

Page	Section/Paragraph	Proposed amendment
4-8	<b>1. Introduction</b> <b>1.9-1.17</b>	<p>Amend the Public Health paragraphs as follows:</p> <p>The four statutory licensing objectives aim to reduce crime and disorder and increase public safety. Licensing policies are not currently required to address Public Health concerns; however, there is strong evidence that alcohol outlet density is associated with increased alcohol-related hospital admissions and alcohol-related mortality. Alcohol contributes to more than 60 diseases and health conditions and represents 10% of the burden of disease and death in the UK, placing it in the top three lifestyle risk factors after smoking and obesity.</p> <p>Whilst the exact relationship between alcohol and ill-health is often complex and affected by other factors such as the socio-economic make-up of the neighbourhood, studies have found that local authorities' greater use of licensing powers leads to reductions in alcohol-related hospital admissions in England (Institute of Alcohol Studies, 2017). In light of this, public health indicators both at District level from the Local Alcohol Profiles for England and at sub-district level have been reviewed.</p> <p><b>Public Health in Gedling</b></p> <p>Across Gedling, public health analysts have mapped a number of alcohol related measures that are considered to have a negative impact on health and well-being to show how alcohol-related harms vary across Nottinghamshire County Districts and Boroughs.</p> <p>Measures used were selected for their relevance to licensing and public health and their availability at sub-district level and include:</p> <ul style="list-style-type: none"> <li>• alcohol-related hospital admissions</li> <li>• anti-social behaviour</li> </ul>

		<ul style="list-style-type: none"><li>• crimes against the person including domestic violence</li><li>• rate of persons in treatment for substance use</li><li>• an estimate of the percentage of the population drinking at least once a day and</li><li>• deprivation.</li></ul> <p>These measures have been used to create a matrix which ranks small area within Gedling in relation to overall levels of harm associated with alcohol. The matrix can be used to support responsible Authorities to make representations where required based on the rank, and therefore the levels of overall harm, for the area in which a licensing application has been made.</p> <p>This data analysis has identified some areas with relatively higher levels of harm and for Gedling these are:</p> <ul style="list-style-type: none"><li>• Parts of Calverton</li><li>• Daybrook</li><li>• Parts of Redhill, Ernehale, Coppice</li><li>• Parts of Carlton Hill, Cavendish</li><li>• Colwick. Netherfield</li></ul> <p>Applications within these areas or surrounding areas should be aware of, and consider, their contribution to the burden of alcohol-related harms to the health and wellbeing within the community. All applicants are encouraged to provide details of any mitigating measures they plan to put in place to reduce alcohol-related harms within their application. Further information can be found at: <a href="http://www.nottinghamshireinsight.org.uk/d/205455">www.nottinghamshireinsight.org.uk/d/205455</a></p> <p>The Director of Public Health is responsible for making representations and observations on applications on behalf of health bodies. Public health is not 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</p>
--	--	---

		<p>needs. Health bodies such as Public Health have unique access to data which has been used to create a matrix to highlight areas within districts and boroughs with relatively higher levels of alcohol-related harm. This matrix can be used by other responsible authorities to inform licensing decisions. Public Health is useful in providing evidence of alcohol related health harms particularly in relation to cumulative impact policies.</p>
14-33	<p><b>6. Applications, Notifications and their Considerations</b> 6.8 – 6.9</p>	<p>To add the following paragraphs:</p> <p><b>Entitlement to work in the UK</b></p> <p>All individual applicants applying for a “Premises Licence”, or a “Personal Licence” with this Licensing Authority must submit further documentation to demonstrate their entitlement to live and work in the United Kingdom (UK).</p> <p>A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:</p> <ul style="list-style-type: none"> <li>• does not have the right to live and work in the UK</li> <li>• is subject to a condition preventing them from doing work relating to the carrying on of a licensable activity</li> </ul> <p>Any licence issued in respect of an application made on or after 6th April 2017, will become invalid if the holder ceases to be entitled to work in the UK.</p> <p>Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.</p>

	6.10	<p>They do this in one of two ways:</p> <ol style="list-style-type: none"> <li>1. by providing, with this application, copies or scanned copies of the documents* which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance</li> <li>2. by providing their nine (9) digit 'share code' to enable the Licensing Authority to carry out a check using the Home Office online right to work checking service (see below)</li> </ol> <p>*Applicants are required to submit one (1) of the documents listed at Annex A of the Home Office's Employer right to work checks supporting guidance published on: Right to work checks: an employer's guide (GOV.UK) to show they have permission to be in the UK and are permitted to undertake work in a licensable activity.</p> <p><b>Home Office online right to work checking service</b></p> <p>To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in their application a nine (9) digit share code (provided to them upon accessing the service at Prove your right to work to an employer: get a share code (GOV.UK)) which, along with the applicant's date of birth, will allow the Licensing Authority to carry out the check.</p>
14-33 cont'd	6.14 Policy 2  6.21	<p>Include the following paragraphs:</p> <p><b>Spiking</b></p> <p>Licensees should also consider what action will be taken to prevent the spiking of drinks at the premises, ie. where drugs or alcohol are added to someone's</p>

