



**Solihull Council**  
**Licensing Act 2003**  
**Statement of Licensing Policy**  
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**2026 – 2031**

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# **SOLIHULL METROPOLITAN BOROUGH COUNCIL**

## **STATEMENT OF LICENSING POLICY**

**This Policy Statement is prepared in accordance with the Licensing Act 2003 (the Act) and is in line with the Guidance issued to Licensing Authorities, by the Home Office, under section 182 (the Guidance).**

**In producing this policy statement, the Licensing Authority recognises that the Government may periodically amend the Act, the Guidance and any regulations issued under the Act. Revisions to the policy are not intended to take place as a consequence of these amendments and readers are advised to familiarise themselves with these developments via the Home Office website.**

### **1. Introduction to Solihull**

1.1 Solihull is the largest metropolitan borough in the West Midlands (in geographical terms), consisting mainly of rural areas. It has a population of approximately 221,242 according to Office of National Statistics (ONS) estimate, which is concentrated mainly in urban communities. The ONS estimate states there are 113,739 female residents and 107,503 male residents.

1.2 The borough has a high number of children aged between seven and 16 years, with upward spikes for age groups between the 40s and 50s and the mid 70s, which is above the average in England. There is a sharp downward trend for the 18 to 22 age group, which may indicate a high take up of university education.

1.3 The mixture of urban and rural areas gives rise to the Council motto 'Urbs in Rure' (Town in the Country) and the numerous parklands, trees, fields and other open spaces which are valued by residents and visitors to the borough.

1.4 The location of Solihull allows it to enjoy exceptional national and international connectivity, thanks to its high-quality transport infrastructure. Within the borough is Birmingham International Airport with its many links to national and international destinations, whilst the West Coast main railway line which runs through Birmingham International Railway Station provides easy access to London and other major UK cities. The M5, M6, M40 and M42

motorways are within easy reach of Solihull and offer rapid access to the national motorway network.

1.5 In terms of deprivation, Solihull is an anomaly within the West Midlands conurbation. Of the 316 local authorities in England Solihull is ranked the 158<sup>th</sup> most income deprived. All other West Midland authorities are positioned in the most 25 deprived boroughs. In 2019, it was found that 10.8% of the population in Solihull were income deprived, and this is generally focused in high density urban areas to the north of the borough.

1.6 There is evidence which shows deprived communities suffer much greater harm from alcohol in comparison to less deprived communities (despite drinking similar amounts). This ultimately impacts on the healthy life expectancy of affected Solihull residents, however the life expectancy at birth (2020/21) for a Solihull resident is 79.3 years for a male and 83.5 years for a female, which is above the national average. It is important to acknowledge that the disparity of life expectancy between low and high deprivation areas is 20%, which equates to approximately 10 years.

1.7 The feeling of safety is important and in 2022, 59% of Solihull residents felt safe in their local area after dark, with 27% feeling unsafe. There were double the number of reported crimes in North Solihull, compared with the rest of the borough.

1.8 Solihull is home to over 4,000 businesses, many of which are nationally and internationally recognised names, from the engineering and motor industry, to high-class retail outlets and cutting-edge technology companies. In 2022, the Office of Budget Responsibility data showed that on a capita basis, Solihull has the 2<sup>nd</sup> largest economy in England, outside of London.

1.9 Solihull has a growing retail and leisure sector with over 16 million people visiting the shopping centres and leisure complexes annually. There are many hotels, pubs, clubs and restaurants in the borough that enhance and support the enjoyment of residents and visitors. It is the intention of the Licensing Authority to encourage and facilitate a broad range of entertainment provision by a wide cross-section of the public. The development of Park Gate in Shirley, Resorts World at the NEC and the proposed developments within Solihull town centre have seen and will see an increase in this sector within the borough.

1.10 There is a cost in respect of alcohol misuse and the Institute of Alcohol Studies estimates that there are 15,957 crimes annually directly related to alcohol in Solihull. This includes offences such as criminal damage, violence and theft. Aside from the physical

ramifications of the crimes, there is annual financial cost, estimated at £100.2m, which works out at £463 per head of population) and includes NHS costs, Crime and Disorder, the wider economy and Social Services.

## **2. Licensing objectives**

2.1 Solihull Metropolitan Borough Council is the Licensing Authority for this district and will promote the licensing objectives set out in the Act, which are:

- **the prevention of crime and disorder**
- **public safety**
- **the prevention of public nuisance**
- **the protection of children from harm**

Each of the licensing objectives is considered to be of equal importance for the purposes of this policy.

2.2 For the purposes of this Statement of policy, Licensing is about regulating activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Act. Conditions attached to any authorisation will be focussed on matters that are within the control of individual licence holders and those with other relevant authorisations, i.e. the premises itself and the surrounding vicinity.

2.3 The Licensing Authority will work closely with the Responsible Authorities (Police, the Fire Authority, Environmental Health, Trading Standards, the Local Safeguarding Children Partnership, Planning and Public Health). In addition, it will liaise with Hospital Trusts, Parish Councils, local businesses, community representatives, local people and other groups or individuals, as considered appropriate in meeting these objectives. The sharing of information and intelligence is likely to take place between the Licensing Authority and Responsible Authorities where appropriate.

2.4 In addition to the Responsible Authorities, representations may be made by any other person, so regular engagement with local Councillors, Parish Councils, community groups and trade representatives will be paramount in reaching the wider residential and business community. The Licensing Authority will share information in respect of applications received and topical issues with local councillors and parish councils if appropriate.

2.5 The Licensing Authority shall in respect of each five-year period, determine its policy with regard to exercising its licensing function and publish a statement of that policy before the beginning of the period. It will be necessary for the Licensing Policy to be kept under



review during any five-year period and revision made to the policy as required. Such revision(s) made will be published.

### **3. The Licensing Authority as a Responsible Authority**

- 3.1 When acting as Responsible Authority, the Licensing Authority will ensure there is a clear separation between the administration of licence applications and the Responsible Authority role.

### **4. Public Health**

- 4.1 The Responsible Authorities recognise that alcohol can cause harm. The Health and Wellbeing Board and Safer Solihull Partnership are committed to reducing the harm caused by alcohol, and will tackle the misuse of alcohol through the introduction of strategies and approaches which aim to reduce the harm caused by alcohol to individuals, their families and communities.
- 4.2 The Director for Public Health is now recognised as a Responsible Authority under the Act, and may make representations about new licence applications or variations to existing licences, and may also request a review of an existing licence.
- 4.3 Whilst public health is not a licensing objective, the Licensing Authority recognises that there may be much input that public health can have in licensing in relation to the local population and their alcohol related health needs. Health bodies may have access to data that is not always available to other Responsible Authorities which can help inform licensing decisions.
- 4.4 Public Health is able to provide useful evidence of alcohol related harm in relation to cumulative impact. The Joint Strategic Needs Assessment, for example, will help identify areas where there may be vulnerable groups who may be at higher risk of alcohol-related harm and identify priorities for action. A number of awareness-raising campaigns and/or voluntary arrangements, such as Ask for Angela ([Home - Ask For Angela](#)), may be useful in preventing/reducing alcohol related harm, and licence holders will be expected to work alongside the Licensing Authority and other Responsible Authorities and voluntary organisations to promote such campaigns, and ensure staff are trained to spot predatory behaviour..

