

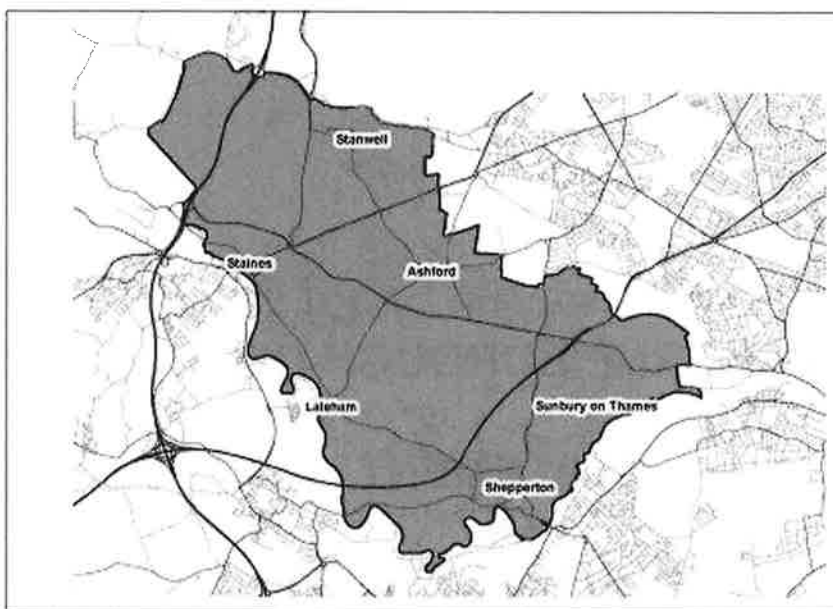
SPELTHORNE BOROUGH COUNCIL

STATEMENT OF LICENSING POLICY 2019 – 2024

Statement January 2019

This Statement of Principles was approved by Spelthorne Borough Council on the 13 December 2018.

2.1 MAP OF THE BOROUGH



3.0 LICENSING OBJECTIVES AND LICENSABLE ACTIVITIES

Section 4 of the Licensing Act requires the Licensing Authority to carry out its licensing functions with a view to promoting the **Licensing Objectives**, which are:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

Decision making will be based on promoting these licensing objectives. Decision makers will also have regard to this policy document and any guidance issued from time to time by the Secretary of State.

The policy relates to all “licensable activities” as defined by the act, namely:-

- Retail sale of alcohol (for the avoidance of confusion, the definition of alcohol was amended by the Policing and Crime Act 2017 to include alcohol “in any state”. This is to make it clear that products such as powdered and vaporised alcohol fall within the definition provided by the 2003 Act.)
- Supply of alcohol to club members
- Provision of ‘regulated entertainment’ (listed below) – to the public, to club members or with a view to profit
 - A performance of a play
 - An exhibition of a film
 - An indoor sporting event
 - Boxing or wrestling entertainment

- A performance of live music (except within limits defined by The Live Music Act 2012)
- Any playing of recorded music
- A performance of dance
- Entertainment of a similar description to that falling within the performance of live music, the playing of recorded music and the performance of dance
- The supply of hot food and/or drink from any premises between 11pm and 5am (known as Late Night Refreshment).

Note: The requirement to license “entertainment facilities” was removed in October 2012.

4.0 PREMISES LICENCES AND CLUB PREMISES LICENCES

Premises licences are needed for any business that involves the use of any premises for the licensable activities outlined above. “Premises” does not necessarily have to be a building. If public access to the premises will be restricted to members and guests, a club premises certificate may be obtained.

The “operating schedule” is a key part of the application as it outlines what measures the applicant will put in place to promote the licensing objectives outlined above. These steps will normally become licence conditions. Applications must also contain details of the types of licensable activities, operating hours, and a plan of the premises.

Plans are not be required to be submitted in any particular scale, but must be in a format which is “clear and legible in all material respects”, i.e. they must be accessible and provide sufficient detail (including the relative size of any features relevant to the application) for the Council to be able to determine the application. There is no requirement for plans to be professionally drawn as long as they clearly show all the prescribed information.

