



Committee: LICENSING COMMITTEE
Date: THURSDAY, 16 NOVEMBER 2023
Venue: MORECAMBE TOWN HALL
Time: 1.00 P.M.

A G E N D A

1. **Apologies for Absence**

2. **Minutes**

Minutes of meeting held on 7th September 2023 (previously circulated).

3. **Items of Urgent Business authorised by the Chair**

4. **Declarations of Interest**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

Matters for Decision

Exclusion of the Press and Public

5. **Exempt Item**

The Committee is recommended to pass the following recommendation in relation to the following item:

"That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the ground that it could involve the possible disclosure of exempt information, as defined in paragraph 1 of Schedule 12A of that Act."

Councillors are reminded that, whilst the following item has been marked as exempt, it is for the Committee to decide whether or not to consider it in private or in public. In making the decision, Councillors should consider the relevant paragraph of Schedule 12A of the Local Government Act 1972, and also whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information. In considering their discretion, Councillors should also be mindful of the advice of Council officers.

6. **Determination of a Renewal Application of a Dual Drivers Licence** (Pages 3 - 18)

Report of the Licencing Enforcement Officer

The press and public will be re-admitted at this point

7. **Application Standards - Results of Consultation** (Pages 19 - 75)

Report of the Licensing Manager

8. **Revised Statement of Licensing Policy (2023-2028)** (Pages 76 - 123)

Report of the Licensing Manager

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Sally Maddocks (Chair), Margaret Pattison (Vice-Chair), Gerry Blaikie, Martin Bottoms, Phil Bradley, Claire Cozler, Andrew Gardiner, Erin Hall, Tim Hamilton-Cox and Shelagh McGregor

(ii) Queries regarding this Agenda

Please contact Sarah Moorghen, Democratic Support - email smoorghen@lancaster.gov.uk.

(iii) Changes to Membership, or apologies

Please contact Democratic Support, telephone 582000, or alternatively email democracy@lancaster.gov.uk.

MARK DAVIES,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on 8th November 2023.

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

LICENSING COMMITTEE**APPLICATION STANDARDS -
RESULTS OF CONSULTATION****16 November 2023****Report of Licensing Manager****PURPOSE OF REPORT**

To provide members with the outcome of the public and trade consultation regarding application standards for Hackney Carriage and Private Hire Drivers. Members are required to consider amending application standards in light of consultation responses, updates on training provision and information contained in a previous reports on the same matter.

This report is public.

RECOMMENDATIONS

- (1) **That members note the outcome of the public and trade consultation regarding application standards, including data collated by Officers, and;**
- (2) **Consider any amendments to application standards in light of the Officer updates and options available to them.**

1.0 Introduction

- 1.1 At a meeting of the Licensing Committee on 7 September members considered a report regarding a review of application standards for both Hackney Carriage and Private Hire Drivers Licences, Additionally, Officers provided benchmarking of application standards across Cumbrian and Lancashire Licensing Authorities.
- 1.2 This was in response to the local shortage of licensed drivers and concerns expressed by the licensed trade via the taxi working party regarding perceived barriers to new drivers entering the trade, including but not limited to the comprehensive and often lengthy, application process.
- 1.3 Members were presented with options to consider at the meeting, including amending disclosure and barring certificate providers, reviewing training requirements and validity of driving assessments as part of the application process. Members deferred any decision making at the September Licensing Committee instead preferring to consider public and trade opinion.
- 1.4 It was determined that a period of consultation would be undertaken, and the findings reported to Licensing Committee.

2.0 Proposal Details

- 2.1 Officers compiled 11 questions to create an online survey using the Councils keep connected platform. The survey included questions relating to driver application standards, including the requirement to rank the importance of parts of the application process to them personally, thoughts on their safety whilst travelling in licensed vehicles and what their barriers were to use the services of a licensed vehicle more frequently.
- 2.2 The survey was promoted by the communications team on various social media platforms, shared directly with the licensed trade and sent to Lancaster University contacts in a bid to ensure a cross section of views/opinion are considered as part of the consultation.
- 2.2 The consultation survey was live from Monday 2nd October - Monday 30th October, inclusive. A copy of the consultation questions is attached at **Appendix 1**.