## **5. Scope of the Policy**

- 5.1 This policy covers new applications, renewals, transfers and variation of licences and certificates, including where applicable, temporary premises licences, and Temporary Event Notices. It will also include the review and possible revocation of licences and certificates.
- 5.2 Any reference to a licence will also include a Club Premises certificate. Applications made to the Licensing Authority for a Club Premises Certificate will only be considered from those premises occupied by and habitually used for the purposes of a club and which can be considered a 'qualifying club', as laid down in the Act. The same principles will apply to club premises, as to any other licensed premises.
- 5.3 Activities that require a licence under the Licensing Act 2003 and covered by this policy include the:
- retail sale of alcohol
  - supply of alcohol to club members
  - provision of 'regulated entertainment', to the public **or** to club members **or** with a view to profit
  - supply of hot food and/or drink between the hours of 11pm. and 5am
- 5.4 In formulating this policy statement, the Licensing Authority has had regard to the following relevant provisions of the European Convention on Human Rights:
- Protocol 1, Article 1 - that every person is entitled to the peaceful enjoyment of his possessions
  - Article 6 – entitlement to a fair and public hearing within a reasonable time by an independent tribunal established by law
  - Article 8 – that everyone has the right to respect for his home and private life
- 5.5 Regard has also been had to the provision in the Human Rights Act 1998, which makes it unlawful for a public authority to act in a way that will be incompatible with a convention right. Consequently an aim of this policy in relation to the decision-making process of the Licensing Authority is to ensure that all decisions made, are compatible with convention rights.
- 5.6 The Licensing Authority has and will take into account the Equality Act 2010, and must have due regard to the need to eliminate unlawful discrimination, harassment and

victimisation, to advance equality of opportunity and to foster good relations between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Licensing Authority will also take into account the provisions of section 17 of the Crime and Disorder Act 1998. This requires Local Authorities to have regard to the likely effect of the exercise of their function on crime and disorder in their area and to do all they can to prevent such crime and disorder. The Licensing Authority will as far as possible avoid duplication with other regulatory regimes and legislation.

## **6. The licensing process**

- 6.1 The powers of the Licensing Authority under the Act may be carried out by Members of the Licensing Committee, a Sub-Committee, or by an Officer acting under delegated authority. A scheme of delegations is available at the end of this document.
- 6.2 The Licensing Authority will normally expect applicants to address the licensing objectives in their Operating Schedule, having regard to the type of premises, the licensable activities to be provided, the operational procedures, and the nature of the location and the needs of the local community.
- 6.3 It is expected that the applicant should also include consideration of the following in their operating schedule, where appropriate (this is not an exhaustive list):
  - evidence of risk assessments regarding health and safety, first aid and fire safety
  - details of partnership working with the Responsible Authorities, regarding issues such as noise, disturbance, drugs and drug prevention policies, weapons, litter, smoking and smoking areas, children, entry and re-entry, security and the use of door supervisors etc., CCTV provision including details of surveillance, location and retention of images
  - the inclusion of a rapid communication system with other licensed premises in the area and/or the Police, and membership of and active participation in a local Pub Watch scheme or similar, where one exists
  - drinks glasses and bottles, including a prevention policy regarding the carrying out of the premises, glasses and bottles by patrons
  - customer/staff dispersal and the availability of buses, taxis and private hire vehicles, including any reminders to drivers about the use of vehicle horns

- provision of training for staff on all relevant matters, e.g. underage sales, licensing law, measures intended to prevent the sale/supply of alcohol to individuals who are already drunk and thereby reducing a person's drinking at hazardous or harmful levels, the operation of equipment, and evidence of awareness of child protection issues, including Child Sexual Abuse & Exploitation, awareness and prevention of drink spiking.

The Licensing Authority may seek further information as appropriate regarding the promotion of the licensing objectives, and in line with statutory guidance, attach conditions that are consistent with the operating schedule and that are interpreted in accordance with the applicant's intention. A non-exhaustive list of example conditions that may be attached to a licence (and amended as necessary) can be found at Appendix C.

- 6.4 The Licensing Authority recognises that it is for the applicant to comply with the statutory requirements in drafting the operating schedule, and for the applicant to demonstrate how they will promote the four licensing objectives.
- 6.5 Applicants may wish to familiarise themselves with any relevant planning and transportation policies, tourism and cultural strategies and local crime prevention strategies and to have taken these into account, when formulating the operating schedule for their premises. This includes The Terrorism (Protection of Premises) Act 2025 ([Terrorism \(Protection of Premises\) Act 2025: Overarching Factsheet - GOV.UK](#)) that will require responsible persons for certain premises and events to improve security and preparedness for terrorist attacks. The Licensing Authority will work alongside licensed premises to raise awareness of the Act and in preparing for its implementation. When it becomes law, it is intended to review and update this policy in that regard.
- 6.6 Although not a requirement, applicants are encouraged to seek the views of the Responsible Authorities before formally submitting applications, as they may find them a useful source of expert advice, and can offer guidance around specific issues. This may minimise the risk of representations being made.

## **7. Determination of applications**

- 7.1 Each application for the grant, variation, or review of a licence, will be considered and determined on its individual merits, and in accordance with the licensing objectives of the Act, and the guidance. The Licensing Authority may consider any steps taken or proposed to address the following matters prior to determining any application.

- 7.2 The Licensing Authority will also have regard to other local and national initiatives that appear to support the promotion and delivery of the licensing objectives, for example, the Local Strategic Partnership, the Health and Wellbeing Board, and the Government's Alcohol Strategy.
- 7.3 It will be necessary that all those likely to be affected by an application, are made aware of it and afforded an opportunity to make any relevant representation. To ensure that this is achieved, the Licensing Authority may undertake the requisite checks to ensure that all advertising requirements have been complied with.
- 7.4 A representation is 'relevant' if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local business person about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation that nuisance caused by new premises would deter customers from entering the local area and the steps proposed by the applicant to prevent that nuisance were inadequate would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. It will be for licensing officers to determine whether a representation is frivolous or vexatious on the basis of what might ordinarily be considered to be frivolous or vexatious. Frivolous representations would lack seriousness, they would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing officers will consider the main effect of the representation and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.
- 7.5 If representations are made concerning the potential for limited disturbance in a particular neighbourhood, the Licensing Authority will balance those representations against the wider benefits to the community. All applications will be considered on their own merits if relevant representations are made in respect of them. .
- 7.6 If the Licensing Authority receives any relevant representations, then there will be a hearing before the Licensing Committee or any Sub-Committee to which that authority has been delegated, unless all parties concerned, agree that such a hearing is unnecessary.
- 7.7 Licensing conditions, where appropriate, should be tailored to the individual application and only those conditions considered appropriate to meet the licensing objectives will be

imposed. Mandatory conditions, specified under the Act, will also be imposed where relevant.

