LICENSING ACT 2003
BABERGH AND MID SUFFOLK
STATEMENT OF LICENSING PRINCIPLES
2026 – 2031

CONTENTS

1. Introduction	**4**
2. Purpose of the Statement of Licensing Policy	**4**
3. Scope of the Statement of Licensing Policy	**7**
4. Other legislation, strategies and guidance	**8**
5. Relationship with planning process	**9**
6. Agent of change	**9**
7. Equality and Inclusion in Licensed Premises	**10**
8. Violence Against Women and Girls	**11**
9. Cumulative Impact and Early Morning Restriction Orders	**14**
10. Licensing Hours	**15**
11. Relevant Representations	**16**
12. Administration, exercise and delegation of functions	**17**
13. Hearings	**17**
14. Conditions	**18**
15. Appeals	**18**
16. Enforcement	**18**
17. Closure Orders and Notices	**19**
18. Addressing the Licensing Objectives	**20**
19. Prevention of Crime and Disorder	**21**
20. Public Safety	**24**
21. Prevention of Public Nuisance	**29**
22. Protection of Children from Harm	**32**

23. Personal Licence	**35**
24. Premises Licence	**37**
25. Club Premises Certificate	**42**
26. Provisional Statements	**42**
27. Transfer of Licence	**43**
28. Variation of Designated Premises Supervisor	**43**
29. Reviews	**44**
30. Temporary Event Notices	**45**
Appendix A – Responsible Authorities	**47**
Appendix B – Delegation of Licensing Functions	**48**

1. INTRODUCTION

1.1. Babergh and Mid Suffolk are predominately rural districts covering the geographical centre of Suffolk, running from the boundary with Essex in the south to the boundary with Norfolk in the north. This covers a total area of approximately 1463 square kilometres.

1.2. Across Babergh and Mid Suffolk, more than half the population live in villages and rural areas. Together the districts have six population centres; which include Eye, Needham Market and Stowmarket in Mid Suffolk; Pinewood, Hadleigh and Sudbury in Babergh. The historic market towns are surrounded by a rural hinterland.

1.3. The districts have a rich historic natural environment with a number of protected areas such as Sites of Special Scientific Interest, Special Protection Areas and Areas of Outstanding Natural Beauty.

1.4. The highest concentration of licensed premises across the districts are within the Sudbury, Hadleigh, Stowmarket and Needham Market town centre areas. The main licensing activity arises as a consequence of the significant leisure and tourism industry.

1.5. Many premises are under economic pressure within the community and as a result are seeking to diversify and offer more flexibility and greater choice to the consumer. Several traditional public houses now offer both food and entertainment to improve their economic viability, and many village halls and community facilities are seeking additional flexibility in their relevant licences to provide their local communities with a greater choice in how to spend their leisure time.

1.6. There are a growing number of both small and large scale outdoor public events, music food and drink festivals (including showcasing local produce, crafts and heritage) as well as other cultural activities involving licensable elements now taking place at various locations across the districts, and within Suffolk generally.

1.7. Babergh and Mid Suffolk recognises the value and importance of such activity to the local economy, tourism, supply chains and contributing to the profile of the district as a great place to reside, visit and work.

2. PURPOSE OF THE STATEMENT OF LICENSING POLICY

2.1. The purpose of this Statement of Licensing Policy is to outline the approach that the Council, Babergh and Mid Suffolk, as a Licensing Authority, will undertake its duty to promote the licensing objectives and carry out its licensing functions under the

Licensing Act 2003. The policy provides guidance for applicants, residents and responsible authorities under the Act.

2.2. This policy, along with the current national Section 182 guidance issued by the Home Secretary (the Guidance) and primary legislation as set out in the Licensing Act 2003, forms the basis on which licensing decisions are made and how licensed premise are likely to be permitted to operate.

2.3. Where revisions are made to the legislation or guidance issued by the Secretary of State, there may be a period of time when the local Statement of Licensing Policy is inconsistent with such revisions. In these circumstances, the Licensing Authority will have regard, and give appropriate weight, to the relevant changes, guidance and its own Statement of Licensing Policy.

2.4. In preparing this Statement of Licensing Policy the Licensing Authority has consulted in accordance with the requirements of the Act and has had due regard to the Guidance.

2.5. The Authority recognises that balancing the interests of owners, employees, customers and neighbours of licensable premises will not always be straightforward, but it will always be guided by the four licensing objectives of the Act:

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

The Licensing Authority is required to make decisions based on these objectives and to promote them through its actions. Licensed premises are required to conduct their activities with reference to the promotion of these objectives. The Licensing Authority's general approach to addressing these four licensing objectives is set out in section 18 of this Policy.

2.6. In exercising its licensing functions, once its discretion is engaged, the Licensing Authority will primarily focus on the direct impact of the licensable activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the locality of the licensed premises, and steps which are appropriate to promote the licensing objectives.

2.7. The area impacted by the presence of licensed premises is a question of fact and will depend on the particular circumstances of each case.

2.8. The Guidance states that the legislations also supports a number of other key aims and purposes which are vitally important. These include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;

- giving the police and licensing authorities powers to effectively manage the evening and night-time economy and take action against those premises that are causing problems;
- recognising the important role that pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate strategies for their local area; and
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say on decisions which may affect them.

2.9. The aims of this Policy include:

- Helping to encourage and support strong and inclusive communities that balance the rights of licensable businesses and event organisers, customers and local residents/businesses; and
- Integrating the Licensing Authority's aims and objectives with other strategic local priorities, initiatives and strategies that will help to:
    - reduce crime and disorder, and the fear of crime;
    - encourage tourism, economic growth and cultural diversity;
    - reduce alcohol misuse and contribute towards the better health and wellbeing of persons in our communities;
    - encourage the self-sufficiency of local communities; and
    - reduce the burden of regulation on business through collaboration, transparency and accessibility.

2.10. This Statement of Licensing Policy does not seek to undermine the right of any individual to apply under the terms of the Act for a variety of permissions and to have such an application considered on its individual merits, where the Licensing Authority's discretion has been engaged. It does not seek to override the right of any person to make representations on or about an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act.

2.11. The licensing process can only seek to control those measures within the control of the licensee or certificate holder (and their staff/agents). Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are away from such premises and beyond the direct control of the licence holder, nor is it a cure-all for community problems. If a licence holder has taken all appropriate steps to promote the licensing objectives whilst carrying on authorised licensable activities, and there is no causal link established between problem issues in the locality and a specific premises then it is unlikely that licensing processes are the mechanism to address them.

3. SCOPE OF THE STATEMENT OF LICENSING POLICY

3.1. The Council as the Licensing Authority is responsible for the authorising of licensable activities, the issue of personal licences, and other matters set out in the Licensing Act 2003 ("the Act") in the Districts. This document sets out the principles that the Licensing Authority will apply when making decisions upon applications, notices and other authorisations relating to:

- 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 a club
- Regulated entertainment
- The provision of late night refreshment being the supply of hot food or drink from a premises (other than a premise with a Club Premise Certificate or other lawfully exempt premises) between 11.00pm and 05.00am.

3.2. Regulated entertainment requires a licence or authorisation (unless exempted by the Act) when it is performed in front of an audience and includes the following:

- Performance of a play
- Exhibition of a film
- Indoor sporting event
- Boxing or wrestling entertainment (indoors and outdoors)
- Performance of live music or Playing of recorded music
- Performance of dance
- Entertainment of a similar description to the performance of live music and/or the playing of recorded music and/or the performance of dance.

3.3. This policy shall apply in respect of new consents, renewals, transfers, variations, reviews and such other notices or authorisations that may be required in relation to:

- Premises Licences
- Club Premises Certificates
- Provisional Statements
- Personal Licences
- Temporary Event Notices
- Such other applications, authorisations or notices (e.g. interim authorities) as are required under the Act.

3.4. The Licensing Authority has discretion on whether to grant applications for licences and to impose conditions on granting and reviewing licences, only when representations relevant to the licensing objectives are made by "responsible authorities" or "other persons" (including local residents and businesses). Where no relevant representations are received it is the duty of the Licensing Authority to grant a licence subject only to conditions consistent with the operating schedule and the mandatory conditions under the Licensing Act 2003.

4. OTHER LEGISLATION, STRATEGIES AND GUIDANCE

4.1. Many other statutory requirements apply to licensed premises such as fire safety, planning, building control, public health, food hygiene and trading standards.

4.2. The responsibility for compliance with legislation is always that of the licensee.

4.3. The Licensing Authority is committed to avoiding duplication with other regulatory regimes as far as possible. Conditions will only be attached to premises licences if they are considered appropriate to promote the licensing objectives and are not required under other legislation.

4.4. Other Local Authority and Central Government policies, strategies, responsibilities, and guidance documents may also refer to the licensing function, and the Licensing Authority may liaise with the relevant authorities or its directorates with regard to these. Whilst some of these may not be directly related to the promotion of the four licensing objectives, they can indirectly impact upon them.

4.5. For example, the Licensing Authority will liaise closely with the local Police/PCSOs and/or Community Safety/locality officers to ensure that the Local Authority can develop effective strategies that take full account of any local crime and disorder issues.

4.6. It is the Local Authority's intention that it will, through its officers and councillors monitor how these matters, set out in 4.5 above, impact on the Authority's licensing and other functions, in order that it may seek to co-ordinate and integrate its licensing function with other relevant strategies.