3.0 Details of Consultation

- 3.1 During the consultation period a total of 201 responses to the survey were received, a further 5 emails were received containing additional comments regarding the perceived driver shortage and application standards. They claim that the shortage of drivers is not felt on the ground and that it is predominantly in the evenings where the shortfall is evident. Further comments were made that were not part of the consultation questioning. Full details attached at **Appendix 2**.
- 3.2 Attached at **Appendix 3** is the data collected via the consultation process, key points in the analysis of the responses is as follows.
- Completion of an enhanced disclosure and barring service certificate was the most important application criteria (on average), closely followed by a professional driving test.
 - That drivers should be required to complete a medical examination every 3 years (40%) or annually (34%).
 - Over half of those responding felt it highly important to assess driving standards prior to Licensing.
 - 64% felt it was important or highly important for new applicants to complete a formal qualification.
 - Over 90% feel the knowledge test and safeguarding assessments were important or highly important.
 - 66% have struggled with obtaining the services of a licensed vehicle in the last 12 months.
 - Reassuringly over 90% felt safe when travelling in licensed vehicles locally.
- 3.3 Questions 8 asked respondents to state what put them off using licensed vehicles, responses can be viewed at pages 9-24 of appendix 2 and question 10, why they felt safe/unsafe using licensed vehicles locally, pages 26-36.

4.0 Options

- 4.1 At a previous meeting of Licensing Committee members were presented with 3 options, they were.

- a) Consider removal of the requirement to complete a professional driving test as part of application criteria for private hire and hackney carriage drivers' licences.
- b) Instruct a third party to undertake disclosure and barring certificates and update service checks on behalf of new and renewal applicants for private hire and hackney carriage drivers' licences.
- c) Consider allowing applicants to complete the BTEC qualification (or equivalent) within the first year of licensing, removal of qualification requirements in whole or part or maintain current standards.

4.2 Since the previous meeting, the Licensing Manager has met with Lancaster and Morecambe College (LMC) regarding the course provision for the coming year, unfortunately LMC can no longer provide the City and Guilds Level 2 course currently required as part of the licensed driver application process.

However, it is proposed that a bespoke 2-day certificate can replace previous qualification requirements, the knowledge test and safeguarding presentation will also be built into the bespoke training. Importantly, this can be facilitated without any cost to prospective drivers living in the district, it will be funded until March 2025 by the UK shared prosperity fund.

The previous 9 module qualification has been condensed into 2-days of learning with 2 exams, with some components being removed, the tutor who will deliver the course has provided an overview of content at **Appendix 4**. It is important to highlight that the number of attendees can be raised from 8 to 12 per session and can be delivered on 10 occasions in 2024.

Lancaster and Morecambe College are keen to promote the training provision via their communications, Licensing will engage with communications and marketing within the Council to support and promote the training and licensed trade as a profession.

5.0 Conclusion

5.1 The consultation was undertaken to obtain the views of the travelling public, along with the wider views of the licensed trade. The data collated suggests that the application standards currently in place are robust and would support the views of the public.

5.2 It is the recommendation of the Licensing Manager that members approve utilising the services of a third party to facilitate DBS applications and interim checks as a matter of urgency, the turnaround time for such applications is significantly quicker than the current system and will assist in streamlining the application process. It will also relieve some of the administrative burden on the licensing team.

The new training option is free to those living in the district and covers important information relating to the requirements of being a licensed driver, furthermore Lancaster and Morecambe college can facilitate the knowledge test and safeguarding assessment for applicants, which is of paramount importance. The frequency and numbers permitted to attend has also been increased, these changes will hopefully not be perceived as a barrier to those wanting to enter the licensed trade.

Feedback from the survey suggests that the public viewed assessing the driving standard of applicants prior to licensing as important, members may wish to consider the merits of removing the requirement. Accessibility and availability of testing is consistently available by local providers.