- 7.8 When considering conditions, the Licensing Authority will encourage openness, transparency and reasonableness and, officers may wish to discuss proposed conditions, with the applicant and/or their representatives, with a view to ensuring that any conditions imposed are enforceable to sufficiently promote the licensing objectives (see Appendix C).

## **8. Personal Licenses**

- 8.1 The Licensing Authority has little discretion regarding the granting of a Personal Licence. In general, provided that the applicant has the appropriate qualification and does not have a recent relevant conviction, the application will be granted.
- 8.2 If an applicant has a recent relevant conviction, the Police may object to the application, following which a hearing must be held, unless all parties deem it unnecessary. At that hearing the Licensing Authority will consider whether the grant of a licence will be in the interest of the crime prevention objectives. If it is not so satisfied, the application will be rejected.

## **9. Minor Variations**

- 9.1 On receipt of an application for a minor variation to a Premises Licence or Club Premises Certificate, the Licensing Authority will consider whether it may adversely impact on the licensing objectives. If appropriate, the Licensing Authority will consult with any relevant Responsible Authorities in order to obtain specialist advice, and may take this into account when making a decision about whether or not to grant the application. The Licensing Authority will also take into account any relevant representations received from any other person before arriving at a decision.

## **10. Temporary events**

- 10.1 An individual who wishes to use premises for one or more licensable activities in a period not exceeding 168 hours, must deliver to the Licensing Authority a Temporary Event Notice, or TEN (in duplicate), in the prescribed form. The form will detail the proposed activities, the times that the activities will take place and whether or not there will be any sale of alcohol for consumption on or off the premises. The notice shall also state the maximum number of persons permitted on the premises, which must be less than 500.

- 10.2 A standard TEN must be delivered to the Licensing Authority with a copy of delivered to both the Chief Officer of Police and the Environmental Health Officer no less than 10 working days before the event period begins. The Chief Officer of Police or Environmental Health Officer may object to the event taking place (within 72 working hours of being notified), on the grounds that such an event would undermine one or more licensing objectives. In such circumstances a hearing will be held, unless all parties agree that a hearing is unnecessary.
- 10.3 A late TEN must be delivered to the Licensing Authority with a copy delivered to both the Chief Officer of Police and the Environmental Health Officer no less than five working days before the event period begins. The Chief Officer of Police or Environmental Health Officer may object to the event taking place (within 72 working hours of being notified), on the grounds that such an event would undermine one or more licensing objectives. In these circumstances the notice will not be valid and the event will not go ahead.

## **11. Enforcement**

- 11.1 The Licensing Authority will work in partnership with the Responsible Authorities and other agencies, with a view to scrutinising the needs of problematic and high-risk premises, in order to provide them with further support. Less rigorous activity will be undertaken in respect of those premises that are shown to be well managed and maintained, thus ensuring compliance with the Licensing Objectives.
- 11.2 In general, action will normally only be taken in accordance with enforcement policies and the key principles of consistency, transparency and proportionality will be considered.
- 11.3 Licensing law should not be considered the primary mechanism for dealing with incidents of crime, disorder and general misbehaviour which occurs away from licensed premises, and therefore, beyond the direct control of individual licence holders. However, it is a key aspect of such control and will always form part of a holistic approach to the management of the night-time economy within the borough. Other mechanisms that may be considered include:
- planning controls
  - positive measures to create a safe and clean city centre environment in partnership with local businesses, transport operators and other services provided by the Local Authority

- police enforcement of the law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices
- the confiscation of alcohol from adults and children in designated areas
- police powers to close down instantly, for up to 24 hours, any licensed premises or temporary events on the grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises
- the power of the Police, other responsible authority or a local resident or business to seek a review of the licence or certificate in question

11.4 The Licensing Authority will use the review procedure effectively to deter criminal activities, persistent sales of alcohol to children and other serious concerns undermining the licensing objectives. It is expected that revocation of the licence – even in the first instance – may be seriously considered in these circumstances.

11.5 Throughout this policy, the Licensing Authority would like to encourage the responsible retailing and consumption of alcohol, and would prefer an approach whereby it, along with businesses and other partners, are able to promote responsible retailing and consumption of alcohol instead of having to deal with the effects of irresponsible promotions and drunkenness. Consideration will be given to imposing drinks promotion controls if there is evidence that the licensing objectives are being compromised, or are likely to be.

## **12. Late Night Levy and Early Morning Restriction Orders (EMROs)**

12.1 Having not been presented with any evidence in support of the introduction of a Late Night Levy or EMRO, the Licensing Authority does not consider either to be appropriate for any area within the borough at the present time. These matters will be kept under review, and should sufficient evidence be received, this situation may change and these measures may be introduced during the life of this Statement of Licensing Policy.

## **13. Cumulative Impact**

13.1 Cumulative Impact means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. It should not be confused with need, which relates to commercial demand for a particular



type of premises. Need, therefore, is a matter for planning consideration or market forces and does not form part of this Statement of Licensing Policy.

- 13.2 Where the Licensing Authority receives written relevant representations from a responsible authority or any other person, that the cumulative effect of many licensed premises in a particular area gives rise to problems impacting on any of the four licensing objectives, over and above the impact from the individual premises themselves, those facts can be taken into account when considering the individual merits of any application. At the present time, the Licensing Authority has no evidence to support the introduction of a special policy in relation to cumulative impact, and therefore does not consider it appropriate. This matter will be kept under review and reserves the right to introduce such policy, if appropriate, during the life of this Statement of Licensing Policy.

#### **14. Licensing Hours**

- 14.1 The Licensing Authority's view, having considered the Act and having had regard to the guidance under section 182, is that the Act neither promotes nor discourages extended licensing hours. For that reason the Licensing Authority will consider each application on its own individual merits and with the aim of properly promoting the licensing objectives. The Licensing authority will not apply artificially fixed hours to any area within the borough.
- 14.2 Shops and supermarkets will normally be free to provide sales of alcohol for consumption off the premises at any times when they are open for shopping unless the Licensing Authority has good reasons for restricting those hours such as where there have been Police representations in the case of shops known to be a focus of crime, disorder and/or disturbance. The Licensing Authority may consider any other matter that it considers relevant to the promotion of the licensing objectives.
- 14.3 When issuing a licence in respect of premises situated in a largely residential area, the Licensing Authority may, where appropriate, consider the imposition of stricter conditions.

#### **15. Children and Licensed Premises**

- 15.1 The Licensing Authority recognises the great variety of premises for which licences may be sought. These will include theatres, cinemas, restaurants, pubs, nightclubs, cafes, take away food outlets, community halls and schools. Access by children to all types of premises will not be limited in any way unless it is considered appropriate to do so, in

order to protect them from harm and provided that such access is in accordance with the Act and/or guidance issued by the Home Office.

