When application submitted separately from premises application	129.00	152.00	When application submitted separately from premises application	-	0.0%
<b>Animals</b>								
Dangerous Wild Animals (new) - where total licensing procedure takes no more than 9 hrs	281.00	+ vet fees; if exceeds 9 hrs + hourly charge for each additional hour or part thereof @£24/hou r	Dangerous Wild Animals (new) - where total licensing procedure takes no more than 9 hrs	240.00	281.00	+ vet fees; if exceeds 9 hrs + hourly charge for each additional hour or part thereof @£25/hour	-	0.0%
Dangerous Wild Animals (renewal) - where total licensing procedure takes no more than 3.75 hrs	260.00	+ vet fees; if exceed 3.5 hrs + hourly charge for each additional hour or part thereof @ £24/hr	Dangerous Wild Animals (renewal) - where total licensing procedure takes no more than 3.75 hrs	244.00	260.00	+ vet fees; if exceed 3.75 hrs + hourly charge for each additional hour or part thereof @ £25 /hour	-	0.0%

### Appendix G Other Legislation Discretionary Fees FINAL

Zoos (new)	934.00	+ vet fees	Zoos (new)	608.00	934.00	+ vet fees Initial application fee £417.87 Fee due after licence granted £516.13	-	0.0%
Zoos (renewal)	877.00	+ vet fees Initial renewal fee £469 (includes deficit recovery) Fee due after renewal granted £254	Zoos (renewal)	534.00	877.00	+ vet fees Initial renewal fee £323.00 Fee due after renewal granted £554.00	-	0.0%
<b>Scrap Metal</b>								
Scrap Metal Dealer - Site (new)	748.00	Initial application fee £94 Fee due	Scrap Metal Dealer - Site (new)	748.00	748.00	Initial application fee £128.88 Fee due after licence granted £619.12	0.00	0.0%
Scrap Metal Dealer - Site (renewal)	2917.00	Initial renewal application fee £201 (includes deficit recovery) Fee due after renewal granted £544	Scrap Metal Dealer - Site (renewal)	763.00	2,917.00	Initial renewal application fee £549.56 Fee due after renewal granted £2,367.44	0.00	0.0%

**Appendix G Other Legislation Discretionary Fees FINAL**

Scrap Metal Dealer - Collectors (new)	219.00	Initial application fee £119 Fee due	Scrap Metal Dealer - Collectors (new)	230.00	230.00	Initial application fee £146.69 Fee due after licence granted £83.31	11.00	5.0%
Scrap Metal Dealer - Collectors (renewal)	472.00	Initial renewal application fee £226 (includes deficit)	Scrap Metal Dealer - Collectors (renewal)	244.00	472.00	Initial renewal application fee £312.13 Fee due after renewal granted £159.87	0.00	0.0%
Scrap Metal Dealer Site Manager Variation	100.00		Scrap Metal Dealer Site Manager Variation	100.00	100.00		0.00	0.0%
Scrap Metal Dealer - Site/Collector Licensee Name - Variation (not transfer of licensee)	55.00		Scrap Metal Dealer - Site/Collector Licensee Name - Variation (not transfer of licensee)	51.00	55.00		0.00	0.0%
Scrap Metal Dealer - collector to site variation	507.00	Initial application fee £250 Fee due after variation granted £185	Scrap Metal Dealer - collector to site variation	505.00	507.00		0.00	0.0%
Scrap Metal Dealer - site to collector variation	115.00		Scrap Metal Dealer - site to collector variation	117.00	117.00		2.00	1.7%
<b>Sex Establishments</b>								
Sex Establishments (New)	2,592.00		Sex Establishments (New)	2,838.00	2,838.00		246.00	9.5%
Sex Establishments (Renewal)	1,837.00		Sex Establishments (Renewal)	2,015.00	2,015.00		178.00	9.7%

**Appendix G Other Legislation Discretionary Fees FINAL**

Sex Establishments (Transfer)	1,838.00		Sex Establishments (Transfer)	2,013.00	2,013.00		175.00	9.5%
<b>Street Trading Consents</b>								
Minimum charge for up to 7 days (the 7 days may be used at any time within a 12 month period commencing from the date the consent is issued, but the dates must be confirmed on application)	405.00		Minimum charge for up to 7 days (the 7 days may be used at any time within a 12 month period commencing from the date the consent is issued, but the dates must be confirmed on application)	425.00	425.00		20.00	4.9%
Each additional day or part thereof	4.00		Each additional day or part thereof (the dates must be confirmed on application)	4.00	4.00		0.00	0.0%
Street Trading Consents - Annual	1,078.00		Street Trading Consents - Annual	1,144.00	1,144.00		66.00	6.1%
Street Trading Consents - Annual Renewal	1,081.00		Street Trading Consents - Annual Renewal	1,147.00	1,147.00		66.00	6.1%

## Appendix G Other Legislation Discretionary Fees FINAL

Street Trading Event - Daily. Minimum charge for up to 7 days (the 7 days may be used at any time within a 12 month period commencing from the date the consent is issued, but the dates must be confirmed on application)	226.00		Street Trading Event - Daily. Minimum charge for up to 7 days (the 7 days may be used at any time within a 12 month period commencing from the date the consent is issued, but the dates must be confirmed on application)	243.00	243.00		17.00	7.5%
Street Trading Event - Each additional day or part thereof (the dates must be confirmed on application)	4.00		Street Trading Event - Each additional day or part thereof (the dates must be confirmed on application)	4.00	4.00		0.00	0.0%
Street Trading Event - Annual	804.00		Street Trading Event - Annual	862.00	862.00		58.00	7.2%
<b>Distribution of free printed matter</b>								
Weekly permit	87.00		Weekly permit	86.00	87.00		0.00	0.0%
Monthly permit	122.00		Monthly permit	124.00	124.00		2.00	1.6%
Annual permit	156.00		Annual permit	162.00	162.00		6.00	3.8%
<b>Miscellaneous</b>								
Pleasure Boats & Vessels	241.00	+ marine surveyor's report fee	Pleasure Boats & Vessels	201.00	241.00	+ marine surveyor's report fee	0.00	0.0%
<b>Gambling Act 2005 and Licensing Act 2003</b>								
Copy of public register entry (per individual entry)	39.00		Copy of public register entry (per individual entry)	39.00	39.00		0.00	0.0%