	6.22	<p>drink without them knowing. Alcohol is the common substance used to spike drinks. Safety measures could include encouraging customers to ensure their drinks are not left unattended, and the use of publicity material to ensure customers remain vigilant.</p> <ul style="list-style-type: none"> <li>• The use of toilet attendants or regular documented toilet checks and searches of the premises</li> <li>• Training of staff in drug awareness to identify and prevent the supply and use of illegal drugs and new psychoactive substances</li> <li>• Physical measures to deter drug use on the premises.</li> <li>• Make customers aware of the risk of drink-spiking.</li> <li>• Train staff in drug awareness issues and ensure sufficient staffing and managerial support to make identification and handling of incidents practicable.</li> <li>• Ask for Angela' - this initiative advises customers through posters in venue toilets that, if they 'ask for Angela' at the bar, staff will be alerted to the fact that the person feels unsafe or threatened. Staff will know that the individual needs support to leave their situation, and can call them a taxi, escort them to their car or call the police, for example.</li> </ul> <p><b>Protection of women and girls</b></p> <p>Employers have a duty of care for employees and should adopt a risk based assessment approach to ensuring the safety of all staff working late or unsocial hours to facilitate a safe and affordable journey home</p> <p>Public Safety is of paramount importance for the licensing authority and a safe night is a priority. The authority supports a number of initiatives to improve safety in the night time economy.</p> <p>Vulnerability training for staff working in the night time economy  Ask for Angela <a href="https://askforangela.co.uk/">https://askforangela.co.uk/</a>  Street Pastors <a href="https://www.streetpastors.org/">https://www.streetpastors.org/</a></p>
--	------	--

	6.28	<p>Best Bar None <a href="https://bestbarnone.com/">https://bestbarnone.com/</a>  Pubwatch <a href="https://www.nationalpubwatch.org.uk/">https://www.nationalpubwatch.org.uk/</a>  Nights of action</p> <p>Violence against women and girls' covers a range of unacceptable and deeply distressing crimes, including rape and other sexual offences, stalking, domestic abuse, 'honour'-based abuse (including female genital mutilation, forced marriage and 'honour' killings), 'revenge porn' and 'upskirting', as well as many others. These crimes disproportionately affect women and girls.</p> <p>The licensing authority supports the Nottinghamshire Police and Crime Commissioners Violence Against Women and Girls Strategy <a href="https://www.nottinghamshire.pcc.police.uk/Public-Information/Publications-and-Leaflets.aspx">https://www.nottinghamshire.pcc.police.uk/Public-Information/Publications-and-Leaflets.aspx</a> and positively promotes and supports initiatives driven by this agenda.</p> <p><b>Counter terrorism</b></p> <p>The licensing authority expects that:</p> <ul style="list-style-type: none"> <li>• The venue has robust procedures and relevant training in place and staff are knowledgeable of those procedures to be taken and the necessity of following them in the event of a terrorist incident, such as firearms or weapons attack, including: <ul style="list-style-type: none"> <li>• Evacuation/Invacuation/Lockdown</li> <li>• RUN/HIDE/TELL principles</li> <li>• How customers will be safeguarded.</li> </ul> </li> <li>• Steps are taken to ensure all people employed at the premises whose job includes being alert to the terrorist threat are aware of:</li> </ul>
--	------	--

	6.30-6.32	<ul style="list-style-type: none"> <li>• the current terrorist threat level</li> <li>• what that level means in relation to the possibility of an attack.</li> <li>• Have undertaken the Action Counters Terrorism (ACT) e.learning course within the last 12 months. See note below.</li> </ul> <ul style="list-style-type: none"> <li>• Risk assessments for public entertainment venues include consideration of the risk of a terrorist attack and the different types of attack.</li> <li>• Staff must be clear about what to do if the public report suspicious activity or unusual behaviour to them.</li> <li>• All suspicious behaviour by customers or members of the public close to the venue must be noted and be reported promptly to the police so that investigations can be made, and action taken, if appropriate.</li> <li>• Measures to alert staff and visitors of any immediate threat or incident.</li> </ul> <p>Action Counters Terrorism (ACT) training:</p> <p>Further details, updates and to register for the ACT e-learning training course please visit: <a href="https://www.protectuk.police.uk/">https://www.protectuk.police.uk/</a></p> <p><b>Closure Notices</b></p> <p>Section 19 of the Criminal Justice and Police Act 2001 (the Act) gives licensing authorities, police and local authorities the power to serve a closure notice where any premises are being used (or have been used within the last 24 hours), for the sale of alcohol for consumption on or in the vicinity of the premises; and the activity was not authorised (premises licence, club premises certificate or temporary event notice) or not in accordance with the conditions of authorisation.</p> <p>The notice informs the person with control of, or responsibility for, the activities</p>
--	-----------	--