4.7. The Local Authority may, in appropriate circumstances, consider seeking a premises licence in its own name for its own public spaces within the community. This may assist with the promotion of broader cultural activities and entertainments which add value to our communities and the local economy.

4.8. In respect of cultural strategies, the Licensing Authority will, for example through consultation with local communities/locality officers, consider whether the provision of cultural activities and entertainments is being deterred by local licensing requirements, whether by the Licensing Authority directly or other responsible authorities. Where there is any indication that this is the case, the Licensing Authority may consider investigating how the situation might be reversed, and if necessary, in the light of such investigations consider a revision to the Statement of Licensing Policy.

5. RELATIONSHIP WITH PLANNING

5.1. Planning permission is usually required for the establishment of a new premises and the change of use of premises. Planning permission may also be required to extend the hours of operation or to alter the structure of an existing building. The Licensing Authority believes that it is good practice to ensure that the necessary planning permissions are in place before a licence application is made. However, it is recognised that planning and licensing legislation have differing objectives and must be decided separately.

5.2. The local planning authority is a responsible authority and can make representations on applications. However, it can only make representations related to the licensing objectives.

5.3. Nuisance and crime and disorder are shared concerns of planning and licensing. Planning concerns relating to the character and function of an area and aspects of amenity that fall short of being a public nuisance are outside the scope of the licensing regime. For example, a large restaurant might be unacceptable in a conservation area characterised by small retail units on planning grounds of character and function, whereas licensing grounds of public nuisance might not apply.

5.4. The absence of lawful planning use for an activity is not of itself a matter for licensing. Where relevant representations have been received, an application will be looked at on its own merits and the hours of operation granted may vary from those approved under planning procedures. Where the planning hours and licensing hours are different, the applicant must observe the earlier closing time.

6. AGENT OF CHANGE

6.1. It is well established that an entertainment venue moving into an area adjacent to residents has to take measures to ensure that the activities in the new building will not cause a public nuisance for those living nearby.

6.2. However, the position in reverse, where new residential development locates near to an entertainment venue, has not been equally clear.

6.3. The inclusion of an explicit reference to the agent of change is therefore a change of emphasis and clarifies the application of the principle. The National Planning Policy Framework (NPPF) now states that both planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (e.g. places of worship, pubs, music venues and sports clubs). “Unreasonable restrictions” should not be placed on existing businesses as a result of development permitted after they have been established.

"Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."

National Planning Policy Framework - GOV.UK

6.4. The Licensing Authority will take into account the Agent of Change principles.

7. EQUALITY AND INCLUSION IN LICENSED VENUES

7.1. The Councils vision under our Corporate Plan is that Babergh and Mid Suffolk District Councils are places of opportunity and ambition for all. The Council is fully committed to eliminating discrimination and actively promotes equal opportunities for everybody who lives in, works in and visits Babergh and Mid Suffolk. Equality and diversity - Mid Suffolk District Council - babergh.gov.uk / midsuffolk.gov.uk

7.2. The Council will work with its partners and local communities to challenge discrimination, to celebrate diversity and to promote cohesion.

7.3. The Equality Act 2010 brings together over 116 pieces of legislation into one single act. Together it is a simpler legal framework to protect the rights of individuals from unfair treatment and advance equality for all within employment and access to goods and services etc.

7.4. Applicants and licensees must make themselves familiar with the law and their responsibilities set out within the Equality Act 2010 and relevant guidance for businesses, which can be found on the Equality & Human Rights Commission website https://www.equalityhumanrights.com/.

- The Act makes discrimination against any person (including employees and customers) unlawful.
- Section 149 (7) of the Act defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- Any activity in breach of the Act may be considered an offence and will lead to enforcement by the Equality and Human Rights Commission.

7.5. The Council must have regard to its public sector equality duty under the Equality Act 2010. In summary a Public Authority must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

7.6. There is no one size fits all approach to making a venue inclusive, and each operator will need to make an assessment of its own practices and policies. However, the following are common and best practice examples that could be adopted:

- Inclusive and transparent policies (for example admittance policies may clearly stipulate adherence to a dress code and refusal if someone presents as intoxicated; however they must not prevent admittance based on perceived attractiveness, size, or against any of the protected characteristics).
- Robust complaints procedures that make it easy for customers who feel they have been discriminated against to raise their concerns and understand how this will be investigated or managed.
- Accessible venue layouts that make venues welcoming.
- Comprehensive training on equality and inclusion for all staff. It is important that any training is regularly refreshed.

8. VIOLENCE AGAINST WOMEN AND GIRLS

8.1. Babergh and Mid Suffolk are committed to tackling violence against women and girls and have worked alongside Suffolk County Council to develop and follow the Suffolk Violence Against Women and Girls Strategy. Suffolk VAWG Strategy 2025-28

8.2. The Licensing Authority is committed to tackling violence against women and girls and we strive to foster an environment amongst our licensed premises that ensure all women feel safe whether they are workers, residents or visitors.

8.3. The safety of women within the night-time economy is crucial, as often the night-time can pose a risk of harassment, unwelcome situations and a feeling of vulnerability.

8.4. As a licensed premises, establishing clear policies and staff training can create a more secure atmosphere and implementing simple measures such as well-lit entrances and exits and having visible security can enhance overall safety and comfort for women in social spaces.

8.5. The Licensing Authority have set out examples of recommended measures that can be undertaken to promote women's safety at a licensed premises

Staff training

8.6. Providing staff training which focuses on increasing the skills, knowledge and confidence to identify vulnerability and what the appropriate interventions should be.

8.7. We encourage regular refresher training sessions to stay updated on best practices, emerging issues and campaigns relating to the promotion of women and vulnerable people safety and wellbeing.

Women's Safety Policy

8.8. We advise developing a bespoke women's safety policy for your premises. This can be a useful tool to establish clear guidelines and expectations on how you and your staff will manage any situations that may occur.

8.9. It should provide a framework for reporting incidents and ensuring appropriate actions are taken. Where you have implemented a policy, all staff should be made aware and trained on the same to promote accountability.

8.10. Policies should be regularly reviewed to guarantee they remain relevant and effective. Changes should be made based on feedback, incident reports, and emerging safety trends.

Safe Space

8.11. A safe space within your premises can be used by customers if they feel uncomfortable or threatened. The area should be secure and monitored by appropriate security personnel. All staff should be aware of where these areas are located within the premises.

8.12. Safe Spaces or Safe Havens are key for where you have adopted such schemes as 'Ask for Angela' where a woman or vulnerable person can make a discreet signal by asking for Angela, to alert staff if they are in danger or need help removing themselves from a situation. Ask for Angela

Drink Spiking

8.13. As a licensed premises, suitable measures should be taken to prevent incidents of spiking.

8.14. The following are examples within the range of behaviours that would be considered spiking:

- Putting alcohol into someone's drink without their knowledge or permission
- Putting drugs into an alcoholic or non-alcoholic drink without their knowledge or permission

8.15. Premises must ensure all reports of spiking are acted upon and that all incidents of alleged spiking are recorded and reported to the police. It is helpful to the police if staff: obtain full details of the affected person reporting the incident, including a description of what they are wearing; can provide a description of the suspected perpetrator, if known, including clothing; can provide an approximate time of the incident and the location within the premises where they believe it occurred; can secure the drinking vessel(s) that is suspected as containing the 'drug' so this can be tested at a later time; and can seize any drinking vessel that the suspect may have been using.

8.16. Ensure the health and safety of the customer, which could be by calling emergency services, ensuring they are with trusted friends who will look after them, offering assistance if needed, and providing a safe space for the customer.

8.17. Consider providing information (such as posters) regarding drink spiking in the premises.

8.18. Consider if it would be useful to provide anti-spiking bottle stoppers and protective drink covers. It may also be helpful to see if drug testing kits have been made available.

8.19. Where bottles of alcohol are purchased from the bar and left unsupervised at tables, suitable steps should be taken to ensure this does not pose an additional risk as a result of free pouring or putting alcohol into someone's drink without their knowledge or permission. This could lead to an increased vulnerability particularly to women and girls.

Incident Reporting

8.20. Reporting incidents is essential for several reasons. It helps to ensure accountability by bringing attention to inappropriate behaviour which can lead to necessary interventions and consequences for offenders. It can also contribute to recognising patterns of behaviour and trends which allows for preventative measure to be implemented.

8.21. Don't be afraid to encourage incident reporting within your premises, raising awareness can foster a culture of transparency, responsibility and ultimately it supports women in validating their experience. Suffolk Police report a crime

9. CUMULATIVE IMPACT AND EARLY MORNING ALCOHOL RESTRICTION ORDERS

9.1. The licensing Authority recognises that the cumulative effect of licensed premises may have negative consequences. In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.

9.2. A cumulative impact assessment (CIA) may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area.

9.3. The CIA must include a statement saying that the licensing authority considers that the number of premises licences and/or club premises certificates in one or more parts of the area described is such that it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. As part of the publication a licensing authority must set out the evidential basis for its opinion.

9.4. While the evidence underpinning the publication of a CIA should generally be suitable as the basis for a decision to refuse an application or impose conditions, it does not change the fundamental way that decisions are made under the 2003 Act. Each decision in an area subject to a CIA therefore still needs to be made on a case-by-case basis and with a view to what is appropriate for the promotion of the licensing objectives. Importantly, the publication of a CIA would not remove a licensing authority's discretion to grant applications for new licences or applications to vary existing licences, where the authority considers this to be appropriate in the light of the individual circumstances of the case.