## Appendix H New Animal Legislation Discretionary Fees FINAL

### Appendix H - New Animal Legislation Discretionary Fees

2023-2024		2024-2025				
Licence Type	2023/24 Fee (£)	Licence Type	Calculated 2024/25 Fee (£) without surplus/deficit adjustment	Proposed 2024/25 Fee (£) including surplus/deficit adjustment	Difference (£)	Difference (%)
<b>Animals</b>						
Dog Day Care < 10 new	535.00	Dog Day Care < 10 new	316.00	535.00	Initial application fee £266.91 Fee due after licence granted £268.09	0.00 0.0%
Dog Day Care > 10 new	604.00	Dog Day Care > 10 new	329.00	604.00	Initial application fee £289.25 Fee due after licence granted £314.75	0.00 0.0%
Dog Day Care < 10 renewal	464.00	Dog Day Care < 10 renewal	269.00	464.00	Initial application fee £280.30 Fee due after licence granted £183.70	0.00 0.0%
Dog Day Care > 10 renewal	511.00	Dog Day Care > 10 renewal	282.00	511.00	Initial application fee £294.13 Fee due after licence granted £216.87	0.00 0.0%
Dog Day Care < 10 additional activity	173.00	Dog Day Care < 10 additional activity	175.00	175.00		2.00 1.2%
Dog Day Care > 10 additional activity	230.00	Dog Day Care > 10 additional activity	187.00	230.00		0.00 0.0%
Breeding for dogs < 10 new	569.00	Breeding for dogs < 10 new	342.00	569.00	Initial application fee £371.95 Fee due after licence granted £197.05	0.00 0.0%
Breeding for dogs > 10 new	642.00	Breeding for dogs > 10 new	405.00	642.00	Initial application fee £351.94 Fee due after licence granted £290.06	0.00 0.0%

## Appendix H New Animal Legislation Discretionary Fees FINAL

Breeding for dogs < 10 renewal	466.00		Breeding for dogs < 10 renewal	269.00	466.00	Initial application fee £281.51 Fee due after licence granted £184.49	0.00	0.0%
Breeding for dogs > 10 renewal	489.00		Breeding for dogs > 10 renewal	282.00	489.00	Initial application fee £281.46 Fee due after licence granted £207.54	0.00	0.0%
Breeding for Dogs < 10 additional activity	222.00		Breeding for Dogs < 10 additional activity	224.00	224.00		2.00	0.9%
Breeding for Dogs > 10 additional activity	270.00		Breeding for Dogs > 10 additional activity	249.00	270.00		0.00	0.0%
Boarding for cats < 10 new	535.00		Boarding for cats < 10 new	316.00	535.00	Initial application fee £266.91 Fee due after licence granted £268.09	0.00	0.0%
Boarding for cats > 10 new	604.00		Boarding for cats > 10 new	329.00	604.00	Initial application fee £289.25 Fee due after licence granted £314.75	0.00	0.0%
Boarding for cats < 10 renewal	464.00		Boarding for cats < 10 renewal	269.00	464.00	Initial application fee £280.30 Fee due after licence granted £183.70	0.00	0.0%
Boarding for cats > 10 renewal	511.00		Boarding for cats > 10 renewal	282.00	511.00	Initial application fee £294.13 Fee due after licence granted £216.87	0.00	0.0%
Boarding for cats < 10 additional activity	173.00		Boarding for cats < 10 additional activity	175.00	175.00		2.00	1.2%
Boarding for cats > 10 additional activity	230.00		Boarding for cats > 10 additional activity	187.00	230.00		0.00	0.0%
Kennel Boarding < 10 animals new	536.00		Kennel Boarding < 10 animals new	349.00	536.00	Initial application fee £273.52 Fee due after licence granted £262.48	0.00	0.0%

### Appendix H New Animal Legislation Discretionary Fees FINAL

Kennel Boarding > 10 animals new	606.00		Kennel Boarding > 10 animals new	362.00	606.00	Initial application fee £298.03 Fee due after licence granted £307.97	0.00	0.0%
Kennel Boarding < 10 animals renewal	460.00		Kennel Boarding < 10 animals renewal	281.00	460.00	Initial application fee £220.84 Fee due after licence granted £239.16	0.00	0.0%
Kennel Boarding > 10 animals renewal	505.00		Kennel Boarding > 10 animals renewal	294.00	505.00	Initial application fee £231.49 Fee due after licence granted £273.51	0.00	0.0%
Kennel Boarding < 10 animals additional activity	173.00		Kennel Boarding < 10 animals additional activity	175.00	175.00		2.00	1.2%
Kennel Boarding > 10 additional activity	231.00		Kennel Boarding > 10 additional activity	200.00	231.00		0.00	0.0%
Home boarding < 10 animals new	535.00		Home boarding < 10 animals new	316.00	535.00	Initial application fee £266.91 Fee due after licence granted £268.09	0.00	0.0%
Home boarding > 10 animals new	604.00		Home boarding > 10 animals new	329.00	604.00	Initial application fee £289.25 Fee due after licence granted £314.75	0.00	0.0%
Home boarding < 10 animals renewal	464.00		Home boarding < 10 animals renewal	288.00	464.00	Initial application fee £293.01 Fee due after licence granted £170.99	0.00	0.0%
Home boarding > 10 animals renewal	511.00		Home boarding > 10 animals renewal	282.00	511.00	Initial application fee £294.13 Fee due after licence granted £216.87	0.00	0.0%
Home boarding < 10 animals additional activity	173.00		Home boarding < 10 animals additional activity	175.00	175.00		2.00	1.2%