15.2 When deciding whether to limit access to children or not, the Licensing Authority will judge each application on its individual merits. Examples that may give rise to concern in respect of children would include premises:

- where entertainment of an adult or sexual nature is provided
- where there is a strong element of gambling taking place
- where there is a known association with drug taking or drug dealing
- where there have been convictions for serving alcohol to those under 18
- where there is a reputation or other evidence of underage drinking
- where there is a history of violence or disorder
- where Fixed Penalty Notices have been issued in respect of underage sales

15.3 In the case of premises which are used for film exhibitions, conditions will be imposed restricting access, only to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification, or in specific cases, a certificate given to the film by the Council itself.

15.4 Where a large number of children are likely to be present on any licensed premises, for example, a children's show or pantomime, then conditions may be imposed requiring the presence of an appropriate number of adult staff (ratio may be specified) to ensure safety and protection from harm. Conditions may also be imposed that require staff working with unaccompanied children to be recruited following safer recruitment policies that will include the requirement for enhanced DBS checks. Further, conditions may be imposed requiring any allegations made about harm to children to be reported to the Local Authority Designated Officer (LADO).

15.5 The options available for limiting access by children would include:

- a limit on the hours when children may be present
- a limitation or exclusion when certain activities are taking place
- the requirement to be accompanied by an appropriate adult

- access may be limited to parts of the premises but not the whole
- an age limitation (for under 18s)

15.6 The Licensing Authority will not normally impose any condition that specifically requires access for children to be provided at any premises. Where no restriction or limitation is imposed, the issue of access will remain a matter for the discretion of the individual licensee or club, who should always remember that it is everyone's duty to safeguard and promote the wellbeing of children.

15.7 The applicant may wish to consider displaying prominent signage informing customers that it is an offence to sell or allow the sale of alcohol to children, to purchase alcohol on behalf of a child, or for a child to buy or attempt to buy alcohol for themselves. In addition, they may also wish to consider displaying signage stating that those supervising children may be refused the sale of alcohol to prevent the neglectful care of children from parents or carers if they are irresponsibly under the influence of alcohol.

15.8 The Licensing Authority encourages applicants and licence holders to demonstrate how the risks of child exploitation will be minimised and managed, e.g. through the implementation of a child protection policy. This should reflect that Solihull recognises that exploitation is deliberate maltreatment and manipulation irrespective of their age, gender, ethnicity, background or ability, and sexuality, and comes in many forms including: modern slavery, human trafficking, sexual exploitation (which is a form of sexual abuse), and criminal exploitation. Applicants and licence holders should be fully aware of the signs of child exploitation and radicalisation, and understand that these are both abuse and a crime. This information should be cascaded appropriately to staff through training. Appropriate conditions may be attached to protect children from moral, psychological or physical harm.

## **16. Further considerations to prevent or minimise exploitation**

16.1 Where appropriate, the Licensing Authority encourages applicants to have knowledge and understanding of the Gangmasters Licensing Act 2004 and the implications of it on their business. Applicants should give consideration to ensuring staff have an awareness and understanding of the legislation and facilitate training if necessary.

16.2 The Licensing Authority also expects relevant businesses to ensure they are compliant with the Modern Slavery Act by demonstrating what steps are being taken to prevent

modern slavery, including (but not limited to) responsible recruitment of and treatment of staff.

## **17. Integrating Strategies and the Avoidance of Duplication**

17.1 There are a number of issues that may need to be considered when dealing with applications. The Licensing Committee will, where appropriate, have due regard to:

- the needs of the local tourist economy
- the needs of visitors to local exhibitions and conferences
- the cultural strategy for the area
- the employment situation in the area and the need for new investment and employment where appropriate
- planning considerations which might affect licensed premises
- any other general provision that is appropriate to fulfil the Licensing objectives

17.2 Through consultation, the Licensing Authority will endeavour to secure proper integration with crime prevention, planning, transport, tourism, equality schemes and cultural strategies and health and wellbeing strategies.

17.3 Where any protocols agreed with West Midlands Police identify a particular need to disperse people from town centres and/or other areas, swiftly and safely, to avoid concentrations which could lead to disorder and disturbance, the Council will initiate liaison with those responsible for providing local transportation, so that arrangements can be made to reduce the potential for disorder and disturbance. The Council may also implement any other measures considered appropriate, such as the use of Taxi Marshals.

17.4 The Licensing Authority recognises that licensing applications should not be seen as a re-run of the planning application process and that there should be a clear separation of the planning and licensing regimes, to avoid duplication and inefficiency. However, there may be circumstances where a condition of planning permission exists that is contrary to what the licence allows, e.g. a terminal hour. In such circumstances, the applicant must observe the earlier closing time as any breach would be liable to enforcement action by the relevant authority.

17.5 The 'Agent of Change' principle places the responsibility for mitigating impacts from existing noise-generating activities (such as live music venues) on the incoming user (such as new

residential development). This may mean that the developer should be responsible for soundproofing or other mitigating measures. The Licensing Authority will work with planning and environmental health colleagues to give consideration to how the principle may support the licensing objectives, particularly the prevention of public nuisance, and how venues may be protected from unjust complaints that arise only because of new development nearby.

- 17.6 In order to avoid duplication with other statutory regimes as far as possible, the Licensing Authority will not attach conditions of licence, unless they are considered appropriate for the promotion of the licensing objectives. Conditions will not normally be considered appropriate if specific matters are already subject to existing legislation.

## **18. Other considerations**

- 18.1 It is recognised that Solihull has a vibrant evening and night-time economy not only within its town centre but in other areas and centres across the borough, and this plays an important part in creating a vibrant and sustainable economy. However, this must be balanced with the ambition to expand the offer for leisure, tourism and business by providing an attractive offer for all age and religious groups.
- 18.2 The Licensing Authority will work with partners to explore and support opportunities to increase events, activities and businesses which are not necessarily alcohol-led and which are more socially-inclusive to drive the economy. The emergence of 'competitive socialising' and similar activities are changing the face of the evening and night-time economy and the Licensing Authority encourages and supports this.

## **Appendix A Scheme of Delegations**

<b>Matter to be dealt with</b>	<b>Sub Committee</b>	<b>Officers</b>
Application for personal licence	If police objection	If no objection made
Application for premises licence/club premises certificate	If relevant representation made	If no relevant representation made
Application for provisional statement	If relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate	If 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
Application for interim authority	If a police objection	All other cases
Application to review premises licence/club premises certificate	All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of a police objection to a temporary event notice	All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition	If police objection	All other cases
Decision on whether to consult other responsible authorities on minor variation application		All cases
Determination of minor variation application		All cases

## **Appendix B List of Consultees**

### **Responsible Authorities (as defined under the Act)**

- West Midlands Police
- West Midlands Fire and Rescue Service
- Solihull MBC Public Health
- Solihull MBC Environmental Health
- Solihull MBC Planning Services
- Solihull MBC Local Safeguarding Childrens Partnership
- Solihull MBC Trading Standards
- Home Office Immigration Enforcement