- 5.3 In April 2021 members of Licensing Committee adopted the private hire and hackney carriage licensing policy, the policy brought together existing policies and procedures into one encompassing document, to be used as a reference tool for staff, elected members, and service users. Any departure from the current application criteria must be assessed against the aims of the policy, protecting public safety in its widest context.
- 5.3 Any changes to application criteria and therefore the private hire and hackney carriage licensing policy will be considered by Licensing Committee early 2024.

**CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):**

When considering an individual’s suitability to hold a licence, the protection of the public is paramount, any decision to amend the current application standards must be assessed against the risk to public safety.

LEGAL IMPLICATIONS

The application process for private hire and hackney carriage drivers requires several tests be satisfied before the Council can consider an individual “fit and proper” to be a licensed driver.

Any refusal of a licence is subject to an appeal process as set out in the relevant section of legislation.

FINANCIAL IMPLICATIONS

There are no financial implications, The cost of the administration and issuing of a drivers licence is based on full cost recovery, therefore any change to the current process would need to be reflected in next year’s licensing fees.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces

None Identified

SECTION 151 OFFICER’S COMMENTS

None Identified

MONITORING OFFICER’S COMMENTS

None Identified

BACKGROUND PAPERS

Licensing Committee Sept 2023

Contact Officer: Jennifer Curtis

Telephone: 01524 582732

Email: jcurtis@lancaster.gov.uk

Ref: JCNovApp

Lancaster City Council are responsible for the Licensing of Taxi and Private Hire Drivers, Vehicles and Operators. As such, a set of application criteria has been approved by members of Licensing Committee to ensure an applicant's suitability to be licensed. It includes an enhanced disclosure and barring service certificate, medical examination, professional driving test, BTech course, incorporating a knowledge and safeguarding test and other statutory checks.

There is currently a shortage of licensed drivers (and vehicles) operating in the district, the licensing service and elected members are looking into application criteria and reducing any perceived barriers for new applicants.

When you utilise the services of a licensed vehicle, you may have expectations regarding the person driving, we would like to hear your feedback on the following application requirements.

1. Please rate the driver application criteria in order of importance to you. (1-5 with 1 being most important)
 - a) Enhanced Disclosure and Barring Service Certificate
 - b) Professional Driving Test
 - c) Group 2 Medical Examination
 - d) Btech Qualification (Level 2 Role of the professional Driver) or equivalent
 - e) Local Knowledge Test and Safeguarding Awareness

2. Applicants are required to undertake a higher standard of medical examination, similar to that of a HGV/Lorry driver.

How often do you think a licensed driver should have their medical suitability assessed by their GP.

- a) Upon initial application only
 - b) Annually
 - c) Every 3years
 - d) Every 5years
 - e) Other, please state*
3. Applicants are required to pass a professional driving test as part of the application process.

Please tick which comments reflects your opinion of this application requirement.

- a) I feel it is important to assess an applicant's driving ability prior to licensing
- b) I feel that if an applicant holds a DVLA licence, they are fit to drive without further assessment

c) I feel that if an applicant holds a DVLA licence, they have no motoring endorsements or convictions no assessment prior to licensing should be required.

4. Applicants must also complete a BTECH (or equivalent) course as part of the application process

The course includes 9 modules assessed with multiple choice exams, where applicants must achieve 70% to pass. They include health and safety, road safety, customer service, vehicle maintenance and safety inspections, legal requirements, routes and fares, transporting of parcels, luggage and other items and transporting of children and young persons.

How important do you feel completion of a formal qualification is to new applicants?

- a) Highly Important
- b) Important
- c) Not Important
- d) Irrelevant

Comments

5. The course incorporates a local knowledge test and safeguarding module. This involves disability awareness, child sexual exploitation and reporting streams.

How important do you feel completion of these assessments are to new applicants?

- a) Highly Important
- b) Important
- c) Not Important
- d) Irrelevant
- e) One is more important with another, please state*

Comments

6. How often do you use a driver/vehicle licensed by Lancaster City Council?

- a) Daily
- b) Once or twice a week
- c) Once a month
- e) From time to time
- f) Never

7. In the last 12 months have you been unable to obtain the services of a licensed vehicle in our district?

YES/NO

8. Is there anything that prevents or puts you off using licensed vehicles locally?
(Eg. Lack of availability/unreliability of service/cost/car owner/use the bus)

Comments.

