



BEDFORD
BOROUGH COUNCIL

Statement of Licensing Policy 2023-2027



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What kind of Licensed Economy is the Council seeking to develop?

Bedford Borough Council wishes to encourage a range of licensed activities within the Borough as part of its wider ambitions of supporting economic growth, creating sustainable communities, reflecting the rapid changes in people's socialising habits and in promoting public health. However, the Council must balance this with the need to ensure that four licensing objectives, as set out in the Licensing Act 2003, are promoted.

The Council is particularly keen to encourage more diverse activities within Bedford Town Centre and its evening and night-time economy. The town centre has seen the successful development of the Riverside and St Cuthbert's quarters. These are places where alcohol is mostly ancillary to other activities, such as dining, entertainment, culture and festivals. Despite an increase in the number of licensed premises in these two areas, independent research undertaken for the Council (called a Cumulative Impact Assessment) shows there has not been a commensurate rise in crime and disorder or public nuisance in these quarters.

Whilst each licence application will be considered on its merits, activities where alcohol consumption on the premises is not the primary feature of a licence, nor off-sales a significant element of the business model, will generally be welcomed. This includes considering appropriate licence applications inside any 'cumulative impact areas' that are currently in force.

Our aim, as set out in the Bedford Town Centre Plan, is to broaden the appeal and vitality of Bedford town centre, and the borough as a whole, and to attract a wider range of residents and visitors, whilst reducing crime and disorder and public nuisance associated with the misuse of alcohol.

1. Purpose and Scope

- 1.1 The purpose of this Statement of Licensing Policy ('the Policy') is to set out the principles to be applied in considering licence applications under the Licensing Act 2003 ('the Act') by Bedford Borough Council ("the Licensing Authority" when explicitly concerning licensing matters or "the Council" when concerning the Council's broader remit and responsibilities).
- 1.2 The Policy has been prepared having regard to the Guidance issued by the Home Office under Section 182 of the Act and designed to reflect local circumstances and characteristics whilst promoting the four licensing objectives: It should be noted that the four licensing objectives are of equal importance and therefore each of these should be considered with equal weight.
 - Prevention of crime and disorder
 - Public safety
 - Prevention of public nuisance
 - Protection of children from harm.
- 1.3 The Council is responsible for the determination of premises licences, club premises certificates, personal licences, provisional statements, review applications and temporary event notices that receive objections.
- 1.4 The Policy covers all premises in Bedford Borough where any of the following take place:
 - a. Sale or supply of alcohol
 - b. Regulated entertainment
 - c. The provision of late-night refreshment
 - d. Supply of alcohol in qualifying clubs.
- 1.5 Where licensable activities under the 2003 Act are provided, they can be authorised by way of one of the following forms of authorisations:
 - a. Premises Licences - These authorise the holder to use the premises for one or more licensable activities.
 - b. Club Premises Certificates - These authorise qualifying clubs to use the premises for one or more licensable activities (known as qualifying club activities).
 - c. Temporary Event Notices - These authorise an individual to use the premises identified in the temporary event notice (TEN) for one or more licensable activities for a period of up to 168 hours for 499 persons or less on the premises at any given time (subject to other conditions being met – see TENs section).

2. Review of the Licensing Policy

- 2.1 The Act requires that the Council reviews its statement of licensing policy at least every five years. When reviewing the Policy, it must also be consulted upon.
- 2.2 The Council's Licensing Act 2003 Committee ("the Licensing Committee") leads on reviewing, re-drafting and consulting upon the Policy. Licence applications are considered by the Licensing Committee's "Licensing Sub-Committee" unless they are minor, in which case they are delegated to officers (see Appendices).
- 2.3 The Council recognises the important role that 'responsible authorities' (see Glossary), the licensed trade, residents and other stakeholders have to play in influencing this Policy.
- 2.4 Under s5 of the Act, consultation on the Policy must take place with:
 - a. The Police
 - b. The Fire Authority
 - c. The Director of Public Health
 - d. Such persons as the Council considers to be representative of holders of premises licences issued by the Council
 - e. Such persons as the Council considers to be representative of holders of club premises certificates issued by the Council
 - f. Such persons as the Council considers to be representative of holders of personal licences issued by the Council
 - g. Such persons as the Council considers to be representative of businesses and residents in its area.
- 2.5 The Council will give due weight to the views of those consulted, making appropriate amendments to the Policy accordingly. In determining what weight to give to consultation responses, the following factors will be considered:
 - a. Who made the representation (what was their expertise or interest)
 - b. What the motivation was for their views
 - c. How many other people expressed the same or similar views
 - d. How far representations related to matters the Council should include in its Policy.
- 2.6 In-between formal reviews the Council will keep the Policy and its data under review to ensure that it is fit for purpose. Should circumstances change materially, the Council will be prepared to review the policy earlier in order to promote the licensing objectives.

3. Local Context

3.1 Bedford Borough

Bedford is predominantly a rural borough covering 47,641 hectares and comprising the county town of Bedford, the adjacent urban area of Kempston and 45 rural parishes. It has a growing population, which in 2021 Census was estimated at 185,300 (ONS). However, whilst a chiefly a rural borough in terms of area, most of its licensed activity takes place in Bedford town centre.

Figure 1: Map of Bedford Borough Wards



3.2 Integration of licensing with other strategies and policies

3.2.1 Background

The Authority will seek to secure the proper integration of this Statement of Licensing Policy with other relevant local crime prevention and public safety, planning, cultural, gambling and public health strategies.

3.2.2 Community Safety Strategic Plan

The Borough has a Community Safety Partnership which produces a regular Community Safety Strategic Plan. The current version is 2020-23 and a replacement will be produced around the time of this Policy's publication. It is unlikely that its priorities will change significantly.

The current plan has three priority areas and two of these are relevant to licensing, licensed premises and the sale of alcohol. These are 'High Harms and Violence' (i.e., the crime and disorder licensing objective) and 'Public Perceptions' (i.e., the public safety licensing objective). The plan notes the link between high levels of street drinking and aggressive begging and how this leads to crime, ASB and residents feeling unsafe. It also highlights the misuse of alcohol and its association with high levels of sexual violence and domestic abuse crimes, as well as violence within the town centre's night-time economy.

It is important that licence applicants are aware of these challenges to the Licensing Objectives, and that in their applications and operating schedules they show how they will not add to the problems already being experienced.

3.2.3 Bedford Local Plan

The new draft of the Bedford Local Plan contains a section on its High Street Strategy. Policy TC3 outlines the Council's approach to regeneration and its 'open for business' approach:

"Within Bedford town centre a range of uses will be supported provided they:

- a. Contribute to the vitality, viability and diversity of the town centre, and;
- b. They avoid the concentration of similar uses whose cumulative impact would be to the detriment of environmental quality, amenity or parking, or would increase the risk of anti-social behaviour or would create a significant length of inactive frontage at ground floor level.

Acceptable uses in the town centre other than retail will include - commercial, business and service uses, hot food takeaways, public houses, nightclubs, cinemas, theatres, concert halls, community uses, educational uses and other uses appropriate to a town centre."

The licensing and planning systems are separate and guidance to applicants who are applying for both planning consent and a licence is given later in this Policy.

3.2.4 The Bedford Town Centre Plan

The Bedford Town Centre Plan 2020-2023 underpins the Council's vision to create an "open for business" approach. As part of this the Plan committed to "review licensing to assess any opportunities to support business".

This revised Statement of Licensing Policy seeks to support the town centre (and the borough as a whole) by simultaneously promoting the four licensing objectives whilst also welcoming licence applications that will support the growth of a safe and well-balanced licensed and evening and night-time economy.

3.2.5 Bed:Safe and Pubwatch

The Bedford Town Centre Area has been covered by a Business Improvement District (BID) since 2010. BedfordBID is an independent company run by a board of directors chosen from those businesses that pay a 'BID levy'. The levy is invested in projects which make the town centre safer, more vibrant and more appealing.

The BID provides financial support for the Bed:Safe initiative with the aim of keeping people safe, particularly at night. The specific objectives for Bed:Safe are to:

- a. Reduce the number of alcohol-related assaults and alcohol-related crime in the town centre.
- b. Work in partnership with the licensed trade to improve the management of licensed premises.
- c. Promote the provision of safer drinking and safer clubbing and support services for those who visit Bedford's pubs and clubs.
- d. Reduce the perception of drunkenness, rowdiness and disorder.
- e. Improve the movement of people around the town centre at night and thereby reduce the potential for nuisances to be caused and the opportunities for disorder.

Bed:Safe manages the town centre PubWatch scheme, for which it received a National Pubwatch Award in 2021. Membership and regular attendance at Pubwatch meetings for licensed businesses is not mandatory in Bedford (unless it has been made a specific licence condition), but it is strongly encouraged.

Outside of Bedford Town Centre the Licensing Authority will support local Pubwatch schemes that exist for those providing premises for the supply and consumption of alcohol at those premises.

3.2.6 Gambling Policy

Many premises that provide licensable activities under the Licensing Act 2003 also provide activities licensable under the Gambling Act 2005. The Authority has a separate

Statement of Gambling Licensing Principles and reference should be made to that Statement to identify the inter-relationship between the two licensing frameworks.

3.2.7 Public Health

Since 2013 local public health teams have been a Responsible Authority who must be consulted during the development of the Policy and licence applications. However, although public health itself is not a licensing objective, there are two obvious areas where licensed premises and the sale of alcohol can impact on the licensing objectives.