9.5. Early Morning Alcohol Restriction Orders (EMROs) are designed to address recurring problems such as high levels of alcohol-related crime and disorder in specific areas at specific times; serious public nuisance; and other instances of alcohol-related anti-social behaviour which is not directly attributable to specific premises.

9.6. Whilst no part of the district is at the time of this policy revision subject to any EMRO, the Licensing Authority is aware of the power conferred on it as set out in the 2003 Act to make, vary or revoke an EMRO. The exercise of the licensing authority's functions may be delegated by its committee to a sub-committee, other than the decision to make, vary or

revoke an EMRO (which is exercised by full council). This power enables a licensing authority to prohibit the sale of alcohol for a specified time period between the hours of 12am and 6am in the whole or part of its area, if it is satisfied that this would be appropriate for the promotion of the licensing objectives.

10.LICENSING HOURS

10.1. Applicants are advised, prior to making an application, to carefully consider the licensed hours that they require and the impact those hours may have on any of the licensing objectives. They should include details in the application form of the steps that they propose to take to ensure the proposed licensed hours do not cause problems in relation to the licensing objectives.

10.2. In making decisions that relate to the hours for which a premises is licensed or any conditions as to delivery times etc. the Licensing Authority will give consideration to how the applicant will promote the licensing objectives and the representations made against such hours.

10.3. Each case will be decided on its own merits based on whether the Licensing Objectives can be promoted. Stricter conditions, including limiting licensed hours, are likely to apply to premises when the applicant is unable to demonstrate that the hours required would not be detrimental to the promotion of one or more of the Licensing Objectives.

10.4. Limitations on operating hours may be imposed as appropriate upon consideration of representations for example, in the case of premises known to be a focus of disorder, nuisance, disturbance or people engaging in anti-social behaviour.

10.5. The Licensing Authority recognises that providing consumers with greater choice and flexibility is an important consideration and that in some circumstances flexible licensing hours for the sale of alcohol, in a well-managed environment, can help to ensure that the concentrations of customers leaving premises simultaneously are avoided, which in turn can reduce friction and congregations at late night fast food outlets, taxi ranks and other areas which can lead to crime, disorder and disturbance.

10.6. The Licensing Authority also acknowledges that licensing hours should not inhibit the development of thriving and safe evening and night-time local economies which are important for business growth and diversification, investment and employment locally and attractive to domestic and international tourists.

10.7. Irrespective of the hours of operation granted for a premises under any licence under the Act, the premises operators should ensure that they comply with any limitation on hours imposed under any other relevant legislation in force - for example planning law.

11.RELEVANT REPRESENTATIONS

11.1. In order for the views of any party to be taken into account in respect of an application, they must qualify as 'relevant', which means representations:

- That are made by any person or responsible authority.
- That are made in writing to the licensing authority.
- That are received by the licensing authority no later than 28 days after the date the application was made (ten working days for a minor variation).
- Must relate to the likely effect of the granting of the application upon one or more of the licensing objectives.
- Must not (in the case of any person who is not a responsible authority) be considered by the licensing authority as frivolous or vexatious.

11.2. When making a representation with regards to an application (either in opposition to or in support) responsible authorities and other parties must only address the likely effect of the grant/variation of the premises licence on the promotion of the licensing objectives. Representations cannot be based on issues that do not relate to the licensing objectives, such as moral grounds or whether the premises does not have the benefit of planning permission.

11.3. Where possible representations should include as much detail as possible so that they can be addressed by the applicant at or before a hearing.

11.4. Where relevant representations are received to an application, a copy of the representation must be forwarded to the applicant. However, it is recognised that in exceptional cases those making representations may have a genuine and well-founded fear of intimidation if they raise objection to an application. In such cases, the Licensing Authority may decide to remove some personal details from the representation but leaving minimal details such as street name or general location within a street, before forwarding it to the applicant. Such action will only be taken rarely and only where the interested party can satisfy the Authority that their concerns are well founded.

11.5. Responsible authorities or other parties who have made representations are encouraged to engage with applicants if they attempt to make contact to discuss the content and reasons for the representation. This engagement and meaningful discussions between parities can lead to agreement and therefore strengthen the protections and reduce the concerns of the objector.

11.6. However, the Licensing Authority does understand that in some cases it will not be possible to come to an agreement. Therefore, the application will be determined at a public hearing of the Licensing Sub-Committee.

11.7. Residents and businesses who make a representation to an application and do not withdraw it prior to the Licensing Sub-Committee hearing are encouraged to attend these hearings if possible. This will allow residents or businesses the opportunity to hear the applicant's explanation about how they will operate the premises and to enable residents or businesses to elaborate on their representation and if appropriate, to provide additional information and; answer specific questions that the Sub-Committee may have relating to their concerns.

12.ADMINISTRATION, EXERCISE AND DELEGATIONS OF FUNCTIONS

12.1. The Council's published delegation scheme of functions under the Licensing Act 2003 is available on the Council website at Mid Suffolk Constitution and Babergh Constitution.

12.2. Where an application has been lawfully made under the Act, and no relevant representations are outstanding, the Licensing Authority will grant the application, in accordance with the requirements of the Act under the authority delegated to an officer. The exceptions to this usual administrative process include minor variations and community premises mandatory conditions disapplication requests, as referred to Appendix B.

13.HEARINGS

13.1. Where a hearing is required, the relevant representations made will be put before the Licensing Sub-Committee. The representations, including the name and address of the person making them, will normally become part of a public document. The address of the person making the representation is relevant to consideration of their representation. If any person is deterred from making a representation due to these requirements, for example if they have a genuine and well-founded fear of intimidation or violence, then they should promptly contact the Licensing Team for advice.

13.2. Where an application is determined at a hearing, the Licensing Sub-Committee will give appropriate weight to the:

- relevant representations made;
- submissions and any evidence presented by all parties;
- Guidance issued under section 182 of the Act (as may be amended from time to time);
- Licensing Authority's Statement of Licensing Policy; and
- steps appropriate to promote the licensing objectives.

13.3. The Licensing Authority may use the power given within the hearings regulations to extend time limits where it considers this to be in the public interest. Extending time limits in the public interest will be assessed individually on a case-by-case basis.

14.CONDITIONS

14.1. The Act sets out mandatory conditions that are applicable to premises licences and club premises certificates according to the activities that they are authorised for.

14.2. The Licensing Authority may impose additional conditions following receipt of relevant representations made against an application. Each case will be considered on its own merits, and any additional conditions will be appropriate and proportionate to the nature of the activities and hours applied for and shall reflect the four licensing objectives. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.

14.3. When no representations have been received against an application, the Licensing Authority will convert the steps that an applicant has put into their application into licence conditions whenever such conditions are enforceable and considered appropriate and proportionate to the licensing objectives.

14.4. The additional conditions that may be attached to licences and certificates upon consideration of relevant representations will be tailored to the individual circumstances and characteristics of the premises concerned to meet the licensing objectives. For example, conditions may be imposed to prevent unnecessary noise and disturbance to local residents by way of limited hours and/or restrictions on sound levels.

15.APPEALS

15.1. The Act sets out the rights of the different parties to an application to appeal to the Magistrates Court against certain decisions of the Licensing Authority. Such parties will be formally advised of their right to appeal after the Licensing Authority reaches its decision.

16.ENFORCEMENT

16.1. Where necessary, enforcement action will be considered in accordance with the Regulators' Code and the Council's Corporate Enforcement Policy. These guidelines are available via the following links:

- Corporate Enforcement Policy
- Regulators Code

16.2. The emphasis will be upon a risk-assessed and targeted approach to inspections, concentrating on those premises which either:

- present a greater risk;
- have a history of non-compliance with conditions/regulation; or
- demonstrate poor management practice which undermines the licensing objectives.

16.3. The Licensing Authority will not normally undertake inspections routinely but may do so when and if they are considered by the Authority as reasonably necessary. The 2003 Act does not require inspections to take place save at the discretion of those charged with an enforcement role.

16.4. The Licensing Authority will at all times be guided by its general enforcement policy based upon Regulators' Code principles, and where there is a shared remit for leading on enforcement matters with another agency (or agencies) the Licensing Authority will continue to observe its adopted corporate enforcement policy, accepting that other authorities are not bound to it and may have their own escalation policies or national guidance framework.

16.5. The Licensing Authority will in all cases seek a collaborative and partnership approach to promotion of the licensing objectives and compliance support for licensed business, which includes that regulators should:

- carry out their activities in a way that supports those they regulate to comply and grow;
- provide simple and straightforward ways to engage with those they regulate and hear their views;
- base their regulatory activities on risk;
- share information about compliance and risk;
- ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply; and
- ensure that their approach to their regulatory activities is transparent.

16.6. The Licensing Authority will normally act as the enforcing authority in respect of offences under the Act, and for breaches of licence conditions, unless the circumstances of the particular case are such that it is appropriate for another responsible authority to act.

17.CLOSURE ORDERS/NOTICES

17.1. Part 8 of the Licensing Act 2003 provides for the arrangements relating to closure orders, and there are also powers available to the Local Authority and/or responsible authorities/court to close premises via other legislation on grounds of serious crime or disorder, persistent nuisance or protection of children - for example under the Violent

Crime Reduction Act 2006, Criminal Justice and Immigration Act 2008 and Anti-social Behaviour, Crime & Policing Act 2014.