9. Generally, do you feel safe when travelling in licensed vehicles in the district?

YES/NO

Please explain why.

10. There are a number of other important factors for customers utilising the services of a licensed vehicle and driver.

Please state the 3 most important factors for you from the list below.

- a) Level of assistance from the driver
- b) Friendliness of the driver
- c) Speed and driving style of the driver
- d) Driver's knowledge of the local area
- e) The cleanliness of the vehicle
- f) The age and emission standard of vehicle
- g) Availability of and punctual arrival of vehicle
- h) Reliability of the service
- i) The cost of the journey
- j) Being able to pay by card.

From: [REDACTED]
Sent: 10 October 2023 16:07
To: licensing
Subject: Re: Licensed Drivers - Consultation

This email is from an external email address
Do not click any links or open attachments unless you know the content is safe.
Never disclose your password to anyone.

I've been driving for 30 years. The reason we can't get drivers. Is because safety is ignored the customer is always right the driver is always wrong. I've experienced two attacks on myself within the last two weeks. Whilst driving at night time. People who are drunk and sometimes on drugs. Our workplace needs to be made more safe. It should be compulsory for all taxis to have CCTV fitted by a professional. For the security and safety of drivers. Every business in the country has CCTV for the protection. And also the more complicated you make it to apply for a licence the less people would do so.

I hope my comments help you

[REDACTED] taxi driver for 30 years plus so I have a lot of experience
[Sent from AOL on Android](#) |

On Fri, 6 Oct 2023 at 2:51 pm, licensing
<licensing@lancaster.gov.uk> wrote:

Good Afternoon,

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When you utilise the services of a licensed vehicle, you may have expectations regarding the person driving, we would like to hear your feedback via the survey below,

Closing date Monday 30th October 2023.

<https://keepconnected.lancaster.gov.uk/t-a-s>

Many thanks,

Jen

**Jennifer Curtis | Licensing Manager | Governance | Lancaster City Council | Morecambe Town Hall
| Marine Road East | Morecambe | LA4 5AF**

✉: licensing@lancaster.gov.uk | ☎: 01524 582033 | 🌐: www.lancaster.gov.uk

UK businesses use up 2 million tonnes of paper each year. Think before you print this email - do you really need to? Thank you.

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[DISCLAIMER:](#)

From: licensing
Sent: 08 October 2023 21:45
To: Curtis, Jennifer
Subject: FW: Licensed Drivers - Consultation

From: [REDACTED]
Sent: Friday, October 6, 2023 9:03 PM
To: licensing <licensing@lancaster.gov.uk>
Subject: Re: Licensed Drivers - Consultation

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Never disclose your password to anyone.

I have taken the survey as requested but feel it's important to note that the line in the email stating there is a shortage of drivers is not true on the ground.

The new licenses that were issued just made the days less profitable as most worked the days and not the nights. The days are matted with drivers and tough to earn money. The nights are where the shortage lies after 11pm- 5am. I would say. This however is better for the driver to earn some of that money back they lose from the day.

This is down to a lot of reasons but some customers are drunk and aggressive at that time and there is no recourse or protection. They jump fares and as it's a not a criminal offence if they offer to pay a bit back over time it then becomes a civil matter. It's only theft if they planned not to pay and admitted it. The aggression of customers is getting worse but not all as that's not fare to tar with the same brush. Like drivers as they are not all nice and customers do experience some rude ones but do not know the complaints procedure (even when the card is present).

So to sum the nights are the short and I don't believe getting another influx of drivers on free licenses who will more than likely work the days will not fix this just make it harder to earn money for the driver.

Kind regards

[REDACTED]

On 6 Oct 2023, at 14:51, licensing <licensing@lancaster.gov.uk> wrote:

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From: licensing
Sent: 08 October 2023 21:44
To: Curtis, Jennifer
Subject: FW: Licensed Drivers - Consultation

From: [REDACTED]
Sent: Friday, October 6, 2023 4:45 PM
To: licensing <licensing@lancaster.gov.uk>
Subject: Re: Licensed Drivers - Consultation

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Good afternoon.