The first is the consumption of alcohol by children and young people, which can negatively impact on their health as well as other aspects of their lives, such as educational attainment and future employability. The council takes the protection of children from harm licensing objective extremely seriously and expects licence applicants to do so as well.

Alcohol is significantly associated with levels of hospital admissions due to injury and violence. The council takes the reduction of alcohol-related crime and disorder extremely seriously and expects licence applicants to do so as well.

3.2.8 Culture, Live Music, Dancing and Theatre

Bedford Borough Council wishes to encourage and promote live music, dancing and theatre in the Borough. Later in the Policy there is reference to the provision of certain activities without the need for authorisation under the Licensing Act 2003 – this is called ‘de-regulated entertainment’.

When activity falls outside of deregulated entertainment, the potential for disturbance will be carefully balanced with the wider benefits of these activities. The Licensing Authority is aware of the need to avoid measures that deter live music, dancing and theatre. To this end, the views of vocal minorities will not be allowed to predominate over the general interests of the community that the Council represents.

Some of these events may be staged outdoors. Because sound from outdoor events can carry, it may therefore impact on the public nuisance licensing objective. The British climate dictates that most outdoor events are held in the summer months. The extent and frequency of these events in relation to the areas where the impact is felt will be considered in determining applications for premises licences for outdoor licensable activities and the imposed conditions will reflect this.

3.2.9 Pavement Licences

The Council wishes to respond appropriately to applications from public houses, bars and restaurants requesting to serve food and alcohol in areas adjacent to or immediately outside their premises. It is important that any pavement licences granted promote the four licensing objectives and do not impact negatively on nearby residential and business amenity. Approvals may also be required from the planning and highway authorities. For further information on pavement licences please use the link below: <https://www.bedford.gov.uk/licensing/other-licensing-information/pavement-licences>.

3.2.10 Late Night Levy

The Late Night Levy (“the Levy”) is a discretionary power granted to local authorities under the Police Reform and Social Responsibility Act 2011. It enables authorities to charge an additional fee to those premises that are licensed to sell or supply alcohol late at night as a means of raising a contribution towards the costs of policing the night-time economy. Currently the Authority does not intend to introduce a Late Night Levy.

3.2.11 Early Morning Restrictions Orders

Early Morning Restrictions Orders (“EMROs”) are a discretionary power first published under section 172A of the Licensing Act 2003 (but enabled in the Police Reform and Social Responsibility Act 2011). EMROs enable licensing authorities to restrict sales of alcohol with the aim of tackling high levels of alcohol-related crime and disorder and nuisance. The EMRO may be applied to the whole or part of the authority area and, if relevant, on specific days and at specific times. A statutory process must be undertaken before it is introduced, and the authority must be satisfied that such an order would be appropriate to promote the licensing objectives. Currently the Authority has not introduced, nor has the intention to introduce, an EMRO.

3.2.12 Public Space Protection Order

The Anti-social Behaviour, Crime and Policing Act 2014 allowed the Council to consult on introducing a Public Space Protection Order (PSPO) to tackle the serious problem of street drinking and associated crime and nuisance in Bedford Town Centre. Following consultation, a PSPO was adopted in 2020 which prohibits people consuming alcohol or having an open container of alcohol in a defined area. A map of the current PSPO area is shown in the Appendices.

3.2.13 Equalities Act 2010

Applicants and licensees must make themselves familiar with their responsibilities under the Equalities Act and relevant guidance for businesses, which can be found on the Equality and Human Rights Commission website: www.equalityhumanrights.com.

In carrying out its functions under the Licensing Act 2003, the Authority will be mindful of its duties under the Equality Act 2010 “to have due regard to” the need to eliminate discrimination, advance equality of opportunity and foster good relations regarding age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

3.2.14 Avoiding Duplication

Whilst the Licensing Authority seeks the integration of this Policy with other strategies, the Authority also makes a firm commitment to avoid duplication with other regulatory regimes, so far as is possible. Located in the Appendices is a non-exhaustive list of other relevant legislation that licence applicants are advised to review when preparing their application.

4. The Four Licensing Objectives

Each of the four licensing objectives are of equal importance and therefore each needs to be considered with equal weight.

The Authority expects applicants to risk assess their proposals and put forward measures aimed at promoting the licensing objectives, which are listed below.

4.1 Prevention of Crime and Disorder

Whether the proposal included satisfactory measures to mitigate any risk of the proposed operation creating crime and disorder within the premises or making an unacceptable contribution to levels of crime and disorder in the vicinity.

4.2 Public Safety

Whether the necessary and satisfactory risk assessments have been undertaken and, the management procedures put in place and the relevant certification produced to demonstrate that the public will be kept safe both on and in the vicinity of the premises. This may also extend to the measures to ensure the safety of people when leaving the premises, ensuring the presence of trained first aiders on the premises and appropriate first aid kits.

4.3 Prevention of Public Nuisance

Whether the applicant has addressed the potential for public nuisance arising from the characteristics and style of the proposed activity and identified the appropriate steps to reduce the risk of public nuisance occurring from the premises or in its vicinity.

Applicants should pay particular attention to demonstrate how they will limit the potential for noise from entertainment and persons using external areas affecting those members of the public living or working in the vicinity where licensable activity is proposed to take place at the most sensitive times (between 11:00pm and 08:00am).

4.4 Protection of Children from Harm

Whether the applicant has identified and addressed any risks with the aim of protecting children from harm when on or in the vicinity of the premises.

5. Applying for a Premises Licence or Club Premises Certificate

5.1 Introduction

In determining a licence application, the overriding principle will be that each application will be determined on its own merits, having regard to the promotion of the licensing objectives and considering this Policy and the Guidance issued under Section 182 of the Act. Where it is necessary to depart from the Guidance or this Policy the Authority will give clear and cogent reasons for doing so.

5.2 The Application Process

All applications for premises licences / club premises certificates, variations and provisional statements must be submitted in accordance with the Act and its accompanying Section 182 Guidance.

As part of the application process there is a requirement for the submission of an Operating Schedule. The Authority will normally expect the operating schedule to have regard to the nature of the area where the premises is situated, the type of premises concerned, the licensable activities to be provided, operational procedures, and the needs of the local community in addressing the four licensing objectives.

It is critical that licence applicants show how they will promote the four licensing objectives in their application. Failing to do this is one of the most common reasons that an application will be rejected.

Applicants are legally obliged to give notice of their application in two ways, by displaying a blue notice at the premises for a period of 28 days and placing a notice in a local newspaper. Each notice must clearly state the date by which representations must be received, where the application can be viewed in full and where any representations must be sent.

For further information on how to apply for a premises or personal licence, please use the below: <https://www.bedford.gov.uk/licensing/alcohol-and-entertainment-licensing/alcohol-andentertainment-licensing-overview>.

5.3 Representations

Representations to a licence application can include support and / or objections.

Representations may be received from the responsible authorities and by other persons (as defined by the 2003 Act). Elected members may make representations themselves, or on behalf of residents or the applicant. In these cases, the elected member cannot take part in the decision process. Guidance on submitting a representation is available on the Council's website or by contacting the Licensing Department.

Members of the public who wish to submit a representation regarding an application need to be aware that once submitted to the Authority it becomes a public document. Their representation will be made available to the applicant and will also be included in any report that is presented at a Licensing Sub-Committee hearing.

If this is an issue, they may contact a local representative such as a ward councillor, parish or town councillor, or any other locally recognised body - such as a residents association - about submitting the representation on their behalf. The Authority cannot accept anonymous representations.

Relevant representations are representations as defined by Section 18 of the Act as:

- a. About the likely effect of the application on the promotion of the licensing objectives.
- b. Which have not been withdrawn and, in the case of representations made by other persons, are not, in the Council's opinion irrelevant, frivolous or vexatious.

It is imperative that any resident, Responsible Authority or other relevant party making a representation about a licence application does so by showing how it will either promote or harm one or more of the four Licensing Objectives. The Authority must, and will, exclude any representation that is not explicitly linked to the Licensing Objectives.

Unless relevant representations are received from Responsible Authorities and / or other persons, licences will be granted on the terms set out in the application. There is no provision for the Authority to impose conditions (other than Mandatory Conditions¹ under the Licensing Act 2003) on a licence / certificate arising from an uncontested application (other than those proposed by the applicant themselves within their application including the applicant's Operating Schedule).

All representations must be received within the prescribed window and in writing. ('Writing' includes email representations to the Authority).

5.4 Determination of Applications

The Authority will consider each application on its own merits whilst having regard to the Act, the Section 182 guidance and this policy. Any delegated decision made by the Authority will be carried out in accordance with the Scheme of Delegation (see Appendices). Applications where there are relevant representations will be dealt with by a Licensing Sub-Committee, unless the Council, the applicant and everyone who has made representations agree that a hearing is unnecessary.

Where possible, officers from the Authority will act to mediate between applicants and persons making relevant representations to resolve issues, thereby preventing unnecessary hearings.

5.5 Composition of a Licensing Sub-Committee

A Licensing Sub-Committee shall comprise of any three elected members who serve on the Licensing Committee. The Council's Code of Conduct requires Elected Members to register and declare their financial and other interests and sets out consequences for the Member's participation in the decision-making process in respect of an application, in the light of those interests. Members will also disqualify themselves if the application relates to a premises within their ward.