## Appendix H New Animal Legislation Discretionary Fees FINAL

Home boarding > 10 animals additional activity	233.00	Home boarding > 10 animals additional activity	200.00	233.00		0.00	0.0%
Selling animals as pets < 10 new	537.00	Selling animals as pets < 10 new	362.00	537.00	Initial application fee £283.58 Fee due after licence granted £253.42	0.00	0.0%
Selling animals as pets > 10 new	608.00	Selling animals as pets > 10 new	387.00	608.00	Initial application fee £319.92 Fee due after licence granted £288.08	0.00	0.0%
Selling animals as pets < 10 renewal	467.00	Selling animals as pets < 10 renewal	282.00	467.00	Initial application fee £268.80 Fee due after licence granted £198.20	0.00	0.0%
Selling animals as pets > 10 renewal	514.00	Selling animals as pets > 10 renewal	307.00	514.00	Initial application fee £292.51 Fee due after licence granted £221.49	0.00	0.0%
Selling animals for pets < 10 additional activity	198.00	Selling animals for pets < 10 additional activity	200.00	200.00		2.00	1.0%
Selling animals for pets > 10 additional activity	234.00	Selling animals for pets > 10 additional activity	225.00	234.00		0.00	0.0%
Keeping or training animals for exhibition < 10 new	537.00	Keeping or training animals for exhibition < 10 new	362.00	537.00	Initial application fee £264.09 Fee due after licence granted £272.91	0.00	0.0%
Keeping or training animals for exhibition > 10 new	608.00	Keeping or training animals for exhibition > 10 new	387.00	608.00	Initial application fee £278.76 Fee due after licence granted £329.24	0.00	0.0%

## Appendix H New Animal Legislation Discretionary Fees FINAL

Keeping or training animals for exhibition < 10 renewal	534.00		Keeping or training animals for exhibition < 10 renewal	269.00	534.00	Initial application fee £322.58 Fee due after licence granted £211.42	0.00	0.0%
Keeping or training animals for exhibition > 10 renewal	604.00		Keeping or training animals for exhibition > 10 renewal	282.00	604.00	Initial application fee £347.66 Fee due after licence granted £256.34	0.00	0.0%
Keeping or training animals for exhibition < 10 additional activity	160.00		Keeping or training animals for exhibition < 10 additional activity	161.00	161.00		1.00	0.6%
Keeping or training animals for exhibition > 10 additional activity	230.00		Keeping or training animals for exhibition > 10 additional activity	187.00	230.00		0.00	0.0%
Hiring out horses < 10 new	573.00		Hiring out horses < 10 new	386.00	573.00	Initial application fee £301.00 Fee due after licence granted £272.00	0.00	0.0%
Hiring out horses > 10 new	643.00		Hiring out horses > 10 new	411.00	643.00	Initial application fee £316.30 Fee due after licence granted £326.70	0.00	0.0%
Hiring out horses < 10 renewal	504.00		Hiring out horses < 10 renewal	326.00	504.00	Initial application fee £320.74 Fee due after licence granted £183.26	0.00	0.0%
Hiring out horses > 10 renewal	550.00		Hiring out horses > 10 renewal	339.00	550.00	Initial application fee £336.38 Fee due after licence granted £213.62	0.00	0.0%
Hiring out horses < 10 additional activity	287.00		Hiring out horses < 10 additional activity	292.00	292.00		5.00	1.7%
Hiring out horses > 10 additional activity	312.00		Hiring out horses > 10 additional activity	317.00	317.00		5.00	1.6%

## Appendix H New Animal Legislation Discretionary Fees FINAL

Horses Annual or variation of the licence inspection	81.00		Horses Annual or variation of the licence inspection	78.00	81.00		0.00	0.0%
Licence variation with no inspection	60.00		Licence variation with no inspection	56.00	60.00		0.00	0.0%
Licence variation with an inspection < 10 animals	134.00		Licence variation with an inspection < 10 animals	134.00	134.00		0.00	0.0%
Licence variation with an inspection > 10 animals	154.00		Licence variation with an inspection > 10 animals	146.00	154.00		0.00	0.0%
Re-inspection request < 10 animals with no vet	139.00		Re-inspection request < 10 animals with no vet	140.00	140.00		1.00	0.7%
Re-inspection request > 10 animals with no vet	160.00		Re-inspection request > 10 animals with no vet	152.00	160.00		0.00	0.0%
Re-inspection request < 10 animals with a vet	204.00		Re-inspection request < 10 animals with a vet	206.00	206.00		2.00	1.0%
Re-inspection request > 10 animals with a vet	217.00		Re-inspection request > 10 animals with a vet	219.00	219.00		2.00	0.9%

## Appendix I – Relevant Protected Site Fees

Type		2023/2024 Fee	Proposed 2024/25 Fee
The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) 2014	New Application	£194.00	£196.00
The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) 2014	Annual Fee up to 5 conditions	£136.00	£136.00
The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) 2014	Annual Fee 6 – 10 conditions	£203.00	£206.00
The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) 2014	Annual Fee >10 conditions	£282.00	£288.00
Relevant Protected Site <sup>1</sup>	New Application 1 – 20 units	£752.00	£792.00
Relevant Protected Site	New Application 21 – 50 units	£826.00	£869.00
Relevant Protected Site	New Application 51 – 100 units	£874.00	£918.00
Relevant Protected Site	New Application >100 units	£923.00	£969.00
Relevant Protected Site	Alteration of conditions <sup>2</sup>	£831.00	£874.00
Relevant Protected Site	Transfer	£733.00	£773.00
Relevant Protected Site	Deposit of site rules or deletion notice	£51.00	£51.00

<sup>1</sup> As defined in The Caravan sites and Control of Development Act 1960 as amended by the Mobile Homes Act 2013

<sup>2</sup> whether by the variation or cancellation of existing conditions, or by the addition of new conditions, or by a combination of any such methods

This page is intentionally left blank



## **Appendix J – Relevant Protected Site Fees Policy Information**

The information below will be published on the Councils website and updated annually when the fees are reviewed.

### **The law**

The Caravan Sites and Control of Development Act 1960 as amended by the Mobile Homes Act 2013 (the Act) allows for the Council to fix fees for a new application for a Relevant Protected Site, fix a fee for the alteration of the site licence (whether by the variation or cancellation of existing conditions, or by the addition of new conditions, or by a combination of any such methods), fix a fee the transfer of a site licence, fix annual fees and prepare and publish a fees policy.