5.0 ANNUAL FEES

Premises licences are not renewed annually but a statutory annual fee is payable.

The 2003 Act requires a licensing authority to suspend a premises licence or club premises certificate if the annual fee is not paid when it is due. This does not apply immediately if the payment was not made before or at the time of the due date because of an administrative error, or because the holder disputed liability for the fee before or at the time of the due date. In either of these cases, there is a grace period of 21 days. This period is intended to allow the licensing authority and the licence or certificate holder an opportunity to resolve the dispute or error. If the dispute or error is not resolved during this 21-day period, the licence will be suspended.

SUSPENSION OF LICENCE FOR NON PAYMENT OF ANNUAL FEE

representations are those that relate to the licensing objectives, are about the particular application and relate to the particular premises.

Conditions will only be attached to a licence where they are appropriate for the promotion of one or more of the licensing objectives. They will focus on matters that are within the control of individual licensees and that are relevant to the type of premises and licensable activities that take place.

When considering conditions, the Licensing Authority will take into account the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

Conditions that duplicate provisions in other legislation would not normally be added to licences.

8.1 Authorisation of Sales

There is a mandatory condition on all premises licences that permit the sale of alcohol that all such sales must be authorised by a person who holds a personal licence. It is recommended that this authorisation be given in writing and that this written authorisation be available for inspection by police officers (including suitably authorised police staff), trading standards or licensing officers.

9.0 ADMINISTRATION AND DECISION MAKING

This Policy shall be decided upon by the full Council. The Licensing Committee will consist of a maximum of 15 Members of the Council. If there are relevant representations against an application, the Licensing Authority will try to resolve issues between applicants and those making representations to try to reach agreement so that a hearing is not necessary.

Members of the public who wish to submit a representation will be made aware that their personal details will be made available to the applicant, unless they clearly state that they wish for them to be redacted. Anonymous representations however, will not be accepted by the Licensing Authority.

Where relevant representations have been made and not subsequently withdrawn, applications will be heard by a sub-committee of three members drawn from the Licensing Committee.

The 2003 Act enables licensing authorities to act as responsible authorities as a means of early intervention; the Council's licensing department may do so where considered appropriate without having to wait for representations from other responsible authorities. In cases where Spelthorne's licensing department is also acting as a responsible authority and has submitted a representation against or in support of an application being determined by a sub-committee, it is important to achieve a separation of responsibilities within the authority - to ensure procedural fairness and eliminate conflicts of interest.

A separation will be achieved by allocating distinct functions (i.e. those of licensing authority and responsible authority) to different officials within the authority. The officer advising the sub-committee (i.e. the authority acting in its capacity as the licensing authority) will be a different person from the officer who is acting for the responsible authority.

Guidance issued by the Home Office conveys that it should be considered reasonable for licensing authorities to expect other responsible authorities will intervene where the basis for the intervention falls within the remit of that other responsible authority. For example, the police should make representations where the representations are based on concerns about crime and disorder. Likewise, it is reasonable to expect the local authority exercising environmental health functions to make representations where there are concerns about noise nuisance. Each responsible authority has equal standing under the 2003 Act and may act independently without waiting for representations from any other responsible authority.

The circumstances in which licensing decisions may be delegated to an officer are set out in **Annex 3**.

10.0 CONSULTATION

The Statement of Licensing Policy shall be formulated following wide consultation with other regulatory bodies, representatives of the trade, licence holders, local residents and businesses, the emergency services, supermarket and shop owners. A full list of consultees may be found at Annex 1.

11.0 FUNDAMENTAL PRINCIPLES

It is recognised that licensing law is not the only means of controlling general anti-social behaviour, whether alcohol-related or not. However, licensing plays an important part in managing the night-time economy, particularly in town centres and any other identified “high risk” areas.

This authority recognises that individuals or businesses

- have the right to apply under the Act for a variety of permissions and have any such application considered on its individual merits
- have the right to make representations on an application or to seek a review of a licence or certificate.

The authority has a duty to prevent crime and disorder under Section 17 of the Crime and Disorder Act 1998 and are committed to working closely with Surrey Police, other agencies, local residents and businesses to achieve this.