1. For more information on the Mandatory Conditions, see the accompanying Appendices or search the gov.uk website.

6. Information for Applicants

6.1 Specific Policy Considerations

The Policy does not prevent an applicant's right to apply under the Act for a variety of permissions; nor does it override the right of any person to make representations on an application or seek a review of a licence or certificate.

The Authority cannot reject an application for a licence or certificate, or impose conditions, unless relevant representations have been made. This also applies to premises in any cumulative impact area.

The measures to be taken should be proportionate to the level of risk; for example, a busy town centre nightclub or late-night bar will be expected to take far more precautions than a small local restaurant.

Where insufficient detail is provided in the application to satisfy responsible authorities and other persons, this is likely to lead to representations being made.

The Act requires certain mandatory conditions to be attached to licences. The mandatory conditions override any pre-existing conditions and do not have to be specifically included on licences authorising the sale of alcohol for consumption on the premises. These can be found in the Appendices.

The Authority must be satisfied that it is appropriate to attach conditions, other than those volunteered under the Operating Schedule or by mandatory conditions – where an application has generated a negative representation.

The Authority will not implement standard conditions and will, as far as possible, avoid the attachment of conditions that duplicate other regulatory regimes.

Where appropriate, the Authority will attach individual and tailored conditions to a licence that are reasonable, proportionate but not over-burdensome. These must be robust enough to promote the licensing objectives and will be related only to those matters under the direct control of the licence holder.

When preparing or considering applications, applicants, Responsible Authorities, objectors and the Licensing Authority should refer to the Model Conditions included in the

Appendices to this document, and which may be updated from time to time. These are not mandatory conditions but a pool of possible conditions and suggested wording that cover a range of operational issues. The application of one or more of these conditions (or modified versions therefore) to a licence – where relevant and appropriate – may assist in demonstrating that the operation of a licence will not undermine the licensing objectives.

The list of Model Conditions will be updated, as appropriate, to assist anyone involved in the application or review process. The date of any update will be indicated on each relevant appendix.

6.2 General Principles

The general principles will normally be applied in each case where the Authority is considering an application for a premises licence, club premises certificate, variations to those or a provisional statement.

Applicants should note that Operating Schedules that are lacking in detail are more likely to be refused, have hours restricted, or have conditions attached to them by the Authority or by any of the Responsible Authorities.

The Authority expects applicants to demonstrate:

- a. That they understand the nature of the locality in which the premises are to operate and that this has been taken into consideration whilst preparing the Operating Schedule.
- b. Where the application is for evening and night-time activity, that the proposal reflects the Council's aspiration to diversify the borough's offer, whilst at the same time promoting the licensing objectives.

6.3 Management Competence

A critical element of the proper control of a licensable activity (and a premises where such activity is provided) is good management of those activities and the premises generally. Conversely, poor management can undermine the Licensing Objectives. As such, the Authority urges all involved in providing such activities and managing such premises to consider what skills and competencies are appropriate in the safe delivery of regulated activities and secure these. This applies to managers, musicians, DJs, door staff, bar staff, performers and contractors as well as everyone associated with the activities.

Good management also extends to the appropriate advertising of events and premises users and licensees are expected to control advertising content as part of their role.

Whilst it is acknowledged that there is no statutory bar to a Designated Premises Supervisor (DPS) holding this role in more than one premises, the Authority does not endorse this approach as a norm. The Authority envisages that a designated premises supervisor will be in day-to-day management control of a premises, and this can be undermined if they hold this role at more than one premises. Where this is proposed, applicants should address the issue of day-to-day control in support of the Licensing Objectives.

In premises where the sale by retail of alcohol is permitted it is important that clear direction is given to those undertaking such sales. Whilst retail sales of alcohol must be authorised by the designated premises supervisor or a personal licence holder, it is recommended as part of good management that such authorisation is committed to writing. This should enable the designated premises supervisor or personal licence holder to reinforce the personal responsibility on the person being authorised (including in relation to preventing under age sales).

The Licensing Authority expects that this approach will be identified by applicants for premises licences in their Operating Schedules. Applicants for community premises exempt from the requirement for designated premises supervisors and club premises certificate holders are also urged to provide written authorisation to those permitted to supply alcohol under their respective licences / certificates.

Where issues are identified that suggest the poor management of a licensed premises, the Authority sees the advantage of Management Action Plans endorsed by the relevant Responsible Authorities and the Authority. These can provide a flexible approach to respond to immediate issues and then for specific measures to be adjusted once improved management can be demonstrated.

6.4 Major Events

The Council broadly welcomes professionally operated cultural, musical and festival events to the borough.

If a major event is to be staged under an existing premises licence, then it will be subject to the conditions and Operating Schedule of those premises, albeit early contact with the borough's Safety Advisory Group - to allow the Responsible Authorities to plan for the event - is essential.

If the applicant for a major event wishes to stage this at a currently unlicensed building or outdoor space that requires a licence, the Authority strongly encourages early preapplication discussions (preferably at least six months ahead) with both its Licensing Team as well as the borough's Safety Advisory Group.

6.5 Planning

The Authority recognises that the licensing process should not be seen as a re-run of any planning process and that there should be separation between the planning and licensing regimes to avoid duplication.

Applicants for a premises licence need to be aware that the granting of a licence under the Act does not negate the need to obtain planning permission. Premises operating in breach of planning permission may be liable to prosecution or other enforcement measures under planning law. Applicants are therefore recommended to obtain the correct planning permission for the use of premises they seek to operate.

There will be circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises. Where these hours differ from the hours authorised under Licensing, the operator will need to abide by the earlier closing time.

Licence applications should normally be from premises where:

- a. The activity to be authorised by the licence is a lawful planning use or is a deemed permitted development pursuant to the General Permitted Development Order (1995) as amended.
- b. The hours sought do not exceed those authorised by any planning permission.

The Authority may consider the lack of planning permission or an established lawful use in deciding whether there is likely to be any harm to the licensing objectives.

The National Planning Policy Framework sets out the importance of the ‘agent of change’ principle. Agent of change has also since been included in the s182 Guidance issued under the Licensing Act 2003 (revised December 2022).

Where there is an application for planning permission, the National Planning Policy Framework expects new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them because of development permitted after they were 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’) will be required by the local planning authority to provide suitable mitigation before the development has been completed.

6.6 Wholesale of Alcohol

The sale of alcohol in wholesale quantities to the public is a licensable activity under the Act. A premises licence and a designated premises supervisor who holds a personal licence are required for such transactions to take place lawfully.

6.7 Internet and Mail Order Sales

A premises licence will be required for a warehouse or storage facility for alcohol.

However, the call centre where the order was placed would not require authorisation. The Authority expects that the application will include procedures for ensuring that sales of alcohol are not made by or delivered to persons under 18 years of age.

6.8 Deregulation of Entertainment

The Legislative Reform (Entertainment Licensing) Order 2014 and Deregulation Act 2015 deregulated some of the licensable activities under the Licensing Act 2003, in addition to the deregulation created by the Live Music Act 2012.

Some of the activities which may no longer require authorisation are:

- a. Exhibitions of films where they are incidental to another activity which is exempt from licensing.
- b. ‘Not-for-profit’ film exhibitions between 08:00 and 23:00hrs on any day held in community premises provided that the audience size is no more than 500 and the organiser gets consent from the person who is responsible for the premises and ensures that age classification ratings are complied with.
- c. A performance of amplified live music or playing of recorded music between 08:00 and 23:00hrs on any day on premises authorised to sell alcohol for consumption on the premises, provided that the audience size is no more than 500.

- d. A performance of amplified live music or playing of recorded music between 08:00 and 23:00hrs on any day in a religious venue, community hall, or other similar community premises, that is not licensed to sell alcohol, provided that the audience size is no more than 500 and the organiser gets consent from the person responsible for the premises.
- e. A performance of amplified live music or playing of recorded music between 08:00 and 23:00hrs on any day at the non-residential premises of a local authority, a school or a hospital provided that the audience size is no more than 500 and the organiser gets consent from the local authority or the school or the health care provider for the hospital.

6.9 Immigration

The commencement of the Immigration Act 2016 made it a requirement for licensing authorities to be satisfied that an applicant has the right to work in the UK. An application made by someone who is not entitled to work in the UK must be rejected.

Licences must not be issued to people who are illegally present in the UK, who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from doing work relating to the carrying on of a licensable activity.

A premises or personal licence issued in respect of an application made on or after 6 April 2017 will lapse if the holder's permission to live or work in the UK comes to an end.

6.10 Sexual Entertainment

The control of adult entertainment venues in the Borough of Bedford is under the provisions of Schedule 3 to The Local Government (Miscellaneous Provisions) Act 1982. Such venues are classified as Sexual Entertainment Venues (or SEVs). The Authority has a policy for the regulation of Sexual Entertainment Venues and that policy should be referred to in respect of those venues.

However, premises where relevant entertainment is provided on an infrequent basis are exempt from the requirement for SEV licensing under the 1982 Act referred to above.

The infrequent basis is defined as:

- a. No relevant entertainment has been provided on more than 11 occasions within a 12 month period.
- b. No such occasion has begun within a period of one month beginning with the end of the previous occasion.
- c. No such occasion has lasted longer than 24 hours.

Accordingly, lap dancing, striptease and other forms of adult entertainment may still be provided and authorised by the Licensing Act 2003 provided they remain exempt in accordance with the above criteria.