### **What is a Relevant Protected Site?**

A Relevant Protected Site under the Act is a residential caravan site.<sup>1</sup>

### **Costs included when calculating fees**

The salary cost of officer time incurred in the administration of licence fees, general administration costs for maintaining files, updating records and reconciliation of payments.

Site inspection costs including pre-inspection preparation, carrying out any risk assessment process considered necessary, the site inspection (including officer time, travelling time and mileage allowances), post inspection administration e.g., notifying the site owner of the details of compliance or non-compliance established during the inspection.

Re-inspection costs due to any non-compliance.

Licensing Officers training and research.

The maintenance, development, and licencing costs of IT systems.

Corporate oncosts e.g. Finance, Legal, Human Resources and building maintenance costs.

### **When are the fees payable?**

Application fees, the alteration of the site licence and transfer fees are payable upon submission of the application or notification to the Council.

### **The law**

The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 allows for the Council to fix a fee for an application for inclusion in the register of fit and proper persons and prepare and publish a fees policy.

---

<sup>1</sup> it does not include any site licence which is granted for holiday use only or a site which is subject to conditions that include periods of time when no caravan may be stationed on land for human habitation.

### **Costs included when calculating fees**

The salary cost of officer time incurred in the administration of any initial enquiries, telephone calls/letters requesting additional information from the site owner/applicant or third party in connection with the application.

Land Registry searches.

Officer time for reviewing the application including all documents and certificates, general administration costs for maintaining files, updating records, reconciliation of payments, the preparation of preliminary and final decision notices and updating the register.

Manager and Solicitors time for reviewing any representations made by applicants or responses from third parties and any reviews of decisions for defending appeals.

### **When are the fees payable?**

Application fees are payable upon submission of an application.

### **The law**

The Mobile homes (site rules) (England) Regulations 2014 allows the Council to determine a fee for the owner of a Relevant Protected Site to deposit site rules or a deletion notice with the local authority.

### **Costs included when calculating fees**

The Council is required to maintain a register of site rules and publish a register of sites which have deposited their site rules, site rules are a set of rules created by the site owner with which residents must comply. The Council is required to be satisfied that new site rules being deposited by site owners have been made in accordance with the statutory procedure. In doing so the Council may levy a fee for the depositing of site rules or depositing of a deletion notice of site rules.

The salary cost of officer time incurred in the administration of licence fees, general administration costs for maintaining files, updating records and reconciliation of payments.

Licensing Officers training and research.

The maintenance, development, and licencing costs of IT systems.

Corporate oncosts e.g. Finance, Legal, Human Resources and building maintenance costs.

### **When are the fees payable?**

Depositing of site rules or a deletion notice fees are payable upon submission to the Council.

### **When will the fees be reviewed?**

All fees will be reviewed annually, taking into account the regulatory activity undertaken in the previous 12 months and any surplus/deficits.

**Extracts from relevant licensing legislation providing legal framework within which local authorities may charge licensing fees**

**Local Government (Miscellaneous Provisions) Act 1982**

Controls sex establishments, street trading, acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis

Sex establishments - Schedule 3 paragraph 19

An application for the grant, variation, renewal or transfer of a licence under this Schedule shall pay a reasonable fee determined by the appropriate authority.

Street Trading – Schedule 4 paragraph 9

(1) A district council may charge such fees as they consider reasonable for the grant or renewal of a street trading licence or a street trading consent.

(2) A council may determine different fees for different types of licence or consent and, in particular, but without prejudice to the generality of this sub-paragraph, may determine fees differing according—

(a) to the duration of the licence or consent;

(b) to the street in which it authorises trading; and

(c) to the descriptions of articles in which the holder is authorised to trade.

(3) A council may require that applications for the grant or renewal of licences or consents shall be accompanied by so much of the fee as the council may require, by way of a deposit to be repaid by the council to the applicant if the application is refused.

(4) A council may determine that fees may be paid by instalments.

(5) Where a consent is surrendered or revoked, the council shall remit or refund, as they consider appropriate, the whole or a part of any fee paid for the grant or renewal of the consent.

(6) A council may recover from a licence-holder such reasonable charges as they may determine for the collection of refuse, the cleansing of streets and other services rendered by them to him in his capacity as licence-holder.

(7) Where a licence—

(a) is surrendered or revoked; or

(b) ceases to be valid by virtue of paragraph 4(7) above,

the council may remit or refund, as they consider appropriate, the whole or a part—

(i) of any fee paid for the grant or renewal of the licence; or

(ii) of any charges recoverable under sub-paragraph (6) above.

(8) The council may determine—

## Appendix K

(a) that charges under sub-paragraph (6) above shall be included in a fee payable under sub-paragraph (1) above; or

(b) that they shall be separately recoverable.

(9) Before determining charges to be made under sub-paragraph (6) above or varying the amount of such charges the council—

(a) shall give notice of the proposed charges to licence-holders; and

(b) shall publish notice of the proposed charges in a local newspaper circulating in their area.

(10) A notice under sub-paragraph (9) above shall specify a reasonable period within which representations concerning the proposed charges may be made to the council.

(11) It shall be the duty of a council to consider any such representations which are made to them within the period specified in the notice.

### Acupuncture - Section 14 (6)

A local authority **may charge such reasonable fees as they may determine** for registration under this section.

### Tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis – Section 15 (6)

A local authority **may charge such reasonable fees as they may determine** for registration under this section.

## Local Government (Miscellaneous Provisions) Act 1976

### Controls hackney carriages and private hire vehicles

#### Section 53 - Drivers' licences for hackney carriages and private hire vehicles

(2) Notwithstanding the provisions of the Act of 1847\*, a district council **may demand and recover** for the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, as the case may be, **such a fee as they consider reasonable with a view to recovering the costs of issue and administration** and may remit the whole or part of the fee in respect of a private hire vehicle in any case in which they think it appropriate to do so.

\*Town Police Clauses Act 1847

#### Section 70 - Fees for vehicle and operators' licences

(1) Subject to the provisions of subsection (2) of this section, a district council **may charge such fees** for the grant of vehicle and operators' licences as may be resolved by them from time to time and **as may be sufficient in the aggregate to cover in whole or in part—**

(a) the reasonable cost of the carrying out by or on behalf of the district council of inspections of hackney carriages and private hire vehicles for the

## Appendix K

purpose of determining whether any such licence should be granted or renewed;

(b) the reasonable cost of providing hackney carriage stands; and

(c) any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles.