The authority will act in accordance with the values, principles and standards set out in the Equalities Act 2010.

The Human Rights Act 1998 makes it unlawful for a local authority to act in a way that is incompatible with a convention right. The authority will have

SAG limitations and benefits

It should be noted that SAGs are **not** responsible for the content of applications, which remains the sole responsibility of the applicant. The applicant must consider if and how to address the issues raised by the SAG and/or those matters outlined in this document. However, experience shows that applicants that go through the SAG process are less likely to attract representations in respect of their proposals.

It is also important to note that SAGs **do not** relieve Responsible Authorities or other persons of the need to make relevant representations where they believe this is appropriate.

25.0 CRIME AND DISORDER

Staines Town Centre is no longer considered a hotspot for alcohol-related crime and disorder. However it has the strongest night-time economy in the Borough with a mixture of restaurants, bars, pubs, late night takeaways and a cinema.

What applicants include on their operating schedules will depend on the type of premises, the location, and the proposed activities.

Premises that are mainly concerned with the sale of alcohol for consumption on the premises (**pubs, bars, proprietary clubs**) will need to address the risks to crime and disorder with measures in their operating schedules to:

- Prevent disorder on the premises
- Prevent drunkenness
- Prevent under age sales of alcohol
- Ensure customers enter and leave in an orderly manner
- Exclude illegal drugs
- Exclude offensive weapons

Examples include:-

- Active membership of pubwatch schemes
- Use of licensed door supervisors
- Physical security features e.g. use of shatterproof drinking glasses
- Information on amount of seating to be provided
- Training given to staff in crime prevention measures
- Use of town centre radios (Staines Town Centre) to enable licensed premises to communicate to each other and police
- Search procedures
- Measures to prevent the use or supply of illegal drugs
- Details of CCTV video cameras

This list is not exhaustive and will not suit all applications. Applicants should seek advice from Surrey Police before preparing their operating schedules in relation to the prevention of crime and disorder.

It is recognised that late night takeaways can be the focus of anti-social behaviour, and in Staines Town Centre the use of CCTV, licensed door supervisors at peak times, and signing up to the town centre radio may be considered necessary to address this.

Shops and off licences applying to sell alcohol will need to address the risks to crime and disorder with measures in their operating schedules. Examples include:-

- That there will be regular staff training (whether or not staff are paid) in relation to sale of alcohol to under age people and that training records shall be kept.
- All refusals to be recorded. in a refusals book. Refusals books shall consist of a bound book with consecutively numbered pages, and shall be held at the premises and available for inspection on demand at all times by the responsible authorities. Records shall include the reason for the refused sale, whether because the customer looked under 25 and could not provide ID, or the customer appeared to be intoxicated, or whether the sales assistant suspected that the sales may be made on behalf of someone who may be underage or intoxicated (known as proxy sales).
- Use of Electronic Point of Sale (EPOS) system to remind staff via a suitable visual prompt or audible warning. Alternatively stickers can be used over certain products to remind cashiers to check the customer's age.
- That there is CCTV coverage of the licensed premises and the immediate vicinity outside in accordance with Surrey Police's Operational Guidelines in the use of CCTV in licensed shops.
- That a personal licence holder may be required to be on duty at high risk times such as outside school hours and during the evenings, for example where a business has been prosecuted for underage sales and/or is a source of youth disorder.
- That staff shall not sell alcohol to any person they have reason to suspect may be buying the alcohol for a child and that there shall be signage to warn adults that it is an offence to buy alcohol on behalf of a child. This is known as "proxy sales". Where there is evidence of such sales taking place, consideration should be given to ensuring CCTV coverage outside the shop.
- In areas with problems with alcohol related youth crime and disorder, that licence holders shall participate in "Bottlewatch" schemes, if requested to do so by responsible authorities.
- In areas where there is an Offwatch scheme, that licence holders sign up to such a scheme.

This list is not exhaustive and applicants should seek advice from Surrey Trading Standards or Surrey Police before preparing their operating schedules

25.1 Reviews

A review of the licence may be sought by Responsible Authorities or any other person, where:

- A serious crime has occurred at, or can be linked to a particular premises
- There have been prosecutions or penalty notices served for underage sales
- There have been incidents which raise concerns that the premises are not being properly managed
- There have been breaches of the terms or conditions of the licence
- There have been repeated complaints from the public.