17.2. Where a Magistrates' Court has determined to exercise its powers in respect of a closure order, the Licensing Authority must conduct a review of the relevant premises licence in accordance with procedures prescribed by regulation. This will normally involve:

- serving notice on the premises licence holder and responsible authorities and advertising the review in accordance with the regulations;
- holding a hearing in accordance with the procedures outlined in section 12 of this Statement of Licensing Policy to review the premises licence; and
- determining the review no later than 28 days after the day on which it receives the notification of the closure order from the Magistrates' Court.

17.3. When determining a review following the notification of a closure order, the Licensing Authority will consider the Closure Order and any relevant representations, and they will take such steps as it considers appropriate to promote the licensing objectives.

17.4. The Licensing Authority will notify the licence holder, the Chief Officer of Police and any person who made relevant representations of the outcome of the review hearing, including reasons for the decision. The Licensing Authority may suspend the operation of its decision until the end of the period given to appeal, or until the appeal is disposed of (if not already suspended by the Magistrates' Court).

18. ADDRESSING THE LICENSING OBJECTIVES

18.1. In respect of addressing each of the four licensing objectives in their operating schedule, applicants should carefully consider what steps they regard as appropriate to promote the licensing objectives, relevant to the individual style and characteristics of their premises and activities. Reference could be made as to whether additional measures will be taken on an occasional or specific basis such as when a special event or promotion is planned, which is intended to, or likely to attract larger or different demographic audiences.

18.2. Whilst applicants are not required to seek the views of responsible authorities before formally submitting applications, the Licensing Authority strongly encourage applicants to do so when drafting their operating schedule as applicants may find this a source of useful advice when addressing the licensing objectives. This may in some instances reduce the possibility of responsible authorities, or other persons, raising representations against an application.

18.3. Organisers of large, temporary outdoor events (such as music festivals, fairs, shows and carnivals) are strongly encouraged to engage as early as possible with the

responsible authorities, or any local Safety Advisory Group network, to ensure that their planned event is developed in a way likely to promote the licensing objectives.

19. PREVENTION OF CRIME AND DISORDER

19.1. When applicants for premises licences or club premises certificates are preparing their application forms/operating schedules or when responsible authorities or 'other persons' are considering such applications the following matters may be considered as control measures towards the promotion of the prevention of crime and disorder licensing objective.

19.2. Whether these options may be appropriate in the individual circumstances of any premises will depend on a range of factors including the nature and style of the venue, the activities being conducted there, the location of the premises and the anticipated clientele of the business involved.

19.3. Appropriate conditions for the licence or certificate will also depend on local knowledge of the premises and its location.

19.4. The following measures should not be regarded as standard conditions to be automatically imposed in all cases. They are designed to provide a range of possible conditions drawn from experience relating to differing situations and to offer guidance.

19.5. Any individual preparing an operating schedule is at liberty to volunteer any measure, such as those described below, as a step they intend to take to promote the licensing objectives.

19.6. When incorporated into the licence or certificate as a condition, they become enforceable under the law and a breach of such a condition could give rise to prosecution or a review of the licence.

Behaviour of customers outside licensed premises

19.7. One of the main sources of complaint regarding licensed premises relates to the activities and behaviour of customers outside the boundaries of licensed premises. Licensees must take reasonable steps to prevent such behaviour having a negative impact on the vicinity of the premises.

19.8. In addition, licensees should consider identifying and refusing to admit problem customers. Particular regard should be given to premises where customers congregate outside for example; to smoke or in periods of fine weather or where customers do

not disperse quickly when leaving the premises, particularly late at night in residential areas. A smoking, queuing/ dispersal policy can deal with these issues.

Door Supervisors

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

- preventing the admission and ensuring the departure from the premises of those who are or may become disorderly, without causing further disorder;
- keeping out excluded individuals (subject to court bans or imposed by the licence holder);
- searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons;
- maintaining orderly queuing outside of venues prone to such queuing, ensuring public safety.

19.10. Conditions may also be appropriate to deal with the number of such supervisors, where and at what times they should be on duty on the premises, and whether at least one female supervisor should be available (for example, if female customers are to be the subject of body searches).

19.11. Licensees may also be required to keep a record of all door supervisors/security personnel employed at the premises. These records should include name, address, date of birth and SIA registration number, dates/times person was on duty, and shall be available for inspection.

19.12. Any persons employed at licensed premises to carry out any security activity must (unless exempted by law) be licensed with the Security Industry Authority.

Incident report book

19.13. Where appropriate the Licensing Authority will require that an incident report book be kept at the premises. This should include any decision to refuse access, any attempt to make an underage purchase, any incident of crime and disorder in or about the premises, incidents of fire and fire alarm activations etc. This book shall be available for inspection by an authorised officer of the Council or a Police Officer.

19.14. License Holders are expected to assist police in the conduct of criminal investigations, this includes the preservation of crime scenes and exhibits after an incident has occurred.

The use of glass in licensed premises

19.15. Glassware and glass bottles may be used as weapons inflicting more serious harm during incidents of disorder. A condition to prevent sales of drinks in glasses or bottles for consumption on the premises may be appropriate in certain circumstances and should be risk assessed.

19.16. It is recommended that a condition requiring that no sales of beverages in glass bottles for consumption at particular premises should be expressed in clear terms and include the following elements:

- no bottles containing beverages of any kind, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff service away from the bar;
- no customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.

In appropriate circumstances, the condition could contain the following:

- bottles containing wine may be sold for consumption with a table meal by customers who are seated in an area set aside from the main bar area for the consumption of food.

19.17. Glasses containing drinks may be used as weapons during incidents of disorder and in non-toughened form can cause very serious injuries. Consideration could therefore be given to conditions requiring either the use of polypropylene containers or toughened glass which inflicts less severe injuries where considered necessary.

19.18. Location and style of the venue and the activities carried on there would be particularly important in assessing whether a condition is necessary. The use of such polypropylene containers or toughened glass during the televising of live sporting events, such as international football matches, when high states of excitement and emotion fuelled by alcohol might arise may be a necessary condition.

19.19. It should be noted that the use of polypropylene or paper drinks containers and toughened glass may also be relevant as measures necessary to promote public safety.

CCTV

19.20. The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises. Conditions should not just consider a requirement to have CCTV on the premises but also the precise location of each camera, the requirement to maintain cameras in working order and to retain recordings for an appropriate period of time (recommended 1 month).

19.21. Applicants are recommended to seek the advice of the Police with regard the installation of CCTV systems for crime prevention purposes.

Open containers not to be taken from the premises

19.22. A condition preventing the taking of alcoholic drinks from the premises in open containers (e.g. glasses and opened bottles) may be imposed on particular premises. This condition may be necessary to prevent the potential for crime and disorder or for public nuisance.

Capacity limits

19.23. A condition may be imposed to set a maximum capacity limit on licensed premises or any parts thereof to ensure public safety and the prevention crime and disorder. Where premises are particularly overcrowded this has been shown to increase the risk of conflict between customers.

19.24. Where such a condition is considered appropriate, consideration should also be given to whether door supervisors would be needed to ensure that the numbers are appropriately controlled.

Proof of age cards

19.25. It is unlawful for children under 18 to attempt to buy alcohol just as it is unlawful to sell or supply alcohol to them. To prevent such crimes, a challenge policy or "proof of age" scheme should be in place at premises. Please see the section 'The prevention of harm to children' concerning the 'Challenge 25' proof of age scheme.

Crime prevention notices

19.26. It may be appropriate at some premises for notices to be displayed which warn customers of the prevalence of crime which may target them for example, in certain areas, it may be necessary for notices to be displayed which advise customers not to leave bags unattended because of concerns about theft or terrorism.

Signage

19.27. It may be appropriate to have a condition offered/imposed stipulating notices be displayed on the premises requesting patrons to leave the vicinity showing consideration to local residents

20. PUBLIC SAFETY

20.1. When applicants for premises licences or club premises certificates are preparing their operating schedules or club operating schedules, the following options should be

considered as measures that, if appropriate, would promote public safety. It should also be recognised that special issues may arise in connection with outdoor and large scale events where the Authority would expect early engagement.

20.2. Whether or not any risk assessment shows any of the measures to be proportionate in the individual circumstances of any premises will depend on a range of factors including the nature and style of the venue, the activities being conducted there, the location of the premises, the anticipated clientele of the business involved and the competency of the management and staff at the premises.

20.3. Any individual preparing an operating schedule or club operating schedule is at liberty to volunteer any measure, such as those described below, as a step they intend to take to promote the licensing objectives. When incorporated into the licence or certificate as a condition, they become enforceable under the law and a breach of such a condition could give rise to prosecution.

20.4. It should be noted that conditions relating to public safety should be those which are appropriate, in the particular circumstances of any individual premises or club premises and should not duplicate other legal requirements. Equally, the attachment of conditions to a premises licence or club premises certificate will not in any way relieve any employers of the statutory duty to comply with the legislation of other legislation.

20.5. Where existing legislation and regulations do not (in the opinion of the Licensing Authority) adequately cover public safety issues the following matters should be taken into consideration:

Escape routes

20.6. It may be appropriate for the promotion of the public safety licensing objective to include conditions relating to the maintenance of all escape routes and exits including external exits.