Schedule 7 to the Policing and Crime Act 2009 amends the Licensing Act 2003 to ensure that premises for which a SEV licence is required do not also require a premises licence or club premises certificate under the Licensing Act 2003. However, in practice, this will mean that most lap dancing clubs and similar venues will require both an SEV licence and a Premises Licence or Club Premises Certificate for the sale of alcohol and other types of entertainment.

When a licensing application is received in respect of premises for sexual entertainment, such as lap dancing or pole dancing, and where there are reasons under the Licensing Act 2003 which are relevant to licensing, namely, the Prevention of Crime and Disorder, Prevention of Public Nuisance, Public Safety, and the Protection of Children from Harm, the Authority may have regard to where the premises are located. For example, if they are located near to the entrance or entrances to any location for children's activities: such as schools, youth clubs or nurseries. As with any licence, each application will be considered and determined on its own merits.

For any premises with any activity or entertainment (whether regulated entertainment or not) of a clearly adult or sexual nature, there should be a strong presumption against permitting any access for children under 18 years.

6.11 Children

In certain circumstances, where children will be present at a licensed premises, the Authority expects responsible adults to be present to control children's access and to ensure their safety. Measures must be taken to protect children from hazards, and which outlines priorities for reducing crime and disorder and tackling drug and alcohol misuse. risks such as gambling, entertainment of an adult nature and incidents of violence or disorder as well as preventing underage sales.

There are a range of alternatives which the Authority may consider for limiting the access of children which include, but are not limited to:

- a. A limit on the hours when children may be present
- b. Limitation or exclusion when certain activities are taking place
- c. Requirement to be accompanied by an adult
- d. Limited access to parts of the premises; and
- e. Excluding persons who are under 18 years from the premises when any licensable activities are taking place.

However, the Authority will not seek to limit the access of children to any premises unless it is appropriate for the prevention of physical, moral or psychological harm. In all other cases it will be left to the discretion of the licensee.

The Authority will expect cinemas to stipulate that children will be restricted from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification. Similarly, theatre productions should be suitable for the audience present with consideration given in advance to the content and nature of the production.

Where an authorisation for the sale or supply of alcohol is in place, there is a requirement for the mandatory condition in relation to age verification to be attached. The Authority supports the promotion of 'Challenge 25' schemes, but also recommends additional measures be put in place. For example, regular documented staff training, relevant notices to be displayed and the use of a register to record refusals of alcohol sales.

In recent years, incidents of child sexual exploitation (CSE) taking place in licensed premises have been of particular concern across the country. Whilst there has been no specific intelligence suggesting incidents have taken place in Bedford, the Authority will work via existing partnerships, including the licensed trade, to ensure that any concerns in relation to CSE can be tackled and addressed appropriately.

6.12 Counter Terrorism

Crowded places, such as bars, pubs, nightclubs and music venues have been targets of acts of terrorism across the UK and the world. The National Counter Terrorism Security Office has produced guidance to operators of crowded places giving advice to operators to reduce the threat of attack. Applicants and licence holders are encouraged to have regard to this guidance in the design and operation of their premises: <https://www.protectuk.police.uk>.

The threat level should be always taken into consideration, especially when:

- a. Events/festivals are taking place which attract large numbers to visitors to the borough.
- b. National and international sporting events are taking place and are televised in licensed premises.

When planning an event or festival, the organiser must always consider counter terrorism and the measures that they need to put in place.

In 2022 the Home Office, through the Protect Duty consultation, pledged to consider legislative approaches requiring venue operators to consider the risk of terrorist attacks, and to take proportionate and reasonable measures to protect the public. Progress on this legislation can be found below: <https://www.gov.uk/crime-justice-and-law/counter-terrorism>.

6.13 Vicinity

The Act envisages that holders of authorisations should be responsible for matters that they control. As such, licensing law is not a mechanism for the general control of antisocial behaviour by individuals once they are beyond the immediate vicinity of the individual club, business or licensed premises holding the relevant licence.

6.14 The Licensing Authority as a Responsible Authority

The Act enables the Licensing Authority to act itself as a Responsible Authority. These powers have been delegated to officers within the Council's Licensing Service. Officers may choose to intervene where they consider it appropriate for the promotion of the licensing objectives without having to wait for representations from other Responsible Authorities. For example, where an application is in a cumulative impact area and officers have concerns about additional harm, they may make a representation to that effect. Also, where an application is received in respect of a premises which has a history of complaints which mean that additional activity may undermine the licensing objectives.

The Licensing Service has taken steps to achieve a line of separation between those officers processing applications and those making representations. The officer presenting any application to a Licensing Sub-Committee will also be different from the officer acting as the Responsible Authority.

7. Cumulative Impact

- 7.1 The ‘cumulative impact’ of licensed premises on the promotion of the licensing objectives is a proper matter for the Authority to consider in its Policy. Cumulative Impact was given a legal status through primary legislation when the Police and Crime Act 2017 (which amended the Licensing Act 2003) came into force on 6th April 2018.
- 7.2 The cumulative impact of the number, type and density of premises in particular areas, as well as their operating hours, can lead to an area becoming ‘saturated’ with premises of a certain type. Even if the individual premises are well run, this could make the area a focal point for groups of people gathering leading to severe problems of crime and disorder and / or public nuisance. Examples of cumulative impact may include shouting, screaming, fast food littering, vomiting and urinating, often late into the night, as well as violence hotspots, drunken individuals in the highway or criminal damage to property.
- 7.3 The effect of adopting a Cumulative Impact Policy (CIP) is to create a ‘rebuttable presumption’. That is, if (and only if) relevant representations are received, applications for new licences / certificates or material variations to existing licences / certificates will not be granted, unless the applicant can demonstrate that the operation of the premises involved will not add to the problems already being experienced in a designated CIP Area.
- 7.4 The Authority recognises that many different kinds and styles of premises sell alcohol, serve food and provide entertainment. It also recognises that some licence applications in CIP Areas will be unlikely to add significantly to the problems arising from saturation. Where the Authority can lawfully make decisions on applications in CIP Areas, it will have full regard to the impact different premises may have on the local community, including businesses, residents and visitors.
- 7.5 The Authority will consider the adoption of a CIP within a defined area or areas if it is satisfied that it is appropriate, proportionate and necessary to promote the licensing objectives.
- 7.6 Under the Licensing Act 2003, taking such a decision may only be considered after the following steps have been taken to evidence the need for such a policy:
- Identify concern about Crime and Disorder; Public Safety; Public Nuisance; or Protection of Children from Harm.
 - Consider whether there is good evidence that Crime and Disorder or Public Nuisance are occurring, or whether there are activities which pose a threat to Public Safety or the Protection of Children from Harm.
 - If such problems are occurring, identify whether these problems are being caused by the customers of licensed premises, or that the risk of cumulative impact is imminent.
 - Identify the boundaries of the area where problems are occurring (e.g., mapping where the problems occur and identifying specific streets or localities where such problems arise).

- e. Consult those specified in section 5(3) of the Licensing Act 2003, and subject to the outcome of the consultation, include and publish details of any adopted CIP.
- f. Following a Cumulative Impact Assessment (CIA) published in 2022, the Authority has published a CIP. CIPs must be reviewed at least every three years. This differs to a statement of licensing policy which must be reviewed at least every five years. This means that the Authority will need to conduct a new CIA and publish its decision to retain, change or dismiss any CIP Areas by 2025. In reality, this is likely to be before this Policy expires. Applicants and others are therefore recommended to visit the Licensing section of the Council's website for the latest information of any CIP Areas.

7.7 At the time of publishing this policy, the Authority had in force three CIP Areas that were retained in 2022. They apply to the following locations and licence types:

- a. High Street: On-premises and late-night refreshment premises.
- b. Midland Road: Off-licences and late-night refreshment premises.
- c. Tavistock Street: Off-licences and late-night refreshment premises.

7.8 Maps detailing the exact boundaries of the CIP Areas at the time of publishing this Policy can be found in Appendices.

8. Temporary Event Notices

- 8.1 Temporary Events Notices (TENs) are a light-touch method by which licensable activities can be authorised to take place without the need for a premises licence or club premises certificate. Advance notice must be given to the Police, Environmental Protection and the Authority when applying for a TEN.
- 8.2 The Police and Environmental Protection are the only parties that can object to a TEN. Whilst both parties can object on the grounds of any licensing objective, the Police will tend to focus on crime and disorder. The Environmental Protection service will be minded to object where there is a risk to the prevention of public nuisance objective.
- 8.3 The role of the Authority is to ensure that the statutory limits for the giving of TENs in a calendar year by an individual and the restriction of the number of TENs in respect of a particular premises are not exceeded. The Police and Council Environmental Protection remain the enforcement authorities and may monitor any event.
- 8.4 The Authority has a strong preference for premises users to provide advance notice of TEN events at least four weeks prior to the start date of the activity.
- 8.5 There is provision in the Guidance for the submission of 'Late TENs'. These have a shorter deadline than a regular TEN in which the applicant may serve a notice. However, the use of a Late TEN for significant public events would likely concern the Council and the Police as it may be a sign of poor management competence. As a result, it may increase the chance of an objection being raised on the grounds of the event being a risk to crime and disorder and / or the public nuisance licensing objectives.
- 8.6 Details on the numbers of TENs and Late TENs that can be given in respect of premises and individual applicants in any calendar year, as well as the number of days prior to the event by which they must be submitted, can be found on the Council's website and at the gov.uk website. These limits are set nationally through legislation, not by the Authority.
- 8.7 When considering an objection to a TEN the Authority will:
 - a. Expect that any existing conditions will be maintained (where relevant) in circumstances where an event is to take place at a premises that has an existing authorisation.
 - b. Assess any history of complaints because of licensable activity that may or may not have been authorised by a TEN.
 - c. Consider the track record of the premises user.
 - d. Consider any other control measures proposed to mitigate the objection.