(2) The fees chargeable under this section shall not exceed—

(a) for the grant of a vehicle licence in respect of a hackney carriage, twenty-five pounds;

(b) for the grant of a vehicle licence in respect of a private hire vehicle, twenty-five pounds; and

(c) for the grant of an operator's licence, twenty-five pounds per annum;

or, in any such case, such other sums as a district council may, subject to the following provisions of this section, from time to time determine.

(3) (a) If a district council determine that the maximum fees specified in subsection (2) of this section should be varied they shall publish in at least one local newspaper circulating in the district a notice setting out the variation proposed, drawing attention to the provisions of paragraph (b) of this subsection and specifying the period, which shall not be less than twenty-eight days from the date of the first publication of the notice, within which and the manner in which objections to the variation can be made.

(b) A copy of the notice referred to in paragraph (a) of this subsection shall for the period of twenty-eight days from the date of the first publication thereof be deposited at the offices of the council which published the notice and shall at all reasonable hours be open to public inspection without payment.

(4) If no objection to a variation is duly made within the period specified in the notice referred to in subsection (3) of this section, or if all objections so made are withdrawn, the variation shall come into operation on the date of the expiration of the period specified in the notice or the date of withdrawal of the objection or, if more than one, of the last objection, whichever date is the later.

(5) If objection is duly made as aforesaid and is not withdrawn, the district council shall set a further date, not later than two months after the first specified date, on which the variation shall come into force with or without modification as decided by the district council after consideration of the objections.

(6) A district council may remit the whole or part of any fee chargeable in pursuance of this section for the grant of a licence under section 48 or 55 of this Act in any case in which they think it appropriate to do so.

## Zoo Licensing Act 1981

### Controls zoos – Section 15

(1) Subject to this section, the local authority **may charge such reasonable fees as they may determine in respect of—**

## Appendix K

(a) applications for the grant, renewal or transfer of licences;

(b) the grant, renewal, alteration or transfer of licences;

(2) Any fee charged under paragraph (a) of subsection (1) in respect of an application shall be treated as paid on account of the fee charged under paragraph (b) on the grant, renewal or transfer applied for.

(2A) Subject to this section, the authority may charge to the operator of the zoo such sums as they may determine in respect of reasonable expenses incurred by them—

(a) in connection with inspections in accordance with section 9A and under sections 10 to 12;

(b) in connection with the exercise of their powers to make directions under this Act;

(c) in the exercise of their function under section 16E(4) of supervising the implementation of plans prepared under section 16E(2); and

(d) in connection with the exercise of their function under section 16E(7) or (8).

(2B) The authority's charge under subsection (2A)(d) shall take into account any sums that have been, or will fall to be, deducted by them from a payment under section 16F(7) in respect of their costs.

(3) In respect of any fee or other sum charged under this section, the local authority may, if so requested by the operator, accept payment by instalments.

(4) Any fee or other charge payable under this section by any person shall be recoverable by the local authority as a debt due from him to them.

(5) The local authority shall secure that the amount of all the fees and other sums charged by them under this section in a year is sufficient to cover the reasonable expenditure incurred by the authority in the year by virtue of this Act.

## Dangerous Wild Animals Act 1976

### Controls dangerous wild animals as listed in the Act – Section 1

(2) A local authority shall not grant a licence under this Act unless an application for it—

.... and

(e) is accompanied by such fee as the authority may stipulate (being a fee which is in the authority's opinion sufficient to meet the direct and indirect costs which it may incur as a result of the application).

## Appendix K

### **Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018**

The Regulations, made under the Animal Welfare Act 2006, repealed or revoked all previous legislation relating to the licensing of animal boarding establishments, dog breeding, dog day care, pet shops, performing animals and riding establishments.

- (1) A local authority may charge such fees as it considers necessary for—
- (a) the consideration of an application for the grant, renewal or variation of a licence including any inspection relating to that consideration, and for the grant, renewal or variation,
  - (b) the reasonable anticipated costs of consideration of a licence holder's compliance with these Regulations and the licence conditions to which the licence holder is subject in circumstances other than those described in sub-paragraph (a) including any inspection relating to that consideration,
  - (c) the reasonable anticipated costs of enforcement in relation to any licensable activity of an unlicensed operator, and
  - (d) the reasonable anticipated costs of compliance with regulation 29.
- (2) The fee charged for the consideration of an application for the grant, renewal or variation of a licence and for any inspection relating to that consideration must not exceed the reasonable costs of that consideration and related inspection.

### **Public Health Acts Amendment Act 1907**

#### Controls pleasure boats/vessels - Section 94

(1) The local authority may grant upon such terms and conditions as they may think fit licences for pleasure boats and pleasure vessels to be let for hire or to be used for carrying passengers for hire, and to the persons in charge of or navigating such boats and vessels, and may charge for each type of licence such annual fee as appears to them to be appropriate.

### **Environmental Protection Act 1990**

#### Controls free printed matter – Schedule 3A paragraphs 3 & 4

## Appendix K

3 (1) A principal litter authority may on the application of any person consent to that person or any other person (identified specifically or by description) distributing free printed matter on any land designated by the authority under this Schedule.

4 (1) A principal litter authority **may require the payment of a fee** before giving consent under paragraph 3 above.

(2) The amount of a **fee under this paragraph is to be such as the authority may determine**, but may not be more than, when taken together with all other fees charged by the authority under this paragraph, is reasonable to cover the costs of operating and enforcing this Schedule.