20.7. These might be expressed in terms of the need to ensure that such exits are kept unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified. In restaurants and other premises where chairs and tables are provided this might also include ensuring gangways are kept unobstructed.

- all emergency exit doors can be easily opened without the use of a key, card, code or similar means;
- doors at such exits are regularly checked to ensure that they function satisfactorily and a record of the check kept;
- any removable security fastenings are removed whenever the premises are open to the public or occupied by staff;

- where necessary the edges of the treads of steps and stairways are to be conspicuous from the rest of the stair treads.

Safety checks

20.8. Consideration might also be given to conditions that ensure:
- safety checks are carried out before the admission of the public; and
- details of such checks are kept in a log-book

Capacity limits

20.9. Consideration should also be given to conditions that ensure that:
- arrangements are made to ensure that any capacity limit imposed under the premises licence or club premises certificate are not exceeded; and
- the licence holder, a club official, manager or designated premises supervisor should be aware of the number of people on the premises and required to inform any authorised person on request.

Emergency Action Notices

20.10. Consideration might also be given to conditions that ensure that notices detailing the actions to be taken in the event of emergencies, including how the emergency services should be summoned, are prominently displayed and protected from damage and deterioration.

Access for emergency vehicles

20.11. Consideration might also be given to a condition that ensures that access for emergency vehicles is kept clear and free from obstruction.

First aid

20.12. Consideration might also be given to conditions that ensure that:
- adequate and appropriate supply of first aid equipment and materials is available on the premises;
- if appropriate, at least one suitably trained first-aider shall be on duty when the public are present; and if more than one suitably trained first-aider that their respective duties are clearly defined.

Lighting

20.13. Consideration might also be given to conditions that ensure that:

- in the absence of adequate daylight, the lighting in any area accessible to the public, members or guests shall be fully in operation when they are present;
- emergency lighting and signage are in working order before the admission of the public, members or guests.

Indoor sporting events

20.14. Subject to the type of sports provided and the appropriate risk assessments, consideration may be given to conditions to ensure that:

- an appropriately qualified medical practitioner is present throughout a sports entertainment involving boxing, wrestling, judo karate or other sports entertainment of a similar nature;
- where a ring is involved, it is constructed and supported by a competent person and inspected by a competent authority and any material used to form the skirt around the ring is flame-retardant

Special effects

20.15. The use of special effects in venues of all kinds can present significant risks. Any special effects or mechanical installation should be arranged and stored so as to minimise any risk to the safety of the audience, the performers and staff.

20.16. Special effects which should be considered include:

- dry ice machines and cryogenic fog
- smoke machines and fog generators
- pyrotechnics, including fireworks
- real flame
- firearms
- motor vehicles
- strobe lighting
- lasers
- explosives and highly flammable substances

20.17. In certain circumstances, it may be necessary to require that certain special effects are only used with the prior notification to, and the approval of the appropriate authority.

Theatres, cinemas, concert hall and similar places

20.18. There are particular matters in the context of public safety which should be considered in connection with theatres and cinemas. The principle remains that conditions must be necessary and proportionate and should be established through risk assessment and

standardised conditions should be avoided. The points below are for consideration and do not represent a mandatory list:

- Attendants: must be sufficient numbers taking into consideration the other safety measures, the design of the premises and the profile of the persons attending (e.g. performances attracting primarily children). Attendants shall as far as reasonably practicable be evenly distributed throughout all parts of the premises to which the public have access and keep under observation all parts of the premises to which the audience have access.
- Standing and sitting in gangways etc: persons should not be allowed to:
  - sit in a gangway;
  - stand in a gangway, except for access to and from their seat;
  - stand or sit in front of any exit;
  - stand or sit on any staircase including any landings; or
  - stand to view the performance except in areas designated in the premises licence or club premises certificate
- Drinks: No drinks (alcohol or other drinks) shall be sold to or be consumed by a closely seated audience except in plastic and paper containers.
- Flammable films: No flammable films should be allowed on the premises without the prior approval of the Fire Brigade.

The Terrorism (Protection of Premises) Act

20.19. The Terrorism (Protection of Premises) Bill will soon become legislation. It is also known as Martyn's Law.

20.20. The Bill is intended to ensure public premises and events are better prepared for terrorist attacks and ready to respond. It will require them to take reasonably practicable actions, which vary accordingly, to mitigate the impact of a terrorist attack and reduce physical harm. In addition to this, certain larger premises and events must also take steps to reduce the vulnerability of the premises to terrorist attacks.

20.21. This will be done by mandating, for the first time, who is responsible for considering the risk from terrorism and how they would respond to a terrorist attack at certain premises and events.

20.22. Dedicated guidance and support will be provided for duty holders to ensure that those in scope have the required information on what to do and how best to do it.

20.23. There are different requirements which are determined by the capacity of the venue.

20.24. Persons responsible for a standard duty premises, i.e. qualifying premises where it is reasonable to expect that between 200 and 799 individuals may be present at the same time, will be required to:

- notify the regulator of their premises; and
- put in place appropriate and reasonably practicable public protection procedures as set out in the legislation.

20.25. These procedures are to be followed by people working at the premises if an act of terrorism was to occur at the premises or in the immediate vicinity, which may be expected to reduce the risk of physical harm being caused to individuals. This includes ensuring there are procedures in place to provide information to individuals on the premises and to evacuate, invacuate or lockdown the premises.

20.26. The requirements for standard duty premises are focused on simple activities surrounding policies and procedures, which are to be followed by staff in the event of terrorist attack or suspected terrorist attack occurring. The aim of these requirements is to improve staff preparedness and responses. There is no requirement to put in place physical measures in this tier. Furthermore, the reasonably practicable element will enable standard duty premises to tailor their approach to the resources they have available.

20.27. Enhanced duty premises and qualifying events are premises or events where it is reasonable to expect that 800 or more individuals may be present on the premises or attend the event at the same time. In addition to the same procedures as standard duty premises, persons responsible for enhanced duty premises and qualifying events will be required to:

- notify the regulator of their premises/event;
- put in place appropriate and reasonably practicable public protection measures that could be expected to reduce both:
    i. the vulnerability of the premises or event to an act of terrorism occurring at the location, and
    ii. the risk of physical harm being caused to individuals if an attack was to occur there or nearby. For example, an enhanced duty premises will be required, insofar as reasonably practicable, to implement measures relating to the monitoring of the premises and their immediate vicinity;
- document the public protection procedures and measures in place, or proposed to put in place, and provide this document to the regulator. This document should include an assessment as to how those procedures and measures may be expected to reduce, so far as is reasonably practicable, vulnerability and risk of harm.

20.28. Where the responsible person for an enhanced duty premises or qualifying event is not an individual, they must appoint an individual as a designated senior individual with responsibility for ensuring that the relevant requirements are met.

21.PREVENTION OF PUBLIC NUISANCE

21.1. Licensed premises can have significant potential to impact adversely on persons in the vicinity through public nuisances that arise from their operation.

21.2. The Licensing Authority interprets 'public nuisance' in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in the locality of a licensed premises.

21.3. When applicants for premises licences or club premises certificates are preparing their operating schedules, the matters dealt with below should be carefully considered as a means to prevent public nuisance.

21.4. Whether or not any risk assessment shows them to be appropriate in the individual circumstances of any premises will depend on a range of factors including the nature and style of the venue, the activities being conducted there, the location of the premises and the anticipated clientele of the business involved.

21.5. Proportionate conditions for licences and certificates will also depend on local knowledge of the premises.

Management and control of customers

21.6. Procedures should be put in place to manage the behaviour of customers in so far as it may contribute to public nuisance. These measures may include; management of people who arrive and leave the premises, the placing of signage reminding patrons to arrive and leave quietly, the consideration of arranging a dedicated taxi service, the quick dispersal of customers away from the premises when leaving, when drinking outside is permitted to take into consideration the potential of public nuisance.

Hours

21.7. The hours during which the licensable activities are permitted at premises by a premises licence or a club premises certificate are primarily set for the prevention of public nuisance.

21.8. For example, where the premises are in a predominately residential area the potential for public nuisance is greater.

21.9. Restrictions could be necessary on the times when certain licensable activities take place even though the premises may be open to the public at such times. For example, the playing of recorded music after a certain time might be prohibited, even though, other licensable activities are permitted to continue. But also where an external area is

permitted to have licensed activity, for example a beer garden, it may be appropriate to cease that activity earlier than the terminal hour of the rest of the premises.

Noise and vibration

21.10. In certain premises for the prevention of public nuisance, consideration might be given to conditions that ensure that:

- Noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties. This might be achieved by a simple requirement to keep doors and windows at the premises closed, or to use noise limiters on amplification equipment used at the premises;
- Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly;
- The use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas are restricted; and
- The placing of refuse – such as bottles – into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties.

21.11. Premises that provide hot food and drink that are seeking to extend the times food is available for sale need to ensure that kitchen extract systems are appropriately silenced to operate into the night-time period.

Litter

21.12. Premises that provide food and /or drink for consumption off the premises could create public nuisance in the form of their patrons causing litter (i.e. food wrappings/containers and drink containers) in the vicinity of the premises and the wider area.