### **Example representatives of the Licensed Trade and Industry Bodies**

- British Beer and Pub Association (BBPA)
- UK Hospitality
- Music Venue Trust
- Association of Convenience Stores (ACS)
- British Institute of Innkeeping (BII)
- Night-Time Industries Association (NTIA)
- Local Pub groups in Solihull
  - Solihull & District CAMRA (Campaign for Real Ale)
  - Federation of licensed Victuallers Associations (FLVA)
- Local Chamber of Commerce (Greater Birmingham Chambers of Commerce Solihull branch)
- Various Licensing solicitors/consultants

### **Example representatives of the Public and Community Stakeholders**

- Solihull Residents' Associations (e.g., Knowle, Dorridge, Shirley, Olton, etc.)
  - Dorridge & District Residents' Association (DDRA)
  - The Knowle Society
  - Friends of Damson Parks
  - Visit Knowle
  - Visit Solihull
  - Solihull BID
- Faith Groups (churches, mosques, gurdwaras, temples within Solihull)
  - Solihull Faith Action Project
  - Solihull Faith Forum
  - Solihull Hindu Community Association (SHCA)
- Community Safety team
- Local Councillors (all wards and parishes)
- Local MPs for Solihull constituencies
- Healthwatch Solihull
- Neighbourhood Watch groups
  - Shirley Street Watch
  - Monkspath & Hillfield Speed-Watch Group
  - Hockley Heath Community Speed Watch
- Youth groups/ forums - Solihull Young Opportunities Solihull
- Women's group/ domestic violence services (for safeguarding input) – Birmingham & Solihull Women's Aid
- WMCA NTE policy advisor
- Solihull Integrated Addiction Services (SIAS)

## **Appendix C Example Conditions**

### **Crime and Disorder**

#### **Door Supervisors**

- There shall be provided at the premises door to such a number as the management of the premises consider are sufficient to control the entry of persons to the premises and for the keeping of order in the premises when they are used for licensable activity.
- There shall be a minimum of one female door supervisor on duty at the premises at all times during opening hours.
- The requirement for door supervisors to be engaged on duty shall be risk assessed. A written risk assessment shall be carried out by the licence holder, DPS or a nominated representative and produced upon request to authorised officers of the council and Police.
- Any door supervisors working at the premises shall be clearly identifiable and wear high-visibility armbands to display their SIA badge.
- A written record shall be kept in respect of all door supervisors working at the premises containing the following information:
  - a. Name
  - b. SIA registration number;
  - c. Dates and times at which door supervisor commenced and finished duty
  - d. Details of any incident involving crime and disorder or public safety in which the door supervisor is involved, including calls to police and any action taken.

This record shall be kept at the premises for a period of not less than six months and be available for inspection on request by any authorised officer of the council or Police.

#### **Search Policy (Drugs & Weapons)**

- The management of the premises shall devise, implement and maintain a written policy relating to the prevention of illegal drugs, offensive weapons and any other illegal products or contraband goods. This policy shall include, but not be limited to staff training, searching, confiscation, storage and disposal of seized items. The policy shall be made available upon request to an authorised officer of the council and West Midlands Police.
- There shall be displayed throughout the premises a notice informing prospective customers of the search policy. The notice shall be securely fixed and visible to members of the public.



### Communication between Licensed Premises

- A method of communicating with other participating licensed premises by way of an appropriate communication device shall be provided at the premises.
- When the premises are open to the public, the communications link with other participating licensed premises shall be switched on and available to and monitored by the Designated Premises Supervisor or a nominated member of staff.
- Every incident of crime or disorder in the premises shall be reported via the text / pager or radio link to other participating licensed premises by the Designated Premises Supervisor or a nominated member of staff.
- The Designated Premises Supervisor, when present, and all members of staff shall ensure that all lawful instructions and/or directions given by the Police are complied with.

### Pub and Club Watch Schemes

- The licence holder and/or the designated premises supervisor or a person nominated by them shall actively participate and be a member of a Pub and Club watch scheme for the area within which the premises is located.

### Glass and Containers Alcohol

- No customers carrying open containers of alcohol shall be admitted to the premises at any time when the premises are open to the public.
- No drink shall be sold from a bar or by staff service or consumed in or on the premises other than in a container made from non-splintering plastic, paper or shatterproof glass. (Your attention is drawn to the requirements of the Weights and Measures Act 1985).
- Customers shall be prevented from taking any glasses or open bottles from the premises. Signage shall be displayed at all exits to inform customers of this requirement.
- The management of the premises shall ensure that glassware is collected every 30 minutes so as to ensure said glassware is not used as projectiles or weapons.

### Large Capacity Venues Used Exclusively or Primarily for the "Vertical" Consumption of Alcohol (HVVDs)

- There shall be provided at the premises tables in the ratio of 1: (insert number) customers and seats in the ratio of 1: (insert number) customers.

## CCTV

- CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request. Staff shall be trained in the operation of the CCTV system and able to download footage if requested by responsible authorities.
- Where CCTV equipment is fitted, it shall be maintained in good working order in accordance with the manufacturer's instructions.
- The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 31 days.

## Access and Dispersal

- The last permitted entry time to the premises on any given night shall be one hour prior to the venue's closing time, except for re-entry.
- The management of the premises shall devise and implement a written policy to control the access and exit of persons to and from the premises. The policy shall include but not be limited to ejections and dispersal. The policy shall be made available upon request to an authorised officer of the council and West Midlands Police.
- The supply of alcohol shall cease (insert) minutes prior to the closure of the premises and a winding down period with quieter music shall be implemented.
- Provision shall be made for customers leaving the premises to have access to local transport providers and information.

## Proof of Age Schemes

- There shall be in place for the premises a written admissions policy to prevent the sale or supply of alcohol to persons under 18 years of age. That policy shall require any person who appears to be under the age of 18 years to produce a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS) or citizen card if a proof of age card is not available a photo driving licence or passport.
- A notice or notices shall be displayed in and at the entrance to the premises where they can be clearly seen and read and shall indicate that it is unlawful for persons under 18 to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.
- Persons who appear to be under the age of 18 years shall be required to produce proof of age by way of a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS) or Citizen card if a proof of age card is not available a photo driving licence or passport.

## Alcohol Sales

- No cans of beer, lager and cider above 6% ABV shall be sold on the premises at any time except for products identified as premium craft beers.
- The management of the premises shall have available on the premises originals or legible copies of invoices, receipts or other records of transactions for all alcohol products purchased in the preceding three months, which shall be made available upon request to an authorised officer of the council, Trading Standards and Police.
- All staff employed in the sale of alcohol shall be trained in respect of identifying signs of intoxication, conflict management, identifying signs of drugs use and safeguarding vulnerable persons who attend the premises. Such training sessions are to be documented and refreshed every six months. Records of training shall be kept for a minimum of one year and shall be made available upon request to an authorised officer of the council and Police.
- In the absence of the designated premises supervisor, a personal licence holder shall be on the premises at all times when alcohol is available for sale.
- There shall be at least two members of staff on duty at the premises at all times, one of whom shall be a personal licence holder.
- All staff responsible for alcohol sales shall be able to converse with members of the public and relevant agencies in English.
- Any special promotions and events should be risk assessed including reference to the potential to cause crime and disorder. A written risk assessment shall be carried out by the licence holder, DPS or a nominated representative and produced upon request to authorised officers of the council and Police.