### Gambling Act 2005

Statutory fees are prescribed for:-

- small society lotteries (Schedule 11 – Part 5)
- club gaming permits and club machine permits (Schedule 12)
- notification of gaming machines in alcohol licensed premises (Section 282)
- family entertainment centre gaming machine permits (Schedule 10)
- licensed premises gaming machine permits (Schedule 13)
- prize gaming permits (Schedule 14)

And, therefore, the licensing authority has no control over these fees. The following statutory instruments are relevant:-

- Small Society Lotteries (Registration of Non-Commercial Societies) Regulations 2007
- Gambling Act 2005 (Club Gaming and Club Machine Permits) Regulations 2007
- Gaming Machines in Alcohol Licensed Premises (Notification Fee) (England and Wales) Regulations 2007
- Gambling Act 2005 (Family Entertainment Centre Gaming Machine) (Permits) Regulations 2007
- Gambling Act 2005 (Licensed Premises Gaming Machine Permits) (England and Wales) Regulations 2007
- Gambling Act 2005 (Prize Gaming) (Permits) Regulations 2007

The licensing authority must determine the fees, up to certain statutory maximums, that are applicable to premises licences, e.g. adult gaming centres, betting at race tracks, betting shops, bingo premises, casinos and for temporary use notices. The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 and the Gambling (Temporary Use Notices) Regulations 2007 set the relevant statutory maximums. In addition, Section 212 of the Act states:-

(2) .... the authority—



## Appendix K

- (a) shall determine the amount of the fee,
  - (b) may determine different amounts for different classes of case specified in the regulations (but may not otherwise determine different amounts for different cases),
  - (c) shall publish the amount of the fee as determined from time to time, and
  - (d) shall aim to ensure that the income from fees of that kind as nearly as possible equates to the costs of providing the service to which the fee relates (including a reasonable share of expenditure which is referable only partly or only indirectly to the provision of that service).
- (3) For the purposes of subsection (2)(d) a licensing authority shall compare income and costs in such manner, at such times and by reference to such periods as the authority, having regard to any guidance issued by the Secretary of State, think appropriate.

In addition, where the licensing authority is required to maintain licensing registers, the authority may determine fees for providing access to, making copies of and/or providing information to members of the public from those registers.

### Premises licences (Section 156)

- (1) A licensing authority shall—
- (a) maintain a register of premises licences issued by the authority together with such other information as may be prescribed,
  - (b) make the register and information available for inspection by members of the public at all reasonable times, and
  - (c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.
- (2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

### Small society lotteries (Schedule 11 Part 5 paragraph 55)

- (1) Where a statement is sent to a local authority under paragraph 39 the authority shall—
- (a) retain it for at least 18 months,
  - (b) make it available for inspection by members of the public at all reasonable times, and
  - (c) make arrangements for the provision of a copy of it or part of it to any member of the public on request.
- (2) But a local authority may refuse to provide access or a copy unless the person seeking access or a copy pays a fee specified by the authority.
- (3) A local authority may not specify a fee under sub-paragraph (2) which exceeds the reasonable cost of providing the service sought (but in calculating the cost of providing a service to a person the authority may include a reasonable share of expenditure which is referable only indirectly to the provision of that service).

## Appendix K

### Club gaming permits and club machine permits (Schedule 12 paragraph 26)

(1) A licensing authority shall—

(a) maintain a register of permits issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

### Temporary Use Notice (Section 234)

1) A licensing authority shall—

(a) maintain a register of temporary use notices given to them together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

### Family entertainment centre gaming machine permits (Schedule 10 paragraph 23)

(1) A licensing authority shall—

(a) maintain a register of permits issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

### Licensed premises gaming machine permits (Schedule 13 paragraph 22)

(1) A licensing authority shall—

(a) maintain a register of permits issued by the authority together with such other information as may be prescribed,

## Appendix K

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

### Prize gaming permits (Schedule 14 paragraph 23)

(1) A licensing authority shall—

(a) maintain a register of permits issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

## Scrap Metal Dealers Act 2013

### Controls buyers/sellers of scrap metal and motor salvage operators (Section 5 Schedule 1 paragraph 6)

(1) An application **must be accompanied by a fee set by the authority.**

(2) In setting a fee under this paragraph, the authority must have regard to any guidance\* issued from time to time by the Secretary of State with the approval of the Treasury.

\*Scrap Metal Dealers Act 2013: guidance on licence fee charges – issued by Home Office 12 August 2013

## Licensing Act 2003

Statutory fees for premises licences, club premises certificates, temporary event notices and personal licences are currently prescribed by the Licensing Act 2003 (Fees) Regulations 2005. The licensing authority has no control over these fees.

In addition, there is a requirement to maintain a register and make it available for inspection without payment but if requested to provide a copy of information contained in the register a fee may be charged under Section 8 of the Act.

(4) If requested to do so by any person, a licensing authority must supply him with a copy of the information contained in any entry in its register in legible form.

## Appendix K

(5) A licensing authority **may charge such reasonable fee as it may determine** in respect of any copy supplied under subsection (4).

### **Caravan Sites and Control of Development Act 1960**

Under the Caravan Sites and Control of Development Act 1960, as amended by the Mobile Homes Act 2013, licensing authorities are permitted to charge fees for the licensing of residential caravan sites with effect from 1 April 2014.

(2A) A local authority in England may require a relevant protected site application in respect of land in their area to be accompanied by a fee fixed by the authority.

#### 5A Relevant protected sites: annual fee

(1) A local authority in England who have issued a site licence in respect of a relevant protected site in their area may require the licence holder to pay an annual fee fixed by the local authority.

(2) When requiring a licence holder to pay an annual fee under this section, a local authority must inform the licence holder of the matters to which they have had regard in fixing the fee for the year in question (in particular, the extent to which they have had regard to deficits or surpluses in the accounts for the annual fee for previous years).

(1B) A local authority in England may require an application by the holder of a site licence in respect of a relevant protected site in their area for the alteration of the conditions attached to the site licence to be accompanied by a fee fixed by the local authority.

(1A) A local authority in England may require an application for consent to the transfer of a site licence in respect of a relevant protected site in their area to be accompanied by a fee fixed by the local authority.