25.2. Working with other agencies to prevent crime and disorder

Current arrangements for partnership working and exchange of information between the relevant enforcement agencies will continue. In particular, the Licensing Authority shall work closely with Police and Trading Standards Officers with regard to prevention of the sale of alcohol to under age people.

The Violent Crime Reduction Act 2006 inserts Section 147A into the Licensing Act 2003. Section 147A creates an offence of selling alcohol to a child three times or more during a consecutive three month period. The new penalties created by this offence are:

- The magistrates' court may order the premises licence to be suspended for maximum 3 months
- Trading standards or police may order a temporary (48hours) premises closure notice prohibiting sale of alcohol
- maximum £10,000 fine

Selling alcohol to under 18s can also result in

- £80 fixed Penalty Notice, or
- Prosecution with a fine of up to £5,000
- Revocation of a premises licence
- Revocation of a personal licence

25.3 NEW MANDATORY CONDITIONS

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 came into force on 6th April 2010 (with the exception of paragraphs 4 & 5 of the Schedule which came into force on 1st October 2010)

All paragraphs will apply to premises licences that permit the sale of alcohol on the premises ("on-licences"). Paragraph 4 only will apply to premises licences that permit the sale of alcohol for consumption off the premises ("off-licences")

(1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2.

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3.

The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4.

(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5.

The responsible person shall ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

These conditions override any conditions already included in a premises licence or club premises certificate, so far as they are identical to the existing conditions or inconsistent with, and more onerous than, the existing conditions. The new conditions will apply to every licence and certificate authorising the sale and supply of alcohol from the point they come into force. As the new conditions are mandatory licensing conditions, any breaches will be treated in the same way as breaches of existing conditions. Failure to comply with any conditions attached to a licence or certificate is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both. In most cases, we would expect there to be a review of those premises. This licensing authority takes any breach that impacts on the licensing objectives seriously.

25.4 IRRESPONSIBLE DRINKS PROMOTIONS

Licence holders are urged to follow the advice contained in the Home Office document “Selling Alcohol Responsibly: the New Mandatory Conditions” published in April 2010. If in any doubt, you should discuss your proposals with your local Licensing Authority and/or police before running the promotion and heed any advice given. Failure to heed such advice may lead to criminal proceedings and/or a review of the licence.

25.5 PUBLIC SAFETY

The public safety objective is about ensuring the physical safety of performers and people attending licensed premises. The risk to public safety will vary according to the type of premises and the activities that take place there. Most risks will be adequately covered by other legislation such as the Health and Safety at Work etc. Act 1974 or fire safety legislation. However other laws may not cover risks that are associated with particular types of activities or entertainment and will therefore need to be addressed in preparing licence applications.

Examples will include

- The provision of a suitable Residual Current Device (RCD) protection of electricity supplies to entertainers' equipment, including microphones, when regulated entertainment is organised on site
- Setting maximum numbers of people allowed (and use of clickers or counting machines when capacity levels are expected to be high)

Applicants are advised to seek advice from the Environmental Health Service (or other enforcement authority for Health and Safety at Work) and Surrey Fire and Rescue Service before preparing their operating schedules.

25.6 Reviews in relation to public safety

Fire Safety

Although existing fire safety legislation can be used to restrict or prohibit the use of premises where there is a fire safety risk, application for the review of a premises licence may be considered by the responsible authorities in the following circumstances:

- Where it is considered that the management had failed to maintain the appropriate level of fire safety provision
- Failure to comply with a fire related enforcement notice
- Following the outcome of any investigation and inspection of a fire occurring within a premises

Health and Safety

Although existing health and safety legislation will primarily be used it may be necessary to apply for the responsible authorities to apply for the review of a premises licence in the following circumstances:

- Serious or regular contraventions of health and safety legislation
- Failure to comply with Improvement or Prohibition Notices
- Service of a Prohibition Notice where a significant risk to public safety exists
- Prosecution for failure to comply with health and safety legislation

25.7 PUBLIC NUISANCE

Licensed premises can have a significant impact on communities from noise, litter, light, odour and anti-social behaviour.

