

Licensing Act Statement of Licensing Policy consultation feedback

Total number of responses received: 7 including licensing committee

Comments shown in black **Assessment of comments in red**

Licence Holder

Agrees with all proposals.

Dave Jones, Gloucestershire Safeguarding Children Partnership Business Manager

- Agrees with additional information on personal licences/annual fees – but stated does not have knowledge of these areas
- Inclusion of section on women's safety and wider vulnerability - Yes, this also should include risks of Criminal Exploitation of children and vulnerable adults and the sexual exploitation of children. It would be worth contacting the police and asking to speak to someone from the Public Protection Team on this matter, or the District safeguarding lead Tracy Brown **How to report safeguarding/exploitation concerns has been added**
- Other comments: The policy requires a revision regarding the designation of Responsible Authorities in relation to Child Protection. It is essential that the document references both the GSCP Published Arrangements and the Working Together to Safeguard Children statutory guidance, as these are critical for any organisation that comes into contact with children. Such organisations have a duty to understand and act upon their safeguarding responsibilities and importantly know what to do if they have a concern about a child. **Updated**

Additionally, the GSCB no longer exists, and any contact details associated with it are invalid. **Updated**

The designation of Responsible Authorities must be assigned to specific organisations, not to a partnership. A partnership is not a defined legal entity for this or any statutory purpose. The GSCP, as a partnership, has formally identified Gloucestershire Constabulary (Police) and Public Health as the Responsible Authorities, given their roles as principal safeguarding partners. Gloucestershire Fire and Rescue Service, as a GCC service, also falls into this category as GCC is a primary safeguarding partner, that's GCC as a whole and not GCC Children's Services.

Where safeguarding concerns are identified by either the Licensing Team or the Responsible Authorities, these should be communicated directly to the GSCP Business Unit with sufficient detail. This enables the Business Unit to coordinate appropriate feedback and safeguarding advice to the relevant District. This process is clearly outlined in the GSCP's Published Arrangements, which were agreed with GLOG in 2021. Most Gambling Act Statements already reflect this arrangement, with some clear errors that too will need updating, and it should be consistently replicated in all Licensing Policies.

I will be attending the next GLOG meeting to discuss this further with Tracy Brown from CBC

Lastly, I may have missed it, but I didn't see any reference to the licensing of taxi drivers or other drivers, including the associated safeguarding processes in this area. This may be covered in a separate document, but I wanted to raise the question for clarification as the recent National Baroness Casey Report has a clear recommendation nationally that needs to be considered relating to the licensing of drivers. **This has been covered at County officers meeting in September**

Cllr David Willingham

- Agrees with personal licence/annual fee
- Women's safety section - This is lots of fine words, but provides no way to require premises to actually operate such a scheme. There should be a model condition that can be all relevant premises, requiring the operator operate a "Welfare and Vulnerability Engagement" scheme, such as "Ask for Angela", as operating a scheme is justified in respect of public safety and preventing crime and disorder **We cannot force premises to promote the scheme as it is not mandatory. However, this is promoted as good practice and the LA fully supports how useful these schemes can be. It will be considered as part of the charter measures when this work is carried out in 2026**
- Other comments: The policy is silent of issues such as illegal electric motorbikes being used for deliveries by premises with late night refreshment licences. The policy seems to mainly focus on sale of alcohol, but late night refreshment needs further controls. There needs to be a model condition applied drafted and to late night refreshment licences requiring safeguarding training for staff and associated record keeping, as such premises are attractive to children and therefore attractive to those seeking to exploit children. The hours for licensable activity such as off-licences, may need different timings for it town, and also to accommodate large 24h shopping premises such as supermarkets. **Again, this is not something we can mandate. Have updated document to reflect good practice.**
Delivery vehicles outside of licensing remit
Takeaway food premises need public nuisance conditions to manage light pollution, and issues associated with congregation of delivery vehicles. Stronger conditions are required to tackle fly-posting, for example requiring to keep a log of all events promoted by third parties, or even to consider requiring venues to hold a deposit in escrow that can be claimed against for removal costs by a highway authority or principle litter authority if fly-posing related to an event is found within 28 days of the event. Fly-posting is a crime so having conditions to prevent or deter it seems reasonable and lawful. The policy should provide indicative timelines so that applicants can be clear how long in advance of opening or one-off events they need to apply, especially for events where a SAG is needed. Conditions around CCTV should look to align the required conditions to align with relevant British Standards such as BS EN 62676 to ensure that picture quality, storage, logging, data authentication, time stamping, tamper detection, etc. meet a measurable standard