### **Licences for which the licensing authority is NOT permitted to charge**

- **House-to-house collections:** House to House Collections Act 1939
- **Street collections:** Police, Factories, etc. (Miscellaneous Provisions) Act 1916

## Appendix L – Licensing Costs, Income and Surplus/Deficit

**Table 1 – All Licences**

	<b>Overall (£)</b>	<b>HCPH* (£)</b>	<b>Licensing Act 2003 (£)</b>	<b>Public Health (£)</b>	<b>Animals (£)</b>	<b>Explosives (£)</b>	<b>Scrap Metal (£)</b>	<b>Misc.** (£)</b>	<b>Gambling Act 2005 (£)</b>
<b>Total Costs</b>	878,685	507,458	130,146	32,762	59,307	17,152	20,363	15,387	96,110
<b>Total Income</b>	(735,969)	(244,927)	(336,658)	(16,793)	(57,559)	(3,932)	(27,126)	(28,845)	(20,131)
<b>(Surplus) / Deficit 2022/23</b>	142,716	262,531	(206,512)	15,969	1,748	13,220	(6,764)	13,458	75,979
<b>Cumulative (Surplus) / Deficit 2014/15-2022/23</b>	566,708	800,361	(945,165)	76,551	120,817	74,174	54,224	265,270	120,476

\*Hackney carriage, private hire vehicle and operator licences and hackney carriage and private hire vehicle drivers' licences – see Table 2 for further breakdown

\*\* Includes caravan site licences, sex establishments, free printed matter, street collections, street trading, pleasure boats and vessels

**Table 2 – Hackney Carriage and Private Hire Licences**

	<b>Hackney Carriages (£)</b>	<b>Private Hire Vehicles (£)</b>	<b>Joint Drivers (£)</b>	<b>Operators (£)</b>
<b>Total Costs</b>	26,636	273,187	184,945	22,690
<b>Total Income</b>	(12,159)	(135,855)	(85,130)	(11,783)
<b>(Surplus) / Deficit 2022/23</b>	14,477	137,332	99,815	10,907
<b>Cumulative (Surplus) / Deficit 2014/15-2022/23</b>	51,923	363,318	360,745	24,375

This page is intentionally left blank



## Committee and Date

Strategic Licensing  
Committee

4 October 2023

Item

Public



## Exercise of Delegated Powers Report

<b>Responsible Officer:</b>	Mandy Beever, Transactional Management and Licensing – Team Manager		
email:	Mandy.Beever@shropshire.gov.uk	Tel:	01743 251702
<b>Cabinet Member (Portfolio Holder):</b>	Councillor Chris Schofield, Portfolio Holder for Planning and Regulatory Services		

### 1. Synopsis

- 1.1 This report gives details of the licences issued and the variations that have been made between 20 May 2023 and the 31 August 2023 and a summary of applications considered by the Committee.

### 2. Executive Summary

- 2.1 The Shropshire Plan recognises the importance of supporting businesses to provide safer services. The fundamental purpose of the Licensing service is to support businesses to deliver their services in a way which allows them to thrive whilst protecting the safety and welfare of the public who live, work and visit Shropshire; together this will help to achieve a Healthy Economy.
- 2.2 Licensing officers have been given delegated powers to issue or amend licences, providing no objections have been received in the case of licences issued under the Licensing Act or regarding general and public health licences.

- 2.3 Further, procedures have been approved for officers with direct line management responsibility for Licensing to use their delegated powers to refuse, suspend or revoke driver, vehicle, and operator licences.
- 2.4 This report gives details of the licences issued and the variations that have been made between 20 May 2023 and the 31 August 2023 and a summary of applications considered by the Committee.

### **3. Recommendations**

- 3.1. That members note the position as set out in the report.

## **Report**

### **4. Risk Assessment and Opportunities Appraisal**

- 4.1. This is an information report giving Member's information on the work undertaken by the Licensing Team and Committee and therefore a risk assessment and opportunities appraisal has not been carried out.

### **5. Financial Implications**

- 5.1. There are financial implications associated with this report.

### **6. Climate Change Appraisal**

- 6.1. There are no anticipated climate change or environmental impacts associated with the recommendations in this report.

### **7. Background**

- 7.1 Information regarding the issue of licences by Officers under delegated powers is reported to Committee on a quarterly basis.
- 7.2 Officers use their delegated powers in a number of situations, including where:
- a) A licence has been requested and there have been no objections raised by interested parties or Responsible Authorities.
  - b) The application has met the Council's policy criteria for accepting an application.
  - c) There are vehicle applications for new or renewal licences and refusal, suspension, and revocation of licences where the operating criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2023 to 2027 is not met and the officer does not consider there to be any exceptional circumstances demonstrated by the applicant for an exception to be made.



- d) There are driver’s applications for new or renewal licences and refusal, suspension, or revocation of licences where the criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2023 to 2027 is not met and the officer does not consider there to be any exceptional circumstances demonstrated by the applicant for an exception to be made.
- e) There are Private Hire Operator applications for new or renewal licences and refusal, suspension, and revocation of licences where the operating criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2023 to 2027 is not met and the officer does not consider there to be any exceptional circumstances demonstrated by the applicant for an exception to be made.

- 7.3 The table in **Appendix A** shows the complete range of licences issued by the licensing team during the period of 20 May 2023 and the 31 August 2023. During this period the total number of licences processed was 1559.
- 7.4 The Table in **Appendix B** shows that there were no Licensing and Safety Sub-Committee hearings held between the 20 May 2023 and the 31 August 2023.
- 7.5 The Table at **Appendix C** shows that there were no Licensing Act Sub Committee hearings held between the 20 May 2023 and the 31 August 2023.
- 7.6 Following the decision at the Strategic Licensing Committee on 18 March 2015, vehicles and driver applications are now being considered by Officers using delegated powers. This includes refusal of new licence applications, refusal to renew existing licences and revocation and suspension of existing licences, in relation to any matter concerning a hackney carriage or a private hire driver’s licence or a vehicle licence or any matter concerning a private hire operator’s licence.