9. Personal Licences

- 9.1 The supply of alcohol under a premises licence / club premises certificate must be made by, or authorised by, a person who holds a personal licence. The Act requires any sale made when the personal licence holder is not present to have been authorised by a personal licence holder.
- 9.2 Where an applicant has been convicted of a relevant offence, foreign offence, immigration offence or has been required to pay an immigration penalty, the Police will be provided with a copy of the application. If the Police object to the grant of the licence, the matter will be referred to a Licensing Sub-Committee for determination.
- 9.3 The Authority will consider whether a refusal of the licence is appropriate for the promotion of the crime prevention licensing objective and will consider:
 - a. The seriousness and relevance of any conviction(s).
 - b. The period that has elapsed since committing the offence(s).
 - c. Any mitigating circumstances that assist in demonstrating that the crime prevention objective will not be undermined.

10. Enforcement, Reviews and Suspension

10.1 Enforcement

The Authority aims to offer a graduated approach to enforcement.

The Authority will inspect premises using a targeted risk-based approach. For example, inspections should not always be undertaken routinely but when and if they are judged necessary. This is to ensure that resources are used efficiently and can be effectively concentrated on premises most likely to lead to problems.

10.2 Licence Reviews

10.2.1 Reviews of Licences and Certificates

Responsible Authorities and other persons can apply to the Authority to review a premises licence where problems appear to be arising at the premises in relation to any of the licensing objectives.

A licence review can be applied for at any stage following the grant of a premises licence or club premises certificate. In every case, an evidential basis for the allegations made will need to be submitted to the Authority.

In the first instance, the Authority is required to consider whether the representation made is irrelevant to the licensing objectives, or is frivolous, vexatious or repetitious.

The Guidance recommends that more than one review on similar grounds originating from other persons should not be permitted within a twelve-month period, except in exceptional or compelling circumstances, or where it arises following a closure order.

In addition, a review will normally follow:

- a. Any action by the Police to close the premises for up to 24 hours on grounds of disorder, or noise nuisance.
- b. Any formal enforcement action by the Council.
- c. Any action taken by the Immigration Authority.

The Authority can exercise a range of powers when dealing with a review. In cases where the crime and disorder licensing objective is being seriously undermined it is expected that revocation of the premises licence, even in the first instance, will be considered seriously.

10.2.2 Summary Reviews

Where a licensed premises appears to be associated with serious crime, serious disorder or both, the Police can apply for a 'summary', or 'expedited', review of the premises licence. Within 48 hours of receipt of that application the Authority must consider whether it is appropriate to take interim steps pending the determination of a review of the licence.

Within 28 days after the day of its receipt, a full review hearing must be held.

153. Interim steps could include:

- a. The modification of the conditions of the premises licence.
- b. The exclusion of the sale of alcohol by retail from the scope of the licence.
- c. The removal of the designated premises supervisor (DPS) from the licence.
- d. The suspension of the licence.

If the holder of the premises licence makes, and does not withdraw, representations against any interim steps taken by the Authority, the Authority must, within 48 hours of the receipt of the representations, hold a hearing to consider those representations.

11. Definitions and Interpretation

- 11.1 Unless the context indicates otherwise, words used in this Policy have the same meaning as in the Licensing Act 2003. For convenience, a Glossary of these terms have been set out in the Appendices, but in the event of any inconsistency between these definitions and the Act, the provisions of the Licensing Act 2003 will prevail.
- 11.2 This Policy is intended to be indicative only and does not limit the issues that may be considered by the Authority nor action taken by the Authority. For any individual application, the Authority is not required to consider every matter or material listed as matter or material that may be considered by the Authority.
- 11.3 Nothing in this Policy should be interpreted as an indication that any requirement of licensing or other law may be overridden. This Policy is not legal advice on the requirements of the Act or other legal requirements and may not be relied on for that purpose. All prospective applicants, licensees, those with a registrable interest in a premise, premises users, Responsible Authorities and others are strongly advised to seek their own independent legal advice.

12. Contact Details

- 12.1 For information on licensing and the application process please visit the licensing pages on the Authority's website: www.bedford.gov.uk/licensing.
- 12.2 You can also email licensing@bedford.gov.uk.
- 12.3 If you wish to discuss this Policy, in the first instance you should contact:
- Lee Phanco,
Bedford Borough Council,
Borough Hall,
Cauldwell Street,
Bedford,
MK42 9AP
- 12.4 Current contact details for the Responsible Authorities are shown in the Appendices to this Policy. They are not considered part of the Policy itself and therefore may be updated from time to time.
- 12.5 Information on the Licensing Act 2003 and the statutory Guidance issued under Section 182 of that Act is available from: <https://www.gov.uk/guidance/alcohol-licensing>.

13. Appendix 1: Glossary

THE COUNCIL

Bedford Borough Council

THE LICENSING AUTHORITY

The capacity in which the Council acts when performing its roles and duties set out in the Licensing Act 2003. This capacity is delegated to officers in certain situations and circumstances detailed in the Policy.

THE ACT

The Licensing Act 2003 and all Regulations made thereunder.

SECRETARY OF STATE'S GUIDANCE

The Guidance issued by the Home Office under section 182 of the Licensing Act 2003, as updated from time to time.

AUTHORISATION

Includes one or more of the following (as the case may be):

- Premises Licence
- Club Premises Certificate
- Temporary Event Notice
- Personal Licence.

OTHER PERSON

Any persons wishing to make representations on an application or to apply for or make representations on a review, who may include persons who live, work or visit the licensing authority's area.

A MEMBER OF THE RELEVANT LICENSING AUTHORITY

Any elected member (councillor) of the Council.

CUMULATIVE IMPACT ASSESSMENT

A special policy in which the Licensing Authority considers that the number of relevant authorisations (premises licences / club premises certificates) in respect of premises in one or more parts of its area described in the assessment is such that it is likely that it would be inconsistent with the authority's duty under section 4(1) to grant any further relevant authorisations in respect of premises in that part or those parts.

RELEVANT REPRESENTATION

The Licensing Authority may only consider relevant representations (objections) in determining applications. Relevant Representations are defined in the Act as being those that:

- Are about the likely effect of the grant of the premises licence on the promotion of the licensing objectives
- Are made by another person or responsible authority within the prescribed time period following an application
- Are not frivolous or vexatious (in the opinion of the Licensing Authority)

FRIVOLOUS REPRESENTATIONS

Those based on matters of limited seriousness, where the issues complained about are of a very minor nature and any action required would be disproportionate.

VEXATIOUS REPRESENTATIONS

Those that arise out of disputes between parties and generally have little or no substance.

DESIGNATED PREMISES SUPERVISOR (DPS)

A person specified on the licence as the supervisor of the premises licensed for the sale of alcohol. The DPS must hold a personal licence.

PERSONAL LICENCE

A licence granted by a Licensing Authority to an individual, authorising that individual to sell, or authorise the sale of, alcohol.

OPERATING SCHEDULE

The part of an application form in which the applicant sets out their proposed activities, the times that they wish to operate and the steps they propose to take to promote the licensing objectives.

LICENSABLE ACTIVITY

Activities for which authorisation is required under the Act:

- The sale by retail of alcohol,
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club,
- The provision of regulated entertainment, and
- The provision of late-night refreshment.

REGULATED ENTERTAINMENT

The provision of regulated entertainment is defined as any of the following activities that takes place in the presence of an audience for the entertainment of that audience and are provided with a view to profit:

- Boxing or wrestling including mixed martial arts (this does not include GrecoRoman or Freestyle wrestling)
- An exhibition of a film (this does not include live feed television i.e. sporting events)
- Adult entertainment (for example lap-dancing)
- Playing of recorded music
 - Between 11pm and 8am
 - At any time when the audience numbers are over 500 people
- Unamplified live music
 - Between 11pm and 8am
- Amplified live music (including karaoke):
 - Between 11pm and 8am
 - At any time when the audience numbers are over 500 people
- Performance of dance
 - Between 11pm and 8am
 - At any time when the audience numbers are over 500 people
- Performance of a play
 - Between 11pm and 8am
 - At any time when the audience numbers are over 500 people
- Indoor Sporting Events
 - Between 11pm and 8am
 - At any time when the audience numbers are over 500 people
- Entertainment of a similar description to that falling within the performance of live music, playing of recorded music or performance of dance

DE-REGULATED ENTERTAINMENT

The Legislative Reform (Entertainment Licensing) Order 2014 came into force on 6 April 2015 with the effect that the following forms of entertainment are no longer licensable:

- Performances of plays between 8am and 11pm, provided that the audience does not exceed 500.
- Performances of dance between 8am and 11pm, provided that the audience does not exceed 500.
- Indoor sporting events between 8am and 11pm, provided those present do not exceed 1,000. Any contest, exhibition or display of Greco-Roman wrestling or freestyle wrestling between 8am and 11pm, provided that the audience does not exceed 1,000.
- Performances of unamplified live music between 8am and 11pm, on any premises.