Home Office (Immigration)

Change of address **Updated**

Home Office
Immigration Enforcement
Licensing Compliance Team (LCT)
2 Ruskin Square
Dingwall Road
Croydon
CR0 2WF

Email: IE.licensing.applications@homeoffice.gov.uk

GCC Public health

Comments here [Public health feedback.docx](#)

Reference to the pledge removed as this work has not progressed. Updated with reference to purple flag/ENTE work and aspiration to produce a charter for Cheltenham. Will refer request for updates on domestic abuse/sexual violence partnership boards be referred to community safety to feed back to GCC.

Cllr Steve Harvey

8.6. Integrating Strategies & Specific Policies

8.1 The authority has ~~established a good a proven~~ track record of partnership work and will continue to work in partnership with the police, local residents, businesses, licensees, communities and regulatory agencies towards safeguarding the quality of life for residents, and the creation of a safer and more pleasant environment for all. The authority has a very committed set of Councillors who join in the partnership work. Comment. Poorly worded comment but the sentiment is there

8.2 In particular, Cheltenham has an award winning (PURPLE FLAG) vibrant night-time economy that far exceeds other towns of similar sizes. The town offers a rich choice of entertainment and facilities making it a destination attracting usually high numbers of visitors, some travelling considerable distances to enjoy what the late night economy has to offer. Document updated

Licensing Committee

2. Women's safety wider vulnerability

Cllr Willingham: Yes, agree with it. Comment to make unless it has been missed – are there any new conditions in the back of document requiring premises to operate the scheme or successor. Going form marked up copy of pool of conditions – can't see a condition that says should operate ask for angela or ask for clive. Need to offer condition that requires premises to operate these schemes. Need to look at which types of premises we would generally put that condition on pub clubs etc. But also, potentially anywhere that gets LNR licences as people going into this LNR may have been in premises before and there may be unwanted 'hangers on' for patrons of LNR.

MB: No proposed conditions – not a mandatory condition – voluntary scheme so mindful of enforcing condition. Police may require it as part of consultation and scheme being promoted by police. May look at charter which is work in progress.

Pemberton: Also support it. Southam and Rising Sun pub- has signs about operation of ask for Angela. Like that we're looking at safety of woman but addendum to add looking after woman as well as men as men often not included. As per comments above

3. Suspension of premises and club premises for non-payment of fees

No comments

4. Any further comments regarding statement of licensing policy draft

DW: 3.33 – protection of children from harm – applicants to give consideration to protecting children from harm. Believes we need to also cover LNR licences on this as an evidential background from a historic news article from the mirror from 29 March 2016 which says that teenage girls groomed by McDonalds burgers and drugs relating to grooming scandal. LNR premises are attractive to young people including vulnerable children and as a result those who seek to exploit them. Requirement on new license that staff in LNR must complete mandatory annual SG training and that applicant/DPS must maintain records to be inspected by LA or constabulary. Model condition to include on those premises. Expectation of what to expect from LNR premises in the policy. **As per comments above**

8.54 – for pubs bars nightclubs we segregate town centre vs residential terminal hour – should there be something similar in relation to ff licences. Is a terminal hour after 23:00 more acceptable for off licence in core central area. Are 24-hour supermarkets that might wish to supply for 24-hour licence to sell alcohol something that might be deemed acceptable. Balance between area – is it safe/suitable are they a responsible applicant. Freedom of people to purchase alcohol as and when deemed fit differentiation vs operating in different areas. **No change – difficult to distinguish between residential/town centre as town centre is evolving with more residential premises**

Model conditions to tackle flyposting. Bristol city council have optional condition which can be applied via licensing review where they are required to maintain a logbook of all promoters so that LA Constabulary and principal litter authorities can find out who it was flyposting. Is it lawful to go further and a premises continue to fly post that we can ask them for events known to be fly posted – that premises holds considerable sum of money in escrow by promoter that if evidence of flyposting exists that money from deposit in escrow is used to clear fly posting instead of public funds.

SW – law changed several years ago where if a fly poster at a venue put up posters – a third party using a premises could see the venue rather than the promoter be the ones prosecuted for fly posting.

MB – correct – outside of licensing remit to enforce fly posting. Will take away model condition re: maintaining a logbook – we can provide details to relevant authority. Expect holding money outside of remit. Asks if legal rep has anything to add – no.