## Incident Log

- Any incident at the premises which impacts any of the four licensing objectives shall be recorded in a register kept at the premises and shall contain the following information:
  - a. time and date
  - b. exact location
  - c. nature of incident
  - d. name of staff members or door supervisors involved
  - e. name of any offender (where known)
  - f. action taken as a result of the incident
  - g. name of member of staff recording the incident

This record shall be retained at the premises for a period of not less than six months and be available on request by any authorised officer of the council or Police. The record should be signed off by the DPS or a nominated representative at least once a week.

- All instances of crime and disorder shall be reported to the police.

### Crime Prevention Notices

- Clear and prominent notices shall be displayed on the premises warning customers of the need to guard their property and to be aware of the operation of pickpockets, bag snatchers, etc. The notices shall advise customers to report concerns to the designated premises supervisor or the person in charge of the licensed premises.

## **Public Safety**

### Capacity

- The capacity of [please insert areas] shall be restricted to [please insert numbers].
- The total number of patrons permitted on the premises shall be risk assessed. The risk assessment shall be produced to authorised officers of the council and West Midlands Police upon request.
- A suitable method of determining the number of persons on the premises at any one time shall be employed to ensure that the maximum permitted capacity is not exceeded.
- A notice shall be displayed prominently at the entrance to the premises indicating the maximum number of persons permitted on the premises (or any particular part of the premises) at any one time

### Means of Escape

- All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.
- Where chairs and tables are provided, internal gangways shall be kept unobstructed.
- All exits doors shall be maintained easily operable without the use of a key, card, code or similar means.
- Exit doors shall be regularly checked to ensure that they function satisfactorily, and a record of the check shall be kept.
- Any removable security fastenings must be removed whenever the premises are open to the public or occupied by staff.
- The edges of the treads of steps and stairways must be maintained so as to be in good condition and be conspicuous.
- All doors or gates both inside and outside the premises which are on an escape route shall be fitted only with approved fasteners and shall at all times be properly maintained, free from obstruction and be capable of being opened easily and fully

so that they do not restrict the public leaving the premises and shall open in the direction of the escape route.

- When disabled persons are present on the premises there shall be in place arrangements for their safe evacuation in the case of an emergency or other reason. Details of those arrangements shall be recorded in writing and all staff employed on the premises shall be aware of those arrangements.
- All disabled persons on the premises shall be made aware of the evacuation arrangements.

### Safeguarding

- The management of the premises shall ensure that all staff - including door supervisors - are trained to recognise vulnerable people who may be impaired in some way and may need assistance. The premises shall provide a safe space for such individuals.
- The management of the premises shall ensure that all staff, including door supervisors, are trained to provide reasonable assistance to persons who are leaving the premises, such as contacting taxi companies or making Street Pastors (where available) aware of any potential concerns.
- There shall be no external advertising of the availability of alcohol on the premises, such as window displays.

### Emergency Procedures

- In the absence of adequate daylight, the lighting in any area accessible to the public shall be fully in operation when they are present.
- Emergency lighting batteries are fully charged before the admission of the public.
- Access for emergency vehicles must be kept clear and free from obstruction.
- Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times.
- There must be at least one suitably trained first-aider on duty when the public are present, and if more than one suitably trained first- aider is available, their respective duties must be clearly defined.
- Staff with specific responsibilities in the event of fire or other emergency shall receive training and written instruction appropriate to their role and documented records of such training and instruction shall be kept.

### Special Events/Risks

- Special effects must not be used without the prior consent of the licensing authority.

- Any event involving pyrotechnics, fireworks, lasers, firearms, real flame, explosives or any other flammable material, shall be risk assessed. The risk assessment shall be in written format and provided at least 28 days before any proposed event to authorised officers of the council, Police and any other relevant agency (for example the fire service).
- Pyrotechnics, explosives or other highly flammable substances shall only be stored in areas approved by the council and subject to the provisions set out below:
  - a. Firearms and replica firearms, including blank ammunition, shall be stored in a secure area to the satisfaction of the council and the police. They shall be under the control of a responsible person, who shall be responsible for the removal and return of all firearms. Firearms shall only be removed from the store (with the amount of ammunition required for the scene) immediately prior to use and returned to the store immediately after use. All discharged cartridges etc. shall also be accounted for.
  - b. Storage areas and containers used shall be indicated by the explosive/inflammable symbol on the door or lid.
- Cylinders for the storage of compressed air, oxygen, or other gases or liquids under pressure shall not be used except with the consent of the council. At least 14 days' notice shall be given to the council of any proposal to use such apparatus.
- Signs shall be prominently displayed at the entrance to the premises where appropriate to advise the public of details of any special effects to be used during performances.
- At least 14 days' notice shall be given to the council in respect of any entertainment which involves any live animal, bird or fish in a performance on the premises.

### Seating

- In no circumstances shall anyone be permitted to:
  - a. sit in the gangway;
  - b. stand or sit in front of the any exit; or
  - c. stand or sit on any staircase including any landings.
- Any drinks to be consumed by a closely-seated audience shall be supplied in plastic/paper containers.
- If tiered seating is provided, the back of the highest level and the ends of the rows shall be provided with an effective safety barrier to the satisfaction of the council.

## Indoor Sports Events

- The licence holder shall ensure that an appropriate number of qualified medical practitioners are on the premises for the duration of any event involving boxing, wrestling, judo, karate, mixed martial arts or entertainment of a similar nature.
- For boxing and wrestling entertainment, or entertainment of a similar nature, any ring shall be constructed and inspected by a competent person, and no member of the public shall occupy a seat within 2.5 metres of the ring.
- For water sports events, staff appropriately trained in safety and rescue shall be on the premises for the duration of the event.

## Safety Checks

- Before the premises are opened for the purposes authorised by the licence an inspection shall be carried out to ensure that the premises are safe for use. Details of the inspection, defects discovered and remedial action taken shall be recorded in writing in a logbook kept for that purpose. That logbook shall be made available for inspection on demand to an authorised officer of the Council, a Fire Officer or Police

## Curtains, Hangings, Decorations, Upholstery, Carpets, Walls and Ceilings

- The premises shall be maintained so that the following fire retardancy standards are complied with:
  - i. All upholstered seating meets on a continuous basis the pass criteria for smouldering ignition source 1 and crib ignition source 5 when tested in accordance with section 5 of BS 5852:1990.
  - ii. All repairs or refurbishment of existing seating or upholstery shall include the removal of untreated polyurethane foam and its replacement by fillings which conform to the Furniture and Furnishings (Safety) Regulations 1988 (as amended).
  - iii. Carpets – B.S.4790 low radius of spread.
  - iv. Walls and Ceilings – Circulation areas, Building Regulations. Class O General Areas, B.S.476 Class1.
  - v. All artificial foliage, floral decorations or any other decoration provided on the premises shall be of inherently flameproof material.
- Where any furnishing or fitting in the premises including wall, floor and ceiling linings, requires further periodic treatment to maintain the surface spread of flame qualities, they shall be treated in accordance with the manufacturer's specifications. When such treatment is carried out, a written record shall be made in the logbook kept for that purpose and a certificate showing the treatment has been carried out shall be obtained and retained for inspection by the Fire Authority.
- No curtain, hanging or any other decoration shall be positioned so as to obstruct any exit, sign or firefighting equipment. Curtains covering doorways should be divided down the middle and so hung that the lower edge of the curtain does not

touch the floor. They should not obstruct notices, exit signs, firefighting equipment etc.