- Performances of amplified live music between 8am and 11pm:
 - On premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - In a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - In a church hall, village hall, community hall, or other similar community premises that is not licensed by a Premises Licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - At the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Playing of recorded music between 8am and 11pm:
 - On premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - In a church hall, village hall, community hall or other similar community premises, that is not licensed by a Premises Licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - At the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Any entertainment taking place on the premises of the local authority between 8am and 11pm, with no limit on audience size, where the entertainment is provided by or on behalf of the local authority
- Any entertainment taking place on the hospital premises of the health care provider between 8am and 11pm, with no limit on audience size, where the entertainment is provided by or on behalf of the health care provider.
- Any entertainment taking place on the premises of the school between 8am and 11pm, with no limit on audience size, where the entertainment is provided by or on behalf of the school proprietor.
- Any entertainment (excluding films and boxing or wrestling entertainment) taking place at a travelling circus between 8am and 11pm, with no limit on audience size, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) the travelling circus has not been located on the same site for more than 28 consecutive days.

RESPONSIBLE AUTHORITY

For the area in which most of the premises are situated:

- Police
- Fire and Rescue Service
- Director of Public Health
- Bedford Borough Council Licensing Authority
- The enforcing authority under section 18 of the Health and Safety at Work etc. Act 1974.
- The local planning authority within the meaning of the Town and Country Planning Act 1990.
- The local authority by which statutory functions are exercisable in relation to minimising or preventing the risk of pollution of the environment or of harm to human health
- Bedford Children's Services, being the body which represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the Protection of Children from Harm and is recognised by the Licensing Authority for the purposes of section 13 of the Licensing Act as being competent to advise it on such matters
- For premises which are in the area of more than one Borough, then the Licensing Authority in whose area the majority of the premises are situated
- For premises that are a vessel, then:
 - A navigation authority within the meaning of section 221(1) of the Water Resources Act 1991 having functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is, or is proposed to be, navigated at a time when it is used for licensable activities
- The Environment Agency
- The British Waterways Board or
- The Secretary of State
- Any prescribed person

14. Appendix 2: The Responsible Authorities

These details are not regarded by the Licensing Authority as part of the Statement of Licensing Policy and so may be updated from time to time. The list below does not refer to the Council as the Licensing Authority although, in this capacity, the Council is also a Responsible Authority.

If the contact details of any responsible authority have changed since the adoption of this Statement of Licensing Policy, it is for the applicant to ensure that their application reaches the responsible authority within the timeframes set out in the Statement of Licensing Policy.

A. The Police

Address:

Chief Officer of Police, c/o Licensing Officer,
Bedfordshire Police, Halsey Road, Kempston, Bedford, MK42 8AX

Contact:

Police Licensing Officer
01234 842068
licensingbedford@beds.police.uk

B. The Fire Authority

Address:

Bedfordshire & Luton Fire & Rescue Service,
Southfields Road, Kempston, Bedford, MK42 7NR

Contact:

Chief Fire Officer
01234 245514
firesafetyadmin@bedsfire.gov.uk

C. Enforcing Authority

(under S.18 of the Health & Safety at Work etc. Act 1974)

Address:

Health & Safety at Work, Regulatory Services,
Bedford Borough Council, Borough Hall, Cauldwell Street, Bedford, MK42 9AP

Contact: ehadmin@bedford.gov.uk

D. Environmental Health

Address:

Environmental Health & Trading Standards,
Bedford Borough Council, Borough Hall, Cauldwell Street, Bedford, MK42 9AP

Contact: ehadmin@bedford.gov.uk

E. The Local Planning Authority

Address:

Planning Services,
Bedford Borough Council, Borough Hall, Cauldwell Street, Bedford, MK42 9AP

Contact: pl-enforcement@bedford.gov.uk

F. Child Protection and Prevention of Harm

Address:

Children's Services,
Bedford Borough Council, Borough Hall, Cauldwell Street, Bedford, MK42 9AP

Contact: childrensservices@bedford.gov.uk

G. Public Health

Address:

Public Health Team,
Bedford Borough Council, Borough Hall, Cauldwell Street, Bedford, MK42 9AP

Contact: publichealthenquiry@centralbedfordshire.gov.uk

H. Local Weights and Measures (Trading Standards)

Address:

Environmental Health & Trading Standards,
Bedford Borough Council, Borough Hall, Cauldwell Street, Bedford, MK42 9AP

Contact: ehadmin@bedford.gov.uk

I. Home Office Immigration Enforcement

Address:

Alcohol Licensing Team, Lunar House, 40 Wellesley Road, Croydon, CR9 2BY

Contact: alcohol@homeoffice.gov.uk

15. Appendix 3: Bedford Street Drinking PSPO

The Council has consulted upon and introduced a Public Space Protection Order (PSPO) which seeks to limit street drinking within the town centre.

More information can be found here: <https://www.bedford.gov.uk/environmental-issues/community-safety/street-drinking-pspo>.

The current PSPO runs until December 2023. The wording of the PSPO is as follows and cover the shaded area shown in the map below.

“No person shall consume alcohol or have an open container of alcohol at any time in the area shown by purple shading within the defined area covering town centre areas.

Nothing in this restriction shall apply to those premises to which section 62 of the Anti-Social Behaviour, Crime and Policing Act 2014 applies as set out in Schedule 1 to this Order.”



16. Appendix 4: The Cumulative Impact Policy

The Licensing Authority - at the time of publishing this Statement of Licensing Policy (2023) – had retained, unaltered from the previous Policy, three Cumulative Impact Policy (CIP) areas on the back of a Cumulative Impact Assessment – or CIA (undertaken in 2021 and considered by the Licensing Committee in 2022).

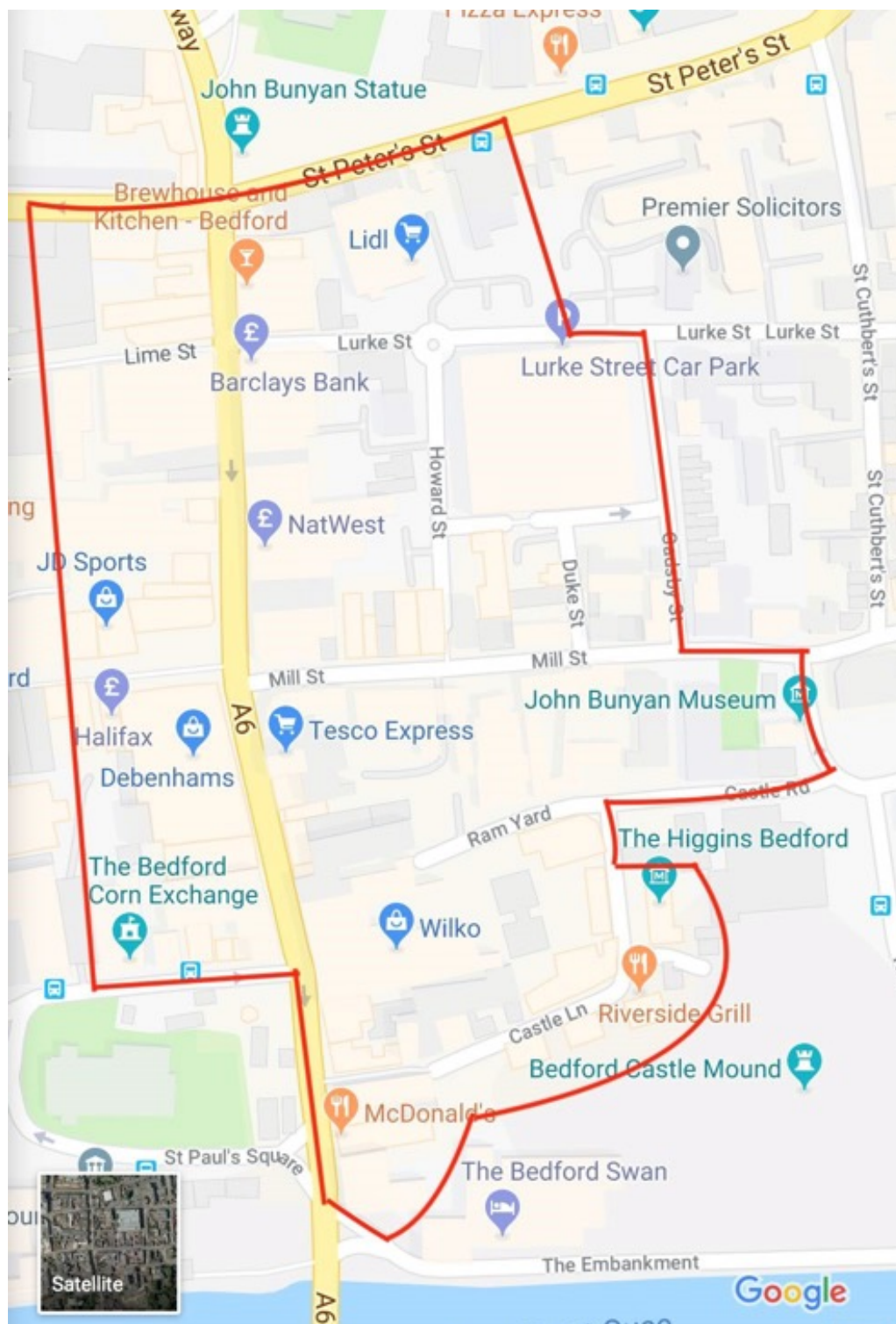
The CIP and the three CIP areas must be reviewed at least every three years but may be subject to review and change at any time. Licence applicants are advised to check the council's licensing pages before applying for a licence to understand if the CIP is still in place and still applies to the same areas.