21.13. Applicants for licences allowing the provision of late night refreshment and the sale of alcohol for consumption off the premises are recommended to consider the problems that litter caused by their operation will cause and the steps that they will take to prevent such nuisance in the vicinity of their premises. The steps that they could take (and include in their application form) include:

- the provision of waste receptacles outside the premises,
- notices asking customers to dispose of their rubbish responsibly and not to create litter problems, and

- the licence holder arranging for the picking up and disposal of litter from their premises in the vicinity of the premises

Noxious smells

21.14. In certain premises for the prevention of public nuisance, consideration might be given to conditions that ensure that noxious smells do not cause a nuisance to nearby properties and that premises are properly vented.

Light Pollution

21.15. In certain premises for the prevention of public nuisance, consideration might be given to conditions that ensure that flashing or particularly bright lights on or outside licensed premises do not cause a nuisance to nearby properties.

22.THE PROTECTION OF CHILDREN FROM HARM

22.1. The Licensing Authority will have specific regard to the licensing objective to protect children from harm. This objective includes the protection of children from moral, psychological and physical harm.

22.2. It is anticipated that licences will be sought in respect of a wide variety of premises including theatres, cinemas, restaurants, concert halls, cafes, late night takeaways, pubs, bars and nightclubs. It is not possible within this licensing policy to anticipate every situation where children may be at risk. The Licensing Authority will expect applicants to offer their own measures within the operating schedule to meet all of the licensing objectives.

22.3. The Licensing Authority will not seek to limit the access of children to licensed premises unless it appears necessary to protect them from harm. The following are some examples of premises that will raise concerns;

- where there have been convictions for serving alcohol to minors or where there is evidence that underage drinking is permitted
- a known association with drug taking or dealing
- where there is a strong element of gambling on the premises
- where entertainment or services of an adult or sexual nature are provided

22.4. Whilst it is not possible for the Licensing Authority to give an exhaustive list of what amounts to relevant entertainment or services of an adult or sexual nature, examples would generally include topless bar staff, striptease, lap-dancing, table-dancing, pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language. It should be noted that premises deemed as ‘sexual entertainment venues’ under the

Policing and Crime Act 2009 are also likely to require an additional licence under the Local Government (Miscellaneous Provisions) Act 1982.

22.5. The Licensing Authority will not ordinarily impose a right of access for children. This will remain a matter for the discretion of the licence holder. It is anticipated that the issue of access to children will be addressed in the operating schedule.

22.6. Applicants should note it is an offence to permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for the supply of alcohol for consumption on the premises under the authorisation of a premises licence, club certificate or where that activity is carried on under the authority of a TEN.

22.7. Applicants should note it is also an offence to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premise supplying alcohol for consumption on the premises under the authorisation of a premises licence, club certificate or where that activity is carried on under the authority of a TEN.

22.8. The range of options available to limit the access of children to licensed premises that may be imposed include:

- Limitations on the hours where children may be present;
- Age limitations;
- Exclusions when certain activities are taking place;
- In exceptional cases, exclusion of people under 18 from the premises or parts thereof when any licensable activities are taking place.

22.9. Where there are restrictions (whether imposed by statute or by the Licensing Authority) on the sale or supply of goods or the provision of services or the showing of films or other entertainment to children below a certain age then the licensee will be required to demonstrate that they have in place a system for verifying the age of the children intended to be supplied with such goods, services or entertainment. Training must be given to all persons who might be in a position to refuse such children. Such training must include:

- recognition of age,
- seeking proof of age,
- verifying the authenticity of proof of age cards, and
- handling refusals.

22.10. Licensees will be expected to have effective steps to prevent children from viewing films or videos that are unsuitable due to the age classification of the film that has been imposed by the British Board of Film Classification or the Licensing Authority.

22.11. Where film exhibitions are authorised at a premises, the licence shall include a mandatory condition requiring that children are restricted from viewing age-restricted films in accordance with the British Board of Film Classification (BBFC), or in accordance with any recommendation made by the Licensing Authority

22.12. The Licensing Authority will expect that where a significant number of unaccompanied children will be present during a public entertainment event, the licensee will ensure that an adequate number of adult staff are present to control the access, egress and safety in and around the premises. The number of staff required should be assessed by the licensee, taking into account the number of children to be present, the type of entertainment, the characteristics of the premises and any other relevant factor.

Challenge 25

22.13. It is unlawful to sell or supply alcohol to persons under the age of 18, and applicants are recommended to adopt the 'Challenge 25' policy. The recommended conditions are:

i. The Licensee to adopt a "Challenge 25" policy where all customers who appear to be under the age of 25 and attempt to purchase alcohol or other age-restricted products are asked for proof of their age.

The Licensee to prominently display notices advising customers of the "Challenge 25" policy.

The following proofs of age are the only ones to be accepted:

- Proof of age cards bearing the "Pass" hologram symbol
- UK Photo Driving licence
- Passport

ii. Staff Competence and Training: The Licensee to keep a written record of all staff authorised to sell alcohol, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised. The staff record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.

The Licensee to ensure that each member of staff authorised to sell alcohol has received adequate training on the law with regard to age restricted products and that this has been properly documented and training records kept. The training record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.

The Licensee to ensure that each member of staff authorised to sell alcohol is fully aware of his/her responsibilities in relation to verifying a customer's age and is able to effectively question purchasers and check evidence of proof of age.

The Licensee to ensure that each member of staff authorised to sell alcohol is sufficiently capable and confident to confront and challenge under – 18s attempting to purchase alcohol.

iii. Refusals Book: The licensee to keep a register of refused sales of all age- restricted products (Refusals Book).

The refusals book to contain details of time and date, description of the attempting purchaser, description of the age restricted products they attempted to purchase, reason why the sale was refused and the name/signature of the sales person refusing the sale.

The Refusals book to be examined on a regular basis by the Licensee and date and time of each examination to be endorsed in the book.

The Refusals Book to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.

22.14. If you are providing services to children/families and your staff may come in to contact with children in the course of their working day, there is an expectation that you will provide a safeguarding policy. The Licensing Authority recognises the Suffolk Safeguarding Partnership as being competent to advise on matters relating to the protection of children from harm. Suffolk Safeguarding Partnership

23.PERSONAL LICENCES

23.1. A personal licence is a licence issued to an individual authorising them to make or authorise the sale of alcohol in accordance with a Premises Licence. Every Premises Licence that authorises the sale of alcohol must specify an individual who acts as the Designated Premises Supervisor (DPS). The DPS must hold a Personal Licence.

23.2. Applications for Personal Licences should be made to the Licensing Authority for the area where the applicant is ordinarily resident at the time they make their application.

23.3. The Licensing Authority must reject an application if the applicant fails to meet one or more of the requirements set out in (a) to (d) below:

a) Applicants must be aged 18 or over
b) Applicants must be entitled to work in the United Kingdom
c) Applicants must possess a licensing qualification or is a person of a prescribed description
d) Applicants must not have forfeited a personal licence in the five-year period prior to their application being made
e) Applicants must not have been convicted or any relevant offence or any foreign offence or required to pay an immigration penalty

23.4. Where the applicant meets the requirements in (a) to (d) but does not meet the requirements of (e), the Licensing Authority must give the chief officer of police for its area a notice to this effect. Having received such a notice, if the chief officer of police is satisfied that the granting of the application would undermine the crime prevention objective, they must within 14 days, give the Licensing Authority a notice to that effect.

23.5. Where the applicant fails to meet the requirements of (e) as a result of a conviction for an immigration offence or because they have been required to pay an immigration penalty, the licensing authority must give a notice to the Secretary of State for the Home Department to that effect. The Home Office may object to an application on grounds that granting the personal licence would be prejudicial to the prevention of illegal working in licensed premises.

23.6. Where an objection to the grant of a personal licence is received from either the chief officer of police or the Home Office, the applicant is entitled to a hearing before the licensing authority. If no objections are received, the Licensing Authority must grant the application.

23.7. At a hearing to determine a personal licence application to which the chief officer of police or Home Office have objected, the licensing authority will have regard to all of the circumstances including the following:

- The need to assess each case on its merits
- The duty to promote the crime prevention objective
- The objection notice given by the Police or Home Office
- The guidance issued by the Secretary of State under section 182 of the Licensing Act 2003
- The seriousness of the relevant offence
- The sentence or penalty imposed on the applicant for the relevant offence
- Any representations made by the applicant
- Any other evidence as to the previous character of the applicant.

23.8. If, having considered all of the circumstances, the Licensing Authority considers that it is appropriate for either the promotion of the crime prevention objective or for the prevention of illegal working in licensed premises to reject the application, it must do so. In all other cases the application must be granted.

23.9. If an application is refused, the applicant will be entitled to appeal against the decision they make. Similarly, if the application is granted despite a police objection notice or an objection from the Home Office, the chief officer of police or Home Office are entitled to appeal against the licensing authority's determination. The licensing authority will therefore record in full the reasons for any decision that it makes.

Suspension and Revocation

23.10. Section 138 of the Policing and Crime Act 2017 amended the Licensing Act 2003 and gave the power to a Licensing Authority to suspend or revoke personal licences that it has issued with effect from 6th April 2017.

23.11. When a Licensing Authority has granted a personal licence and becomes aware that the licence holder has been convicted of a relevant offence or foreign offence or been required to pay an immigration penalty, a licensing authority may revoke the licence or suspend it for a period of up to six months. This applies to convictions received and civil immigration penalties which a person has been required to pay at any time before or after the licence was granted, as long as the conviction was received after 6 April 2017, or the requirement to pay the civil penalty arose after 6 April 2017. Prior to 6 April 2017 only magistrates' courts can order the forfeiture or suspension of a personal licence for convictions.