The number of licences and actions determined by this process is as follows:-

<b>Driver</b>	<b>Granted</b>	<b>Granted and/or Warning Letter, Suspension</b>	<b>Letter Council is ‘Minded to refuse’ or ‘Revoke’</b>	<b>Refuse to Grant</b>	<b>Revoke</b>	<b>To refer to Committee</b>
New	2	2	1	4		
Renew		2			1	
Conduct		4				
<b>Vehicle</b>	<b>Granted</b>	<b>Granted and/or Warning Letter</b>	<b>Letter Council is ‘Minded to refuse’ or ‘Revoke’</b>	<b>Refuse to Grant</b>	<b>Revoke</b>	<b>To refer to Committee</b>
New	1					
Renewal			2	1		
Condition	1					
<b>Operator</b>	<b>Granted</b>	<b>Granted and/or Warning Letter</b>	<b>Letter Council is ‘Minded to refuse’ or ‘Revoke’</b>	<b>Refuse to Grant</b>	<b>Revoke</b>	<b>To refer to Committee</b>

New						
Renewal						
Conduct					1	

## 8. Conclusions

- 8.1. During the period captured in this report the workload for the Licensing team has continued to be high. The team have worked together to answer all the queries, support businesses and maintain the flow of applications.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

**Local Member:** This report covers all areas of Shropshire.

### Appendices

**Appendix A** – Licences processed between 20 May 2023 and the 31 August 2023.

**Appendix B** – Hearings held by the Licensing and Safety Sub-Committee between 20 May 2023 and the 31 August 2023.

**Appendix C** – Hearings held by the Licensing Act Sub-Committee between 20 May 2023 and the 31 August 2023.

**APPENDIX A****Licences processed from the 20 May 2023 to the 31 August 2023.**

<b>General Licensing</b>	<b>Renewal Period</b>	<b>Total</b>
Acupuncture Personal	For life	
Acupuncture Premises	For life	
Activities Involving Animals Licence	Up to 3 years	14
Caravan Sites	For life	3
Mobile Homes Fit and Proper Person Register	Up to 5 Years	
Cosmetic Piercing Personal	For life	23
Cosmetic Piercing Premises	For life	13
House to House Collection	For the period applied for, no longer than 12 months	17
House to House Exemption Order	Exemption certificate is issued by the Home Office	3
Scrap Metal Site (new/renewal)	3 Years	1
Scrap Metal Collector (new/renewal)	3 Years	
Sex Establishment Licence	1 Year	
Sex Shop Licence	1 Year	
Street Collection	Covers the dates applied for	14
Street Trading Licence (new/renewal)	1 Year (daily licence also available which covers maximum of 7 days in a 12-month period)	12
Tattooing Personal	For life	
Tattooing Premises	For life	
Electrolysis Personal	For life	
Electrolysis Premises	For life	
Dangerous Wild Animals	2 Years	
Zoo	New licences last 4 years, upon renewal they can be granted for 6 years	
Distribution of Free Printed Matter	7 consecutive days, 28 consecutive days, 1 year – dependent on what is applied for	1
Storage of Explosives	1 Year	2
Year-round Fireworks Sales	1 Year	
Pavement Licence	1 Year	19
Pavement Permit	1 Year	15
<b>Total Applications General</b>		<b>137</b>

<b>Taxi Licensing</b>	<b>Renewal Period</b>	<b>Total</b>
-----------------------	-----------------------	--------------

Hackney Carriage	N	1 Year	
Hackney Carriage	R	1 Year	15
Joint HC/PH Driver	N	Up to 3 Years	49
Joint HC/PH Driver	R	Up to 3 Years	50
Private Hire Operator	N	Up to 5 Years	6
Private Hire Operator	R	Up to 5 Years	6
Private Hire Vehicle	N	1 Year	72
Private Hire Vehicle	R	1 Year	136
Hackney Vehicle Transfer		For period left on existing licence	1
Private Hire Vehicle Transfer		For period left on existing licence	10
Private Hire Licensee Transfer		For period left on existing licence	
Trailer Licence		1 Year	
<b>Total Taxi Applications</b>			<b>345</b>

<b>Taxi Licensing (Surrendered)</b>	<b>Total</b>
Private Hire Vehicles	9
Hackney Carriages	
<b>Total Surrendered Vehicles</b>	<b>9</b>

<b>Licensing Act 2003</b>	<b>Renewal Period</b>	<b>Total</b>
Club Premises Certificate	For Life	1
Personal Alcohol (variation/new)	For Life	56
Premises Licence	For Life	
Temp Event Notice no Alcohol	For the dates applied for	
Temp Event Notice with Alcohol	For the dates applied for	480
Minor Variation Application	For Life	7
Designated Premises Supervisor (DPS) Change/Variation	For Life	49
Disapply DPS	For Life	1
Premises Licence Transfer Application	For Life	16
Annual Fee	Due each year on anniversary of granting of original licence	400
Notification of Interest	For Life	1
Premises Licence with Alcohol - Full Variation	For Life	5
Premises Licence without Alcohol - Full Variation	For Life	
<b>Total Licensing Act Applications</b>		<b>1016</b>

<b>Gambling Act 2005</b>	<b>Renewal Period</b>	<b>Total</b>
Bingo Premise Licence	For Life	
Betting Premise Licence (other than track)	For Life	
Betting Premises Licence (track)	For Life	
Licensed Premise Gaming Machine Permit	For Life	
Notification of Intent to have gaming machines	For Life	3
Prize Gaming Permit	10 Years	
Club Machine Permits	10 Years	
Club Gaming Permit	10 Years	
Occasional Use Notice	For the dates applied for	1
Temporary Use Notice	For the dates applied for	
Adult Gaming Centre	For Life	
Small Society Lotteries	For Life	6
Change of Promoter	As necessary	
Annual Fee	Due each year on anniversary of granting of original licence	51
Family Entertainment gaming machine permit	10 Years	
<b>Total Gambling Act 2005 Applications</b>		<b>61</b>
<b>Total Applications</b>		<b>1559</b>
<b>Total Surrendered Vehicles</b>		<b>9</b>

**APPENDIX B**

**Licensing and Safety Sub-Committee hearings held between 20 May 2023 and the 31 August 2023.**

Date of Meeting	Scheduled/ Additional	Item	Meeting Venue	Decisions
None				

**APPENDIX C**

**Licensing Act Sub-Committee hearings held between 20 May 2023 and the 31 August 2023.**

<b>Date</b>	<b>Premises</b>	<b>Type of Application</b>	<b>Councillors</b>	<b>Decision</b>	<b>Review Requested by</b>
None					

This page is intentionally left blank