Where a boundary line runs along a road, the CIP area includes only buildings that are within the CIP. Where the CIP runs through a building the CIP is intended to cover the whole of that building.

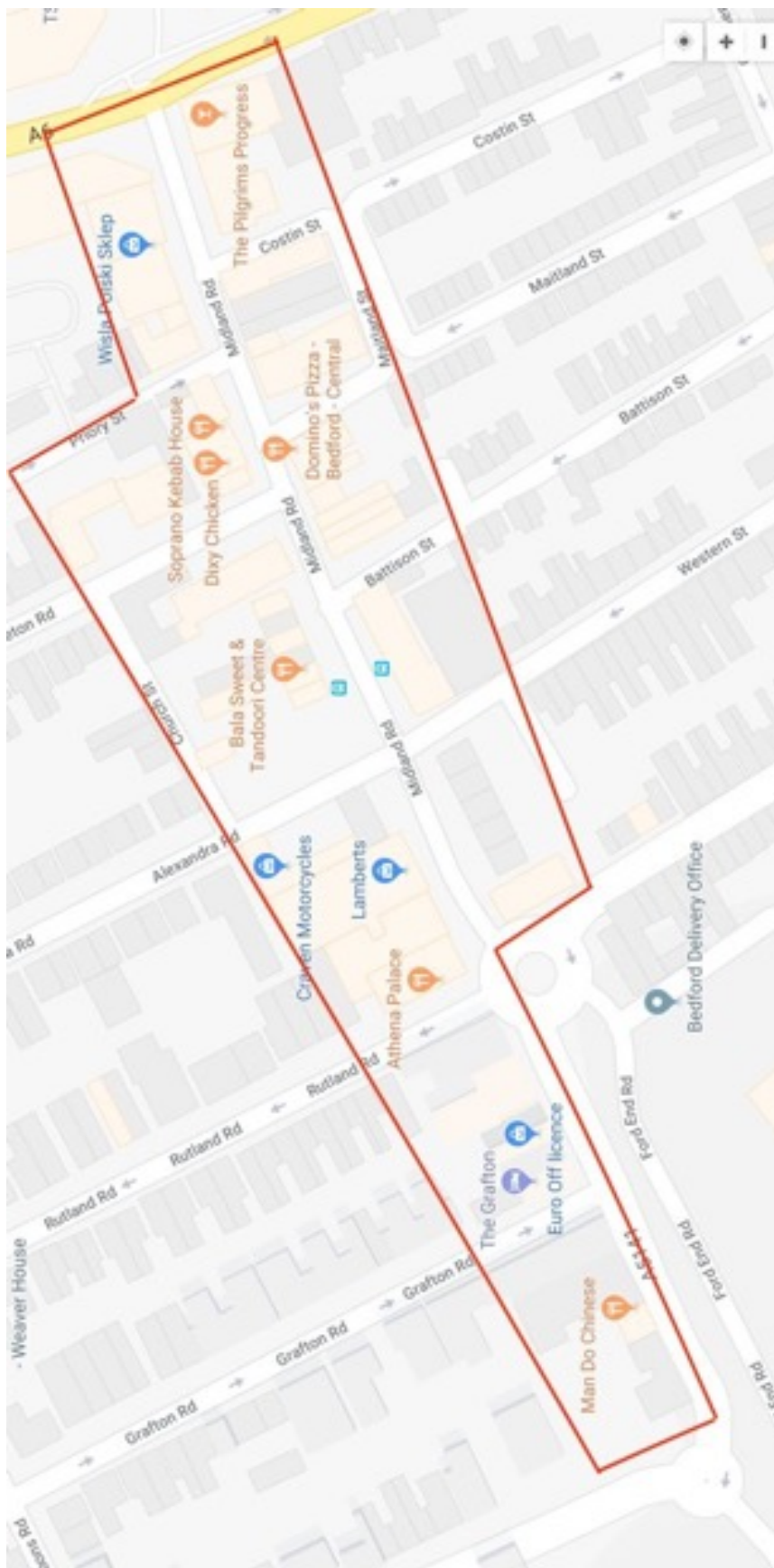
For information, the three Cumulative Impact Policy areas are in the following locations and apply to certain licence types:

- a. High Street: On-premises and late-night refreshment premises.
- b. Midland Road: Off-licences and late-night refreshment premises.
- c. Tavistock Street: Off-licences and late-night refreshment premises.

Cumulative Impact Policy Area 1: The High Street



Cumulative Impact Policy Area 2: Midland Road



Cumulative Impact Policy Area 3: Tavistock Street



17. Appendix 5: The Mandatory Conditions

Mandatory conditions are those that are automatically placed on all premises licences or club premises certificates, where applicable. These conditions cannot be removed.

Since the Licensing Act came into force in 2005 these conditions have been added to and amendments made to make them more effective. The mandatory conditions are relevant to all premises licences and club premises certificates and place an obligation on the following people:

- The premises licence holder
- The designated premises supervisor
- Any person aged 18 or over authorised to make sales of alcohol at a premises.

The mandatory conditions placed on all premises licences by the Act are:

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - a. At a time when there is no designated premises supervisor in respect of the premises licence.
 - b. At a time when the designated premises supervisor does not hold a personal licence, or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must 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 -
 - 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 in a manner which carries a significant risk of undermining a licensing objective;
 - 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 in a manner which carries a significant risk of undermining a licensing objective;
 - d. 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.
 - e. dispensing alcohol 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).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
 - 4.1 The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
 - 4.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - 4.3 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 either:
 - a) a holographic mark or
 - b) an ultraviolet feature.
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:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - a. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - b. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

6. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
7. For the purposes of the condition set out in paragraph 6 above -
 - a. “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - b. “permitted price” is the price found by applying the formula - $P = D + (D \times V)$
Where -
 - i. P is the permitted price,
 - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - c. “relevant person” means, in relation to premises in respect of which there is in force a premises licence -
 - i. the holder of the premises licence,
 - ii. the designated premises supervisor (if any) in respect of such a licence, or
 - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;

- d. “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - e. “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
8. Where the permitted price given by Paragraph 7 (b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub- paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
9. (1) Sub-paragraph 9 (2) below applies where the permitted price given by Paragraph 7 (b) above on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Door Supervision

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity the licence must include a condition that each such individual must be licensed by the Security Industry Authority.
2. But nothing in subsection (1) requires such a condition to be imposed –
 - a. in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
 - b. In respect of premises in relation to –
 - i. any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - ii. any occasion within paragraph 8(3) (d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section –
 - a. “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - b. paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Exhibition of Films

Admission of children (under 18) to the exhibition of any film must be restricted in accordance with:

- a. Recommendations made by the film classification body where the film classification body is specified in the licence, or
- b. Recommendations made by the licensing authority where the film classification body is not specified in the licence, or the relevant licensing authority has not notified the holder of the licence that this subsection applies to the film in question.

“film classification body” means person(s) designated under s4 of the Video Recordings Act 1984(c.39).

Club Premises Certificates

Certificate authorising supply of alcohol for consumption off the premises

1. A club premises certificate may not authorise the supply of alcohol for consumption off the premises unless it also authorises the supply of alcohol to a member of the club for consumption on those premises.
2. A club premises certificate that authorises the supply of alcohol for consumption off the premises must include the following conditions.
 - i. The first condition is that the supply must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.
 - ii. The second condition is that any alcohol supplied for consumption off the premises must be in a sealed container.
 - iii. The third condition is that any supply of alcohol for consumption off the premises must be made to a member of the club in person.

Mandatory Condition: Exhibition of Films

1. Where a club premises certificate authorises the exhibition of films the certificate must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the certificate, unless subsection (3) (b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
3. Where -
 - a. the film classification body is not specified in the certificate, or
 - b. the relevant licensing authority has notified the club which holds the certificate that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section –

“children” means persons aged under 18; and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

18. Appendix 6: Model Conditions

Context

1. The following list of 'model conditions' has been provided to help applicants applying for a new premises licence or club premises certificate or to vary an existing licence to prepare their operating schedule ensure that when licensable activities are taking place the four licensing objectives are promoted.
2. These conditions are not mandatory nor is it an exclusive or exhaustive list. It does not restrict any applicant, responsible authority, or other person from proposing any alternative conditions, nor would it restrict the licensing committee from imposing any reasonable and proportionate condition on a licence that it considers appropriate for the promotion of the four licensing objectives.
3. Conditions which are appropriate to promote the Licensing Objectives should emerge initially from the prospective licence holders risk assessment and be translated to form part of the Operating Schedule for the premises.
4. Once an application has been made, the Police, Environmental Health Service, other Responsible Authorities, and others are encouraged to engage with the applicant if they are considering making a representation to the application.

Number:	Condition:
MC01	The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Bedfordshire Police Licensing Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available as soon as practicable on the request of the Police or authorised officer, and in any case within 24 hours.
MC02	A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public.
MC03	There shall be a personal licence holder on duty at the premises at all times/between the hours of XX and XX when the premises are authorised to sell alcohol.
MC04	No drinks shall be served in glass containers at any time.
MC05	A minimum of (X) SIA licensed door supervisors shall be on duty at the premises between xx.xx hrs and xx minutes after the premises closes to aid dispersal of patrons.
MC06	No patrons shall be admitted or re-admitted to the premises after xx.xx hrs unless they have passed through a metal detecting search arch and, if the search arch is activated or at the discretion of staff, then physically searched in accordance with a procedure agreed with the Bedfordshire Police, which will include a 'pat down search' and a full bag search.