## **Prevention of Public Nuisance**

### **Noise and Vibration**

- Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
- The management of these premises shall devise and implement a written noise management policy, which shall be made available upon request to an authorised officer of the council, Environmental Health and Police.
- Regulated entertainment shall not be provided in outside areas after the agreed operating schedule hours
- During any regulated entertainment, or in any case after (time), all external doors (including lobby doors) and windows to the premises shall remain closed, other than for access and egress.
- Any sound amplification equipment shall be routed through a noise limiter device. The device shall be of a type, in a location and set at a level [specify if known] [approved in writing by the appropriate officer of the council]. The unit shall be secured to prevent tampering, and the limiter shall not be altered without prior agreement of the council or Environmental Health.
- 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 a designated manager.
- The licensee shall appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of sound insulation and noise control measures, which may include the installation of a noise limiting device, to prevent persons in the neighbourhood from being unreasonably disturbed by noise of music from the premises. The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, prior to the premises being used for regulated entertainment.
- Prominent, clear and legible notices are to be displayed and maintained at all exits requesting customers to respect the needs of local residents and to leave the premises and area quietly. All reasonable steps shall be taken to ensure that people entering or leaving the premises do so in an orderly manner and do not in any way cause annoyance to residents and people passing by the premises.
- Staff shall actively discourage and disperse persons who congregate outside the premises so as to minimise disturbance to local residents.



- The contact telephone number for the premises licence holder/designated premises supervisor/duty manager shall be displayed inside the premises or immediately outside the premises such that it is clearly visible from outside without the need to enter the premises.
- During operating hours, the DPS or a nominated representative shall be available to receive and respond to nuisance-related complaints. A contact number shall be readily available to residents upon request.

### Use of Outside Areas

- The beer garden/outside drinking area shall be cleared of customers within 30 minutes of the agreed terminal hours.
- All outside areas shall be closed to customers after (time) with the exception of the external smoking area [as identified on the plan]. This area shall be monitored by the DPS or nominated staff to ensure noise is kept to a minimum so as not to cause nuisance to residents.
- There shall be no consumption of food or drink in the outside areas of the premises after (time).
- All external tables and chairs shall be removed by (time) each night.
- No speakers or amplification equipment shall be provided in external areas of the premises.
- Bottling out from the premises is advised against during the hours of 23.00 to 08.00.

### Monitoring

- If a noise limiting device or devices are installed then the entertainment noise control system shall be monitored, checked and calibrated as necessary, so that the approved levels by the Council, are not exceeded.
- The external areas of the premises shall be monitored by the DPS or a nominated person every 30 minutes from the start of any regulated entertainment and for a further 30 minutes after the permitted closing time of the premises, to ensure there is no noise which is likely to cause a nuisance to local residents. The monitoring log shall set out as a minimum: time and date of observation, observer, observation, action taken to resolve situation, 0 = satisfactory level of noise, unlikely to cause disturbance, up to 5 = severe disturbance. The log shall be kept at the premises and made available upon request by authorised officers of the council, Environmental Health and West Midlands Police.

### Outdoor Events

- The licence holder or their nominated representative shall have full control over the sound amplification equipment. The volume and tone shall be adjusted accordingly to the requirements of Environmental Health or the council.

- The specification, location and orientation of all permanently fixed speakers shall be agreed with Environmental Health or authorised officers of the council.
- Noise emanating from regulated entertainment at any outdoor event shall not exceed [insert noise limits] as measured as measured 1 metre from the façade of the nearest noise sensitive premises. The noise level shall be measured as an LAeq,15 minutes.
- During all outdoor events the received music noise level (MNL) (LAeq 15mins) measured 1m from the façade of the nearest noise sensitive premises shall not exceed the background noise level (L90) by more than 15dB(A).
- Music Sound Pressure Levels (SPL) measured at the sound mixing desk(s) shall not exceed [insert limit].
- At least 14 days' notice shall be given to the council in respect of any entertainment involving the use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas.

#### Light Pollution and Odour

- Flashing or bright lights which cause a nuisance to nearby properties shall not be permitted.
- All external lighting shall be positioned in such a way so as not to disturb or intrude upon local residents or businesses. Lighting shall be switched off at (insert hours).
- Noxious smells shall not be permitted to emanate from the premises so as to cause a nuisance to nearby properties.

#### Leaflets and Fly Posting

- No soliciting for custom, including the distribution of leaflets, shall take place from the premises, immediately outside the premises, or in the vicinity of the premises.
- The premises licence holder shall ensure that advertising or promotional material for licensable activities at the premises is not placed on any street furniture or structure on the public highway not belonging to the premises licence holder.
- No poster, advertisement, or similar which is unsuitable for general exhibition shall be displayed in a public place. If the licence holder is notified by the council in writing that it objects under this rule to a poster, advertisement or similar it shall not be displayed, sold or supplied.

#### Waste and Cleaning

- The immediate vicinity outside of the premises and any external areas associated with the premises shall be kept clear of litter.

- Notices shall be displayed in prominent positions to ask patrons to dispose of their rubbish in the bins provided.
- An adequate number of waste receptacles for use by patrons shall be provided and emptied at appropriate intervals.
- Refuse such as bottles must be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.
- Operators are expected to consider the potential for litter near their premises and take steps to actively reduce the amount of litter generated from their premises; this included areas surrounding hot food takeaways, external smoking areas and external seating areas.

## **Protection of Children from Harm**

### **Age Restrictions**

- Persons under the age of 18 shall not be admitted to the premises at any time / between the hours of (time) and (time).
- Persons under the age of 18 shall only be admitted to the premises if they are accompanied and supervised by an adult whilst on the premises.
- Persons under the age of 18 shall not be admitted to the premises when adult entertainment is taking place.
- The licence holder or their nominated representative shall devise, implement and maintain a Challenge 25 policy as part of their policy relating to alcohol sales. Clear signage relating to the policy shall be displayed at the premises. Only a valid driver's licence showing a photograph of the person, a valid passport, national identity card or proof of age card showing the "PASS" hologram are to be accepted as identification.
- All staff employed (whether paid or unpaid) in the sale of alcohol shall be trained in respect of the law relating to the sale of alcohol, proxy purchases, identification checking, the company's proof of age policy and the procedure on handling and recording refusals. Refresher training shall be carried out every six months. Such training sessions are to be documented and records shall be kept for a minimum of one year and be made available upon request to an authorised officer of the council, Trading Standards and Police.
- The use of a "challenge log" recording all age restricted sales challenges.