25.7.1 Noise

It is recommended that operating schedules contain sufficient information for officers to form a view as to whether noise from licensable activities is likely to cause a problem to people living nearby. Applicants should provide details of proposed noise control measures, particularly if premises are in residential areas where regulated entertainment is being applied for late at night, or where there is a history of noise complaints. The licensing authority will normally apply stricter conditions in these circumstances where relevant representations have been received. Whilst each application will be considered on its individual merits it should be noted that restricting the hours of regulated entertainment may be necessary to prevent public nuisance.

Measures could include:

- A simple requirement to keep doors and windows at the premises closed when music is being played
- Limiting amplified music to a particular area of the building
- Moving speakers away from external walls or walls that abut private premises, or adjusting the direction of the speakers
- Installation of acoustic curtains, seals to doorways, rubber speaker mounts
- Fitting self-closing devices on doors so that they do not stay open.
- Monitoring noise levels at the perimeter of premises and taking action to reduce the volume if it is likely to disturb nearby neighbours, e.g. it could be too loud if the words of the song are clearly audible
- Noise limiters on amplification equipment (if proportionate to the premises – noise limiters are expensive and are likely to be a burden for smaller premises)
- Prominent clear and legible notices displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly
- The placing of bottles and cans into bins outside the premises to take place at times that will minimise disturbance to nearby premises

25.7.2 Smokefree

Since 1 July 2007 it became illegal to smoke in enclosed public buildings and workplaces in England. Customers who want to smoke will therefore have to do so outside licensed premises. Applicants will need to address the potential for public nuisance from this activity, e.g. noise and litter such as cigarette ends. Advice should be sought from the appropriate authorities to ensure that crime and disorder and public safety issues are adequately addressed. For example, it may be necessary to prevent customers from taking alcohol outside when they go out to smoke, or to designate smoking areas that are away from neighbouring residential properties, where necessary. Operating schedules should detail how noise nuisance and disorder in light of this will be dealt with.

25.7.3 Odours

Conditions may be necessary to ensure that licensed premises are properly vented to prevent odours causing a nuisance to people who live or work nearby.

25.7.4 Litter

Late night takeaways are encouraged to include on their operating schedules reasonable assurances that the area in and around their business will be kept clear of litter associated with that business.

25.7.5 Reviews in connection with Public Nuisance

An application for review by responsible authorities or any other person may be applied for where:

- Complaints have been received that have been substantiated by investigating officers; and/or
- Breaches of licence conditions in respect of public nuisance have been identified; and/or
- Action is being considered under the Environmental Protection Act 1990, the Noise Act 1996 or section 40 of the Anti-Social Behaviour Act 2003; and/or
- Evidence of noise, litter, odours etc from the premises has caused a public nuisance over a period of time, and other approaches have failed.

25.8 PROTECTION OF CHILDREN FROM HARM

The Council is committed to the safeguarding of children and vulnerable persons. The Licensing Act 2003 places legal responsibilities on holders of Premises Licences and Club Premises Certificates, and those who work in licensed premises to ensure that children are protected from harm at all times when on licensed premises.

In exercising the Council's powers under Section 182 of the Act to designate a body which is competent to advise the Council about the protection of children from harm, the following principles have been applied:

- the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc.

Having regard to the above principles and the guidance issued by the Home Office, the Council designates the Surrey County Council Children's Service for this purpose.

There are a great variety of premises for which licences may be sought. These will include theatres, cinemas, restaurants, pubs, cafes, take-aways, community halls and schools, all of which will have different risks to children. The general relaxation that gives children greater access to licensed premises is a positive step, which aims to promote more family friendly premises. However the risk of harm to children is equal in importance to the other licensing objectives and applicants must include in their operating schedules the steps they propose to take to prevent moral, physical, or psychological harm to children.