Number:	Condition:
MC07	All persons entering or re-entering the premises shall be searched by an SIA licensed door supervisor.
MC08	The premises licensee shall ensure that door staff working at the premises in a security capacity shall wear high visibility jackets/coats at all times that the public are on the premises.
MC09	The designated queuing area shall be enclosed within appropriate barriers to ensure that the footway is kept clear.
MC10	<p>A noise limiting device shall be installed, fitted and maintained in such a manner as to control all sources of amplified music at the premises to prevent a public nuisance.</p> <p>The controls for the entertainment noise control system shall be located in a secure, lockable cupboard or similar location. The entertainment noise control system is to be independent of control by persons other than the licensee. Access to the entertainment noise control system is to be restricted to the licensee or designated manager.</p>
MC11	No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to Public Nuisance.
MC12	Loudspeakers shall not be located in the entrance lobby or outside the premises building.
MC13	All windows and external doors shall be kept closed after xx.xx hrs hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
MC14	There shall be no admittance or re-admittance to the premises after xx.xx hrs.
MC15	All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
MC16	Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
MC17	Outside tables and chairs shall be rendered unusable by 23.00hrs each day.
MC18	All tables and chairs shall be removed from the outside area by 23.00hrs each day.
MC19	Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
MC20	Patrons permitted to temporarily leave and then re- enter the premises shall be limited to (15) persons at any one time.
MC21	Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
MC22	A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.

Number:	Condition:
MC23	An attendant shall be on duty in the cloakroom during the whole time that it is in use.
MC24	The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no Public Nuisance or obstruction to the public highway.
MC25	Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills/screens or secured behind locked cabinet doors.
MC26	No single cans or bottles of beer or cider shall be sold at the premises.
MC27	Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
MC28	All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
MC29	Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to, a take-away meal.
MC30	No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
MC31	Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
MC32	The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
MC33	No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 shall be provided.
MC34	There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
MC35	<p>A proof of age scheme, such as Challenge 25, shall be operated at the premises whereby any person who appears to be 25 years of age or under will be asked to produce acceptable identification to prove they are in fact aged 18 years or over.</p> <p>The only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport, military identification or proof of age cards bearing the PASS hologram.</p>

Number:	Condition:
MC36	<p>A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale.</p> <p>The log shall be available for inspection at the premises by the Police or an authorised officer of the Licensing Authority at all times whilst the premises is open.</p> <p>Where this record is stored electronically, this must be capable of being reproduced in documentary format at the time of request.</p>
MC37	<p>An incident log shall be kept at the premises, and made available on request to an authorised officer of the Licensing Authority or the Police, which will record the following:</p> <ul style="list-style-type: none"> a. All crimes reported to the venue. b. All ejections of patrons. c. Any complaints received. d. Any incidents of disorder. e. Seizures of drugs or offensive weapons. f. Any faults in the CCTV system / searching equipment / scanning equipment. g. Any refusal of the sale of alcohol. h. Any visit by a relevant authority or emergency service.
MC38	<p>No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.</p> <p>NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.</p>
MC39	<p>All functions in the specified function room shall be pre- booked or ticketed events.</p>

Number:	Condition:
MC40	<p>The Local Authority expects that a Challenge 25 Policy will be adopted by all suppliers of alcohol. It is a further expectation that signage indicating that such a policy is in place to customers and staff will be displayed in prominent positions within individual premises and at the point of sale reminding customers and staff of the 'Challenge 25' policy in operation.</p> <p>The Premises Licence Holder shall ensure that all staff complete regular 'Challenge 25' training and sign to acknowledge their understanding of these responsibilities at least once every three months (quarter).</p> <p>It is also envisaged that records of staff training are kept in order to evidence that front line staff understand the implications of such a policy in relation to the sale of age restricted products and that such records are refreshed periodically and made available for inspection by officers of the Local Authority and Police.</p>
MC41	There shall be no entry to the premises to persons under the age of 18 years.
MC42	<p>There must be advertisement in prominent positions at the premises, including at the entrance to it, of such commitments/limitations/conditions in relation to hours of trading, last entry times, last hours for sale of alcohol, age verification, search arrangements, areas for the consumption of alcohol, capacity, CCTV, removal of bottles from the premises and requirements on patrons leaving the premises.</p> <p>In addition, where any advertisement is undertaken by or on behalf of the Premises Licensee about regulated activities to be provided at the Premises using the internet, leaflets, radio or newspapers the advertisement must refer to the commitments/conditions/limitations and must indicate that the premises will be operated in compliance with those commitments / conditions / limitations.</p>
MC43	<p>After (xx:xx hrs) no drinks or refreshments may be taken outside.</p> <p>After (xx:xx hrs) the outside area shall only be used by those persons wishing to smoke.</p>
MC44	Regulated entertainment shall not be provided on more than (X) occasions in a calendar year and on no more than (X) occasions in any 4-week period.
MC45	The licence holder shall ensure that external areas are managed and supervised so as to ensure there is no Public Nuisance.
MC46	The use of annealed glass shall be prohibited at the premises, where toughened glass is available.
MC47	The premises licensee will provide or arrange adequate training for staff on any licence conditions including any responsibilities relating to the retail sale of alcohol and licence conditions and the measures necessary for compliance with those conditions. A record of the training provided / arranged (including attendance) shall be kept and made available to the Police and / or the Licensing Authority upon request.

Number:	Condition:
MC48	The number of persons permitted in the premises at any one time (including staff) shall not exceed x persons.

MC49	The supply of alcohol shall be by waiter or waitress service only.
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Model Conditions relating to Alcohol Deliveries through Online Sales etc.

Number:	Condition:
MC50	All packages and/or single items, containing alcohol will be labelled 'only to be delivered to persons aged 18 or over.'

MC51	A signature of a person over 18 years will be required upon delivery of any packages or single items containing alcohol. Where such a signature cannot be obtained packages will be returned to the premises licence holders business address or couriers collection depot
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MC52	Couriers used by the business for the delivery and supply of alcohol will be advised of the responsibility and requirements regarding signatures, challenge 25 and suitable identification.
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Suitable identification has the same meaning as set out above.

MC53	The Licensee shall ensure that any third parties involved in the supply chain such as couriers, have appropriate policies in place regarding Challenge 25 and have contracted on the basis that they will adhere to the conditions herein.
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MC54	References and reminders regarding the requirement for signatures, the legal age limit for the purchase of alcohol, and the Challenge 25 Policy will be prominently displayed on the pages of the licensee's website, which feature alcoholic products. They will also be displayed on those pages where there are transaction procedures for the purchase of alcoholic products and/ or a combination of alcoholic products and other goods. These messages will also be provided in any applicable order conformation communications.
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MC55	The Licensee will implement and maintain the use of use of available age restriction filters for the appropriate medium (website, Facebook, Instagram etc.)
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MC56	For telephone orders, the licence holder shall ensure the same messages regarding age limits and signatures is relayed verbally to the consumer where alcoholic products form part or whole of the order.
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19. Appendix 7: Delegations of Powers

Matter to be dealt with	Full Committee /Council	Sub Committee	Chief Officer with delegated responsibility for Licensing
Determination of the Statement of Licensing Policy	Council		
Application for personal licence		If a Police objection	If no objection made
Application for personal licence with unspent relevant convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a Police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a Police objection	All other cases
Applications for interim authorities		If a Police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint/submission is irrelevant frivolous or vexatious			All cases

Matter to be dealt with	Full Committee /Council	Sub Committee	Chief Officer with delegated responsibility for Licensing
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a police objection to a temporary event notice		All cases	
Decision on whether minor variation application acceptable			All cases
Acknowledgement of temporary event notice			All cases
Authorisation of officers to inspect premises			All cases
Determination as to whether applicant for a Club Premises Certificate meets the statutory conditions			All cases
Determination for requests for plans to be other than to scale 100:1			All cases
Determination of interim measures following an expedited review		If time permits a hearing	All other cases
Determination of representations (to be) made on a grant/ variation application for a premises licence/club premises certificate as a Responsible Authority			All cases

20. Appendix 8: Relevant Legislation

Below is a non-exhaustive list of other relevant legislation that licence applicants are advised to review when preparing their application.

- The Health and Safety at Work Act 1974
- The Town and Country Planning Act 1990
- The Environmental Protection Act 1990
- The Clean Neighbourhoods and Environment Act 2005
- The Health Act 2006
- The Violent Crime Reduction Act 2006
- Policing and Crime Act 2009
- Food Safety Act 1990
- The Human Rights Act 1998 incorporating the European Convention on Human Rights (ECHR)
- Regulatory Reform (Fire Safety) Order 2005
- The Gambling Act 2005
- The Equality Act 2010
- The Police Reform and Social Responsibility Act 2011
- The Live Music Act 2012
- The Anti-Social Behaviour Crime and Policing Act 2014
- The Deregulation Act 2015
- The Immigration Act 2016

Finding out more

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তথ্যের জন্য



Assessment, Application & Business Support

Bedford Borough Council
Borough Hall
Cauldwell Street
Bedford
MK42 9AP



licensing@bedford.gov.uk



www.bedford.gov.uk