23.12. The process which must be undertaken by the Licensing Authority to suspend or revoke a personal licence is set out at section 132A of the 2003 Act. The decision to revoke or suspend a personal licence must be made by the licensing committee or sub-committee.

24.PREMISES LICENCES

24.1. An application can be made to the Licensing Authority for any place within its area to be used for licensable activities or recognised club activities. The applications are prescribed by regulation and will normally include:

- the required fee
- an operating schedule
- plan of the premises in accordance with regulatory requirements
- if it is intended to sell alcohol, a form of consent given by the person who wishes to be specified as the Designated Premises Supervisor, or else a request to disapply this requirement if for an eligible 'community premises'
- individual applicants must provide evidence of their right to work within the UK

New Applications

24.2. The application form should include sufficient information to enable the Licensing Authority, any other person and any responsible authority to assess the steps intended by the applicant to promote the Licensing Objectives. A description of the business to be conducted on the premises must also be included in the application form.

24.3. Where alcohol is to be sold for consumption on the premises it would be valuable to know the extent of seating and the type of activities available on the premises whether licensable under the Act or not.

24.4. Full details of information required in the application form include:

- Relevant licensable activities to be conducted on the premises
- Times/days of the week including holiday periods or different times of the year, the activities are to take place
- Any other times the premises is open to the public
- Where the licence is required for a limited period, that period
- If the activities include the supply of alcohol, the name and address of the designated premises supervisor
- If alcohol is to be supplied, if it is to be consumed on/off the premises or both
- If adult entertainment or services of any description (whether licensable or not) are to be provided at the premises, full details must be given
- The steps the applicant proposes to take to promote the Licensing Objectives
- The applicant will be expected to undertake a thorough risk assessment with regard to each of the licensing objectives when preparing their applications and specify the steps that they will take to promote the licensing objectives.

24.5. Applicants are recommended to acquaint themselves with:

- The contents of this policy
- The guidance issued by the Home Office under section 182 of the Act and other applicable guidance available on the Government website.

24.6. The Licensing Authority will expect Operating Schedules to satisfactorily address the Licensing Objectives, from the design of the premises through to the daily operation of the business. Particular consideration will be given to the following:

- Safety arrangements e.g. premises must be constructed or adapted in such a way that they are safe and appropriate, have a safe capacity assessment etc.
- The steps that will be taken to prevent the underage sale of alcohol
- The steps the applicant has taken or proposes to take to prevent public nuisance. Such steps may include the management of customers' behaviour, installation of sound proofing, air conditioning, acoustic lobbies, sound limitation devices, parking provision, notices at exits and in the car park
- What measures will be taken to prevent disorder and nuisance and secure public safety e.g. the use of CCTV, the employment of registered door supervisors, means of access/egress, types of drinking utensils used such as glass, plastic, no bottles etc.
- The measures proposed to prevent the consumption or supply of illegal drugs, possession of offensive weapons including any search procedures and entry policies

- The likelihood of any public disorder, violence or other alcohol related crime arising if a licence were to be granted.

Variations to existing premises licences

24.7. The holder of an existing premise licence may apply for a variation of the licence (e.g. to change the licensed hours or activities) under either section 34 of the Act ('full variations') or in the case of 'minor' variations under section 41A of the Act. For a 'full' variation the applicant is expected to include in the application form the steps they intend to take to promote the licensing objectives.

Designated Premises Supervisor

24.8. Where a premises sells alcohol, a personal licence holder will be identified in the premises licence as the Designated Premises Supervisor (DPS) for the premises. This is to ensure that there is always one specified individual who can be readily identified for the day to day running of the premises.

24.9. Where the DPS is not available for a significant period of time (e.g. on holiday) they should nominate in writing somebody who is authorised to act on behalf of the DPS, as a point of contact.

24.10. Community premises can apply to have the requirement for a DPS removed from their premises licence.

Wholesale of alcohol

24.11. The wholesale of alcohol to the public is a licensable activity under the 2003 Act, and a Premises Licence and a Designated Premises Supervisor will be needed where such transactions take place. Wholesalers of alcohol from business to business should register with the Alcohol Wholesaler Registration Scheme AWRS.

Internet and mail order sales

24.12. A premises licence will be required for the warehouse/storage facility of the alcohol, when the alcohol is delivered or dispatched from that place to the public. However, the call centre where the order was placed would not necessarily be licensable. The Operating Schedule must include procedures for ensuring that sales of alcohol are not made to persons under the statutory age limit (currently 18 years of age).

Regulated entertainment

24.13. Regulated entertainment will require (subject to certain exemptions) a premises licence, a club premises certificate or a Temporary Event Notice. The forms of regulated entertainment are:

- Performance of a play
- Exhibition of a film
- Indoor sporting event
- Boxing or wrestling entertainment (indoors and outdoors)
- Performance of live music
- Playing of recorded music
- Performance of dance
- Entertainment of a similar description to the performance of live music and/or the playing of recorded music and/or the performance of dance

Live Music Act 2012 and other entertainment licensing deregulation

24.14. The Live Music Act 2012 came into force on 1st October 2012 and is designed to encourage more performances of 'live' music. The Act removes the licensing requirements for:

- Where amplified 'live' music between 8am and 11pm before audiences of no more than 200 people on premises authorised to sell alcohol for consumption on the premises
- amplified 'live' music between 8am and 11pm before audiences of no more than 200 people in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment)
- unamplified 'live' music between 8am and 11pm in all venues
- the provision of entertainment facilities.

24.15. Where licensable activities continue to take place on premises any licence conditions relating to 'live' music will be suspended, but it will be possible to impose new or reinstate existing conditions following a review.

24.16. When considering whether an activity constitutes the provision of regulated entertainment each case will be treated on its own merits.

24.17. There will inevitably be a degree of judgement as to whether a performance is live music or not, so organisers are encouraged to check with the licensing authority if in doubt. There was a further deregulation of entertainment licensing in June 2013 when the Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013 came into force on 27th June 2013.

24.18. The effect of the order is that no authorisation is required for the following activities to the extent that they take place between 08:00-23:00 on any day:

- a performance of a play in the presence of any audience of no more than 500 people
- an indoor sporting event in the presence of any audience of no more than 1000 people
- a performances of dance in the presence of any audience of no more than 500 people.

24.19. Entertainment licensing requirements were further deregulated as a result of the Legislative Reform (Entertainment Licensing) Order 2014, which came into force on 6th April 2015. The 2014 Order deregulated entertainment licensing in the following ways:

- The provision of regulated entertainment by or on behalf of local authorities, health care providers, or schools on their own defined premises became exempt from entertainment licensing between 08.00-23.00 on the same day, with no audience limit
- The audience limit for a performance of live amplified music in relevant alcohol licensed premises or in a workplace between 08.00-23.00 on the same day was raised from 200 to 500
- Local authorities, health care providers and schools are now exempt from entertainment licensing when making their own defined premises available to third parties for live and recorded music activities between 08:00-23:00 on the same day for audiences of up to 500
- Community premises not licensed to supply alcohol are now exempt from entertainment licensing requirements for live and recorded music between 08:00-23:00 on the same day for audiences of up to 500
- Travelling circuses are now exempt from entertainment licensing in respect of all descriptions of entertainment, except an exhibition of a film or a boxing or wrestling entertainment, where the entertainment or sport takes place between 08:00-23:00 on the same day, with no audience limit
- Greco-Roman and freestyle wrestling are now deregulated between 08:00-23:00 for audiences of up to 1000 people
- An exhibition of film that is incidental to another activity (where that other activity is not itself a description of entertainment set out in paragraph 2 of Schedule 1 to the 2003 Act) is exempt now from licensing.

24.20. The exhibition of films in community premises has also been deregulated as a result of section 76 of the Deregulation Act 2015. No licence is required for an exhibition of film on community premises between 08:00 and 23:00 on any day provided that:

- the film entertainment is not provided with a view to profit;
- the film entertainment is in the presence of an audience of no more than 500 people;

- the admission of children is subject to such restrictions as are necessary to comply with the recommendation issued by the BBFC or relevant licensing authority regarding the admission of children; and
- a person concerned in the organisation or management of the exhibition of the film has obtained the prior written consent of the management committee of the premises, or if there is no management committee, a person who has control of the premises in connection with the carrying on by that person of a trade, business or other undertaking, or failing that a person with a relevant property interest in the premises.

Late night refreshment

24.21. The provision of hot food and/or hot drink for consumption either on or off the premises is licensable under the 2003 Act from the hours of 11.00pm and until 05.00am. Some premises are exempt from this licensing requirement:

- clubs, serving hot food and hot drink only to their members
- hotels, or comparable premises, serving hot food and hot drink only to those who will be staying at the hotel that night
- premises serving hot food and hot drink only to their own employees
- premises serving hot food and hot drink only to guests of those falling in the categories outlined above.

25.CLUB PREMISES CERTIFICATES

25.1. A qualifying club may apply a for Club Premises Certificate and the Licensing Act 2003 stipulates the requirements of a qualifying club within Sections 61-64 of the Act.

25.2. Club members must have joined together for a particular social, sporting or political purpose and then combined to purchase alcohol in bulk as members of the club for supply to members and their guests. The Licensing Authority must be satisfied that these conditions have been met, including evidence to show that any gain from club activities is applied for the benefit of the club and its members and that there is a minimum of 48 hours delay between the application for membership and acceptance as new members. The Club must have a minimum of 25 members.