When considering applications for new licences and variations to existing licences, the Council will seek to be assured that applicants have considered safeguarding of children and vulnerable persons within the Operating Schedule of the application. Where alcohol is to be sold, applicants should include details of the measures they propose to prevent its supply to children. It is expected that:-

- staff will receive regular and adequate training on the law and practice relating to age restricted sales (including challenging purchasers, checking identification), such training to be properly documented and records made available for inspection.
- registers of refused sales will be maintained and made available for inspection
- Applicants should indicate whether they are signatories to the Portman Group Code of Practice.

Further additional examples of recommended management practice for the protection of children could include:

- exclusion from the premises in certain circumstances;
- the display of prominent warning notices about the supply of alcohol to minors.;
- consideration of and / or refusal to stock high strength beers, lagers, ciders, etc.

It is now mandatory for premises which sell or supply alcohol to have an age verification policy in place. The Council favours the Challenge 25 scheme and such a scheme volunteered as part of an operating schedule will be given the appropriate weight when the Council determines the licence application.

Applicants needing advice on how to avoid age-restricted sales should contact Surrey Trading Standards Service (contact details at **Annex 2**) before preparing their operating schedules.

There are certain restrictions in the Act relating to the presence of children on licensed premises. In the case of premises, which are used “exclusively or primarily” for the supply of alcohol for consumption on those premises, it

is an offence to allow anyone under the age of 16 to be on such premises unless they are accompanied by an adult.

Where the consumption of alcohol takes place but is not the exclusive or primary activity at a particular venue, those under 16 are not allowed on the premises between midnight and 05.00 unless an adult accompanies them.

The licensing authority will not seek to further limit the access of children to any premises unless it receives representations to that effect based on concerns about physical, moral, or psychological harm to children. The following are examples of premises that will raise particular concern:-

- Where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking
- Where there is a known association with drug taking or dealing
- Where there is a strong element of gambling on the premises
- Where “adult” entertainment is being proposed.

Applicants seeking a licence that would enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures they intend to operate to ensure that:

- the person they are selling alcohol to is over 18;
- that alcohol is only delivered to a person over 18;
- that a clear document trail of the order process from order to delivery is maintained (with times and signatures) and available for inspection by an authorised officer;
- the time that alcohol is sold on the website / over the phone and the time; and
- that the alcohol is delivered is within the hours stated on the licence for the sale of alcohol.

25. 8.1 Children and film exhibitions

The licensing authority will expect applicants to explain in their operating schedules how they will restrict children from viewing age-restricted films. It is a mandatory condition on all premises licences that permit the exhibition of films that admission of children must be restricted in accordance with any recommendation by the relevant film classification body. Films are classified according to the recommendations of the British Board of Film Classification (‘BBFC’) or the Council.

25.8.2 Children and public entertainment

Where a large number of children are expected to attend regulated entertainment (e.g. theatre production or film shows), the Licensing Authority would normally expect the applicant to demonstrate, in their operating schedules, the arrangements they intend to put into place in order to ensure their safety, examples could include:-

- that children performing at premises such as theatres or concert halls are kept under adult supervision at all times, including transfer from stage to dressing room.
- that children can be accounted for at all times, in case of evacuation or emergency.
- that an adult member of staff be stationed in the vicinity of each of the exits from any level, subject to there being a minimum of one member of staff per 50 children or part thereof
- if necessary, no standing to be permitted in any part of the auditorium during the performance
- that all staff employed to supervise children should be subject to an enhanced Criminal Records Bureau (CRB) check. Where relevant, unspent convictions are found the licensee should not employ such a person.

25.8.3 Reviews in connection with protection of children from harm

An application for review by the responsible authorities or any other person may be considered where:

- There have been underage sales or underage drinking taking place
- Breaches of licence conditions in respect of protection of children have taken place
- Complaints have been received that have been substantiated by investigating officer

25.9 Public Health

The Director of Public Health is responsible for making representations and observations on applications on behalf of health bodies. Public health is not yet a licensing objective but Public Health is a responsible authority under the Licensing Act, and the licensing authority believes that public health has much to add to licensing in relation to the local populations' alcohol related health needs. Health bodies such as Public Health have unique access to data not available to other responsible authorities which may inform licensing decisions. Public Health is useful in providing evidence of alcohol related health harms particularly in relation to cumulative impact policies.