Thank you for your email, on which I have taken the opportunity to take your survey.

I would like to comment though, on your statement of there being a “shortage of licensed drivers and vehicles”

I do not believe this to be the case.

A licensed driver, like myself, is entitled to work when they see fit, as they are self employed.

Most drivers now, work the day shifts, as the night time shifts can be, and have been, far too much hassle and is not worth the aggravation.

The police do not help in any way, if there is a non payer, damaged caused to a vehicle, or indeed a driver gets robbed. They put it down to a “civil matter”

Well I’m sorry, but I beg to differ!

Non payers are “obtaining services by deception”

Damaging cars is plain “criminal damage”

And robbing a driver of his takings is just blatant “robbery”

And the police put this down to a “civil matter”? I don’t think so.

If the industry had more support from the local police, especially at night time, there would be more vehicles available.

Cleanliness of a vehicle should also be a priority! No one wants to get in to a taxi/private hire, that is dirty inside, and stinking like a takeaway.

Believe me, it happens.

I notice there was nothing on the survey about the way a compliance test is carried out, and the charge for it?

I myself, have had issues with the VMU regarding damage to property, and when complained about, it has fallen on deaf ears.

An average MOT is approximately £55, yet a compliance test is the best part of £150?

It’s just the same thing, but with the added extras of a fire extinguisher and medical kit.

Licensing may want to consider lowering their charges, if they intend to attract mor drivers and vehicles for the area.

Regards



On 6 Oct 2023, at 14:51, licensing <licensing@lancaster.gov.uk> wrote:

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Many thanks,

Jen

Jennifer Curtis | Licensing Manager | Governance | Lancaster City Council | Morecambe Town Hall | Marine Road East | Morecambe | LA4 5AF

✉: licensing@lancaster.gov.uk | ☎: 01524 582033 | 🌐: www.lancaster.gov.uk

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DISCLAIMER:

From: licensing
Sent: 08 October 2023 21:46
To: Curtis, Jennifer
Subject: FW: Licensed Drivers - Consultation

From: [REDACTED]
Sent: Friday, October 6, 2023 9:29 PM
To: licensing <licensing@lancaster.gov.uk>
Subject: RE: Licensed Drivers - Consultation

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Dear Jen,

Won't be a shortage long with all these Uber vehicles coming and working her.

Pretty blatant on Friday with picking up flagdowns on station and other taxi ranks.

People wanting to come in trade put off by not having money to do Btech.

As Uber has arrived Btech not really going to be necessary.

[REDACTED]

Sent from my Galaxy

----- Original message -----

From: licensing <licensing@lancaster.gov.uk>
Date: 06/10/2023 14:51 (GMT+00:00)
To: licensing <licensing@lancaster.gov.uk>
Subject: Licensed Drivers - Consultation

Good Afternoon,

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From: licensing
Sent: 08 October 2023 21:48
To: Curtis, Jennifer
Subject: FW: Licensed Drivers - Consultation

From: [REDACTED]
Sent: Saturday, October 7, 2023 9:54 AM
To: licensing <licensing@lancaster.gov.uk>
Subject: Re: Licensed Drivers - Consultation

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Do not click any links or open attachments unless you know the content is safe.
Never disclose your password to anyone.

There is a shortage of customers most evenings apart from weekends. To say there is a shortage of taxi drivers and cars is not accurate. There are times at weekends this is true, but for the rest of the week it is not.

I hope you're not thinking of reducing the checks carried out to ensure the safety of the travelling public.

Sent from Samsung Mobile on O2
Sent from [Outlook for Android](#)

From: licensing <licensing@lancaster.gov.uk>
Sent: Friday, October 6, 2023 2:49:34 PM
To: licensing <licensing@lancaster.gov.uk>
Subject: Licensed Drivers - Consultation

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Jen

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Have Your Say

SURVEY RESPONSE REPORT

02 October 2023 - 31 October 2023

PROJECT NAME:

Taxi Application Standards