		<p>carried on at the premises (normally the licence holder or the designated premises supervisor) that if unauthorised alcohol sales continue, an application may be made to a court under section 20 for an order to close the premises under section 21 of the Act. Such an application cannot be made less than seven days or more than six months after the service of the closure notice under section 19.</p> <p>Further power to close premises are contained in Anti-Social Behaviour Crime and Policing Act 2014. Closure Notices can be issued if the use of the premises has, or is likely to result in, nuisance and disorder. Under a Closure Notice a premises can be closed for up to 48 hours. A subsequent application can then be made to Magistrates Court for a Closure Order if there is evidence that there is serious nuisance to members of the public or there is disorderly, offensive or criminal behaviour on, or likely to be on, the premises. A Closure Order can be made for up to 3 months and a subsequent application can extend for up to a further 3 months.</p>
<p><b>14-33 cont'd</b></p>	<p><b>6.14 Policy 2 /cont'd</b></p> <p><b>6.43 – 6.44</b></p>	<p>To amend the section 'Reviews' to state:</p> <p><b>Reviews &amp; Expedited Reviews</b></p> <p>At any stage following the grant of a premises licence or club premises certificate a Responsible Authority or any person may ask for a review.</p> <p>Evidence will however be required to show that a specific concern exists relating to one or more of the licensing objectives.</p> <p>Where a review Hearing is held the Licensing Authority has a variety of options that it may take ranging from taking no action at all, to varying conditions or suspending or revoking the licence. The Guidance reminds the Authority that the powers of review are to be used in the interests of the wider community and</p>



	6.48	<p>not that of the individual licence/certificate holder. Whilst the financial circumstances of the licence/certificate holder will be a consideration for the Licensing Authority the promotion of the licensing objectives will be the Authority's primary concern. In some circumstances e.g. the use of premises for the purchase and consumption of alcohol by minors, revocation may be considered an appropriate course of action even in the first instance.</p> <p><b>Alcohol Delivery Services</b></p> <p>An applicant seeking a licence that will enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures that they intend to operate to ensure that:</p> <ul style="list-style-type: none"><li>• That the person they are selling alcohol to is over the age of 18</li><li>• That alcohol is only delivered to a person over the age of 18</li><li>• There is a clear document trail of the order process from order, despatch from the licensed premises and delivery to the customer is maintained (with times and signatures) and available for inspection by an authorised officer.</li><li>• A refusals log will be maintained for deliveries and available for inspection on request</li><li>• The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol</li><li>• Alcohol shall only be delivered to a residential or business address and may not be delivered to a public place</li><li>• Any delivery driver or third party courier will be required to have appropriate age verification training, and in particular they will be required to have undergone training in refusal of supply where age verification is not provided, or the recipient is clearly intoxicated</li><li>• Operators to have systems in place to ensure alcohol is not delivered to problematic house parties or to people who appear drunk and, in such instances, alcohol should be refused and that refusal recorded.</li></ul>
--	------	---

	<p><b>6.49-6.50</b></p>	<p><b>Pavement Licences</b></p> <p>A pavement licence is a licence granted by the local authority which allows the licence-holder to place removable furniture over certain highways adjacent to the premises in relation to which the application was made, for certain purposes. It is important to note the grant of a pavement licence only permits the placing of furniture on the highway.</p> <p>A pavement licence does not negate the need to obtain approvals under other regulatory frameworks, such as the need for a licence to sell alcohol, and the need to comply with registration requirements for food businesses.</p> <p>It is important that any pavement licence granted promotes the four licensing objectives.</p> <p>For further information on pavement licences please use the link below:  <a href="https://www.gedling.gov.uk/business/licences/pavementcafelicenceduringcovid-19/">https://www.gedling.gov.uk/business/licences/pavementcafelicenceduringcovid-19/</a></p>
<p><b>34-36</b></p>	<p><b>7. Safeguarding Children &amp; Vulnerable Persons</b></p> <p><b>7.10</b></p>	<p>To Include the following under the section:</p> <p>It is recommended that all alcohol licensed premises follow the Portman Group Code of Practice, in particular that relating to particular appeal to under-18s.  <a href="http://www.portmangroup.org.uk">www.portmangroup.org.uk</a></p>
<p><b>37</b></p>	<p><b>8. Equality and Diversity</b></p>	<p>To amend 8.1 to state:</p> <p>Gedling Borough Council recognises that the people it serves have different needs and priorities. The Council is committed to treating all of its customers and staff fairly without discrimination and prejudice and providing equal access to our services, citizen participation and employment and training opportunities. Gedling Borough Council has an Equality &amp; Diversity Policy 2021-2024 aimed at providing direction to elected members and staff within the Council. The Authority will continue to work to embody the requirements of the Equality Act</p>

		<p>2010 in its Licensing role. <b>Equality Impact Need Assessment (EIAs)</b> are used to ensure that policies, services and procedures do not have an adverse impact on a particular group of people due to their gender, sexuality, religion or belief, race, age, gender identity or because they are disabled people or have caring responsibilities. The EIA for this Licensing Policy is periodically reviewed and the actions arising from it are fed back into future into this organisations service plan and also help to shape the consultation over future licensing policies.</p>
--	--	---