### **Performances for or involving Children**

- Enhanced DBS checks carried out for any person providing entertainment to, or supervising children.

- For age limited films, a policy/procedure for ensuring compliance with age should be in place.
- During entertainment presented especially for under-18s, a member of staff shall be stationed in each area occupied by children, and in the vicinity of each exit, so that on each level occupied by children the minimum number of responsible adult members of staff on duty shall be one for every 50 children or part thereof.
- During entertainment aimed specifically at under-18s, there shall be a minimum of two door supervisors on duty at all times including at least one female door supervisor.
- There should be a “reporting policy” regarding young people in place in relation to licensed premises and for the local environment (for e.g. young people ‘hanging out’ during school hours or late at night.
- Children shall be kept under adult supervision at all times, including transfer between stage and dressing room and anywhere else on the premises.
- Measures shall be put in place to ensure that the children can be accounted for at all times in case of an evacuation or emergency.
- There should be an appropriate child protection policy in place where entertainment specific to children is to be published including details of how safeguarding matters will be managed within the premises including DBS checks for relevant staff.
- The Police Licensing Officer, Licensing Authority and Local Authority Children’s Service are to be notified of any under 18 event at least 28 days in advance of the event. Such notification should be from the Premise Licence Holders or Designated Premise Supervisor, as they would be held accountable should the event undermine any of the licensing objectives.
- The premises should be covered by good quality, colour, digital CCTV which meets the requirements and expectations of the Licensing Authority and Police. The equipment to record whilst the event is being held on the premise, all recordings to be retained for a minimum period of 31 days and to be made available upon request to the Police or Licensing Authority within a period of 7 days.
- The operator should ensure that the premises have sufficient numbers of SIA registered security staff and ensuring that they are employed in the following minimum ratio: 2 for the first 100 customers, one of which being female, 2 for the second 100 customers and 1 for every 100 customers thereafter. At least one member of security staff being employed as a floorwalker and constantly monitoring patrons for evidence of alcohol or drugs and also protecting patrons from unwanted attention or harassment.
- The operator should ensure efficient entry and dispersal procedures are in place so that young people are not left in a vulnerable position outside of the premises.

- Where there is normally a bar, ensuring that alcohol is not on display and is locked away.
- Ensuring that there is at least 1 hour between the conclusion of the youth event and the venue opening for the commencement of any adult entertainment.
- Searches on entry, to include all bags, to prevent alcohol and other illegal substances being brought onto the premises. Searches are a method of protecting the venue, its staff and customers, and reduces the chances of serious harm to customers and staff and are a means to prevent alcohol and other illegal substances, offensive weapons or other unauthorised items (ie incendiary devices, fireworks, laser pens etc) entering the premises. Any searches should be with the consent of the person being searched. Any searches should be undertaken by someone of the same sex as the person being searched.
- Where alcohol is seized from persons aged under 18, the details should be recorded in a register.
- Any prior marketing of the event (internet, flyers, posters etc.) to make it clear that no alcohol will be sold to under 18's, nobody who appears to be drunk will be allowed admission to the event and searches will take place to ensure that no alcohol is brought into the venue. Permissible ages for attendance at the event to be printed in prominent writing on any tickets issued for the event.
- Should ensure a policy is in place for dealing with under 18's who appear to be under the influence of drugs or alcohol which incorporates the level of duty of care expected to be provided.
- Toilet checks being carried out at regular intervals and records of such checks retained.
- Ensure a policy is in place to prevent under aged persons leaving and returning to the premises in order to consume alcohol outside.
- For events held on a Thursday, Friday or Saturday evening a terminal hour of no later than 23.00.
- An area should be designated as a safe space, whereby ill or intoxicated persons, including minors, can be taken to a place of safety for medical treatment or in the case of minors until reunited with a parent, guardian or responsible adult.

### Refusals Log

- A refusal register (written or electronic) shall be maintained at the premises to record sales of age restricted products that have been refused. The register is to be made available upon request by Police, Trading Standards Officers and Licensing Officers. The register should include details of the time, date, member of staff refusing the sale, reason for refusal (for example intoxication or underage) and a brief description of the person refused.

- The licensee and staff should note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection by the licensing team, police or trading standards.
- The Police Licensing Officer, Licensing Authority and Local Authority Children's Service are to be notified of any under 18 event at least 28 days in advance of the event. Such notification should be from the Premise Licence Holders or Designated Premise Supervisor, as they would be held accountable should the event undermine any of the licensing objectives.

### Safeguarding and Child Sexual Exploitation

- All cash transactions for hotel bookings shall require photographic identification from the person making the booking. Only a valid British drivers' licence showing a photograph of the person, a valid passport, proof of age card showing the 'Pass' hologram or military identity cards are to be accepted as identification for the purposes of this condition.
- The management of the premises shall ensure that all staff complete training in safeguarding and child sexual exploitation that is of a standard agreed with Police and the council within 28 days of employment. Refresher training shall take place every six months. Signed records of all training shall be maintained for at least two years, and be made available upon request to an authorised officer of the council and West Midlands Police.

### Mixed Age Events

- All patrons to be given a form of identification to differentiate their age as being above or below the age of 18. This may be in the form of different colour wristbands or stamps for the back of the hand.
- Only one alcoholic drink to be purchased at any one time by an individual aged over 18 years of age.
- At least 2 SIA registered security staff acting as floorwalkers to constantly monitor patrons aged under 18 years of age for evidence of alcohol or drugs and also to protect patrons from unwanted attention or harassment.
- Children under 16 years of age should not be permitted to attend the event unless accompanied by a responsible adult. Each responsible adult should not be responsible for more than four children under the age of 16.
- All drinks to be served in plastic or polycarbonate glasses.

### Alcohol Delivery Services

- Deliveries of alcohol shall only be made to residential dwellings or a place of work with a recognisable postcode. The delivery shall only take place only if the person receiving the alcohol is inside the property, or inside a communal doorway, and able to prove to the person delivering the alcohol they are a resident or employee at the premises. Alcohol shall not be delivered to a person

who is in a public place e.g. in a street, a park etc. and no sales shall take place directly from the delivery vehicle.

- All payments for alcohol to be delivered shall be made by credit card only. Upon receipt of an order including alcohol to be delivered, the customer shall be clearly advised that the delivery shall only be made to the person named on the credit card and that if they appear to be under the age of 25 they shall be required to produce an approved form of identification, the name of which corresponds with the name on the credit card. Failure to provide the requested identification and or credit card shall result in non-delivery of the alcohol and a refund in respect of that part of the order which relates to the alcohol only.
- For every delivery a customer shall sign a delivery note which shall contain:
  - a. Date & time
  - b. Name of person making order
  - c. Address of delivery
  - d. Details of ID provided if Challenge 25 policy applies
  - e. Items delivered
  - f. Member of staff making delivery

Delivery notes shall be kept and made available for inspection by Police or an authorised officer of the council for 6 months from the date of delivery.



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