25.3. In order for qualifying clubs to supply alcohol and provide other licensable activities on club premises, a Club Premises Certificate is required, and there is no requirement to specify a Designated Premises Supervisor as there are technically no retail sales of alcohol.

25.4. An application can be made to the Licensing Authority for any place within its area to be used for licensable activities or recognised club activities. The applications are prescribed by regulation and will normally include:

- the required fee
- the club operating schedule
- plan of the premises in accordance with regulatory requirements
- a copy of the rules of the club
- details to verify that the club is a qualifying club

25.5. The procedures, guidance and this Licensing Authorities Policy in relation to club premises certificate applications are identical to that for premises licences.

26.PROVISIONAL STATEMENTS

26.1. Applicants may need to apply for a provisional statement where premises are being constructed, extended or substantially changed structurally for the purpose of licensable activities.

26.2. This Licensing Authority's Policy in relation to provisional statements is identical to that for premises licences. Before premises with a provisional statement may be used for licensable activities an application must be made and granted for a premises licence or club premises certificate.

26.3. If representations are received in respect of an application for a provisional statement, conditions may be imposed on the provisional statement in the same manner as if it was a premises licence or the application may be refused by the Licensing Authority.

27.TRANSFER OF PREMISES LICENCE

27.1. A licence can be transferred from one person to another at any time. A transfer application can be made on behalf of a business, partnership or individual to the Licensing Authority.

27.2. Where the application is made in writing, the applicant must give notice of the application to the chief officer of police in all cases, and the Home Office (Immigration Enforcement) if the licence authorises the sale of alcohol or provision of late-night refreshment.

27.3. Where it is made electronically, the Licensing Authority will notify the police and the Home Office (Immigration Enforcement). However, the responsibility to notify the Designated Premises Supervisor remains the responsibility of the applicant.

27.4. In the vast majority of cases, it is expected that a transfer will be processed without delay. However, the applicant can make it clear on their application that the transfer will take immediate effect. This will deem the transfer valid until such time as the Licensing Authority determines the application.

27.5. In exceptional circumstances where the chief officer of police believes the transfer may undermine the crime prevention objective, the police may object to the transfer. The Home Office (Immigration Enforcement) may object if it considers that granting the transfer would be prejudicial to the prevention of illegal working in licensed premises. Such objections are expected to be rare and arise because the police or the Home Office (Immigration Enforcement) have evidence that the business or individuals seeking to hold the licence, or businesses or individuals linked to such persons, are involved in crime (or disorder) or employing illegal workers.

28.VARIATION OF DESIGNATED PREMISES SUPERVISOR

28.1. Under the Licensing Act 2003, all licences that authorise the sale of alcohol must contain details of the designated premises supervisor (DPS).

28.2. All applications to appoint a person as the premises supervisor must be accompanied by a form of consent from that person. Applicants for new licences that authorise the sale of alcohol should include the prescribed information in respect of the individual who the licensee wishes to have specified in the Premises Licence as the premises supervisor.

28.3. Applications to vary an existing licence to specify a new person as the premises supervisor must be made on the prescribed form and be accompanied by the specified documents and fee.

28.4. In exceptional circumstances, the police may object to the appointment of an individual as a designated premises supervisor if the believe that the appointment will undermine the crime and prevention objective.

29.REVIEWS

29.1. If a premises has an existing licence a responsible authority or any ‘other persons’ may apply to the Licensing Authority for a review of a premises licence or club premises certificate. Once a review application has been lodged with the Licensing Authority any other responsible authority or ‘other persons’ may make representations (within the legal deadline) to the Licensing Authority in relation to the premises. The holder of the premises licence may make representations against the review application. Review applications and subsequent representations can only be made on the grounds of one or more of the Licensing Objectives.

29.2. Review applications will be heard by the Licensing Sub-Committee, who will determine the outcome of the application after hearing and considering the representations for and against it. Each case will be decided on its own merits, and the Licensing Authority

may take several courses of action (e.g. take no action, revoke the licence, reduce the licensed hours etc) in accordance with the Act.

29.3. It must be stressed that the Licensing Authority may reject applications or representations from 'other persons' for a review, if the Licensing Authority considers them to be frivolous, vexatious or repetitious. In the case of being repetitious, this means that in the opinion of the Licensing Authority a reasonable period of time has not lapsed since an earlier representation or review application.

29.4. Residents and 'other persons' may also make a complaint against a premises regardless of whether they have previously made representations or called for a review of an existing licence. The complaints may in the first instance be made to the Licensing Team who will deal with the complaint and/or forward it to the relevant responsible authority (e.g. In the case of crime the complaint will be forwarded to the police).

29.5. Where the Police make application for summary review under section 53A of the Licensing Act 2003 the relevant licensing authority will normally consider whether it is necessary (noting that this provision has not been amended to 'appropriate') to take interim steps pending the determination of the review applied for. Such consideration may take place without the holder of the premises licence having been given an opportunity to make representations to the relevant licensing authority.

29.6. Should a summary review be instigated, the Licensing Authority shall follow the procedures set out in the Licensing Act 2003 Regulations.

30.TEMPORARY EVENT NOTICES

30.1. A Temporary Event Notice (TEN) must be submitted to the Licensing Authority when a person wishes to provide licensable activities at an event and;

- the premises does not have the benefit of a premises licence or club premises certificate, or
- the premises does not have an appropriate premises licence or club premises certificate for the event, or
- they do not wish to use any existing premises licence or club premises certificate for the event

30.2. There are two types of TEN applications:

- A 'standard' Temporary Event Notice which must be submitted at least 10 clear working days before the event. The 10 working days does not include the day the Licensing Authority receive the Notice or the first day of the event.
- A 'late' Temporary Event Notice which must be submitted 5 clear working days before the event, but no earlier than nine working days before the event and

again this does not include the day the Licensing Authority receive the Notice or the first day of the event.

30.3. There are certain restrictions relating to a TEN which are set out in the Licensing Act Licensing Act 2003

30.4. The Police and/or Environmental Health may object to a TEN if they believe that the event will undermine the four licensing objectives.

30.5. The Police or Environmental Health can agree with the premises users, to modify a standard TEN to enable the licensable activities to go ahead. This will only be permissible where all parties agree to the modifications.

30.6. Where the premises users has given a standard TEN and the parties cannot reach an agreement to modify the TEN, the Licensing Committee will determine as follows:

- Allow the event to proceed as stated within the notice
- Impose conditions that already apply to an existing premises licence at the premises
- Issue a counter notice to prevent the event going ahead.

30.7. If an objection has been received in regard to a late TEN (given less than five days before the event) this will be void and will not be able to be used. A Counter Notice will be issued by the Licensing Authority to cancel the TEN.

30.8. Where organisers are planning larger events, the expectation is that a premises licence will be applied for. However, there are occasions where organisers seek to divide an area of land (the premises) to create separate artificial premises for the purpose of licensing.

Appendix A – Responsible Authorities

Licensing Authority Licensing Team Endeavour House 8 Russel Road Ipswich IP1 2BX Licensingteam@baberghmidsuffolk.gov.uk	Environmental Protection/Environmental Health Endeavour House 8 Russel Road Ipswich IP1 2BX environmentalhealth@baberghmidsuffolk.gov.uk
Planning Authority Endeavour House 8 Russel Road Ipswich IP1 2BX planning@baberghmidsuffolk.gov.uk	Trading Standards Landmark House 4 Egerton Road Ipswich IP1 5PF tradingstandards@suffolk.gov.uk
Suffolk Constabulary Police Licensing Unit Landmark House 4 Egerton Road Ipswich IP1 5PF policealcohollicensing@suffolk.police.uk	Suffolk Fire and Rescue Service Endeavour House 8 Russel Road Ipswich IP1 2BX Fire.admin@suffolk.gov.uk
Public Health Endeavour House 8 Russel Road Ipswich IP1 2BX PH.licensing@suffolk.gov.uk	Home Office Immigration Enforcement Licensing Compliance Team (LCT) 2 Ruskin Square Dingwall Road Croydon CR0 2WF IE.licensing.applications@homeoffice.gov.uk
Area Child Protection Committee This body has delegated its function to Suffolk Constabulary.	

Appendix B – Delegation of Licensing Functions

Matter to be dealt with	Licensing Committee or Sub-Committee	Officers
Applications for personal licence	If a police objection is made owing to unspent relevant convictions	If no objection made
Application to vary the designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for a new premises licence or club premises certificate	If a relevant representation is made	If no relevant representation is made
Application for a provisional statement	If a relevant representation is made	If no relevant representation is made
Application to vary an existing premises licence or club premises certificate	If a relevant representation is made	If no relevant representation is made
Application for a minor variation to a premises licence or club premises certificate		All cases
Determination whether to consult other responsible authorities on minor variation applications		All cases
Application for the transfer of a premises licence	If a police objection	All other cases
Application for Interim Authorities	If a police objection	All other cases
Application for a Notification of Interest		All cases
Application to review a premises licence or club premises certificate	All cases	
Decision on whether a representation is irrelevant, frivolous, vexatious, etc.		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition	If a police objection	All other cases
Determination of a Police or Environmental Health representation to a temporary event notice	All cases	

Adopted by Babergh Full Council 21 October 2025 & Mid Suffolk Full Council 23 October 2025
Effective January 2026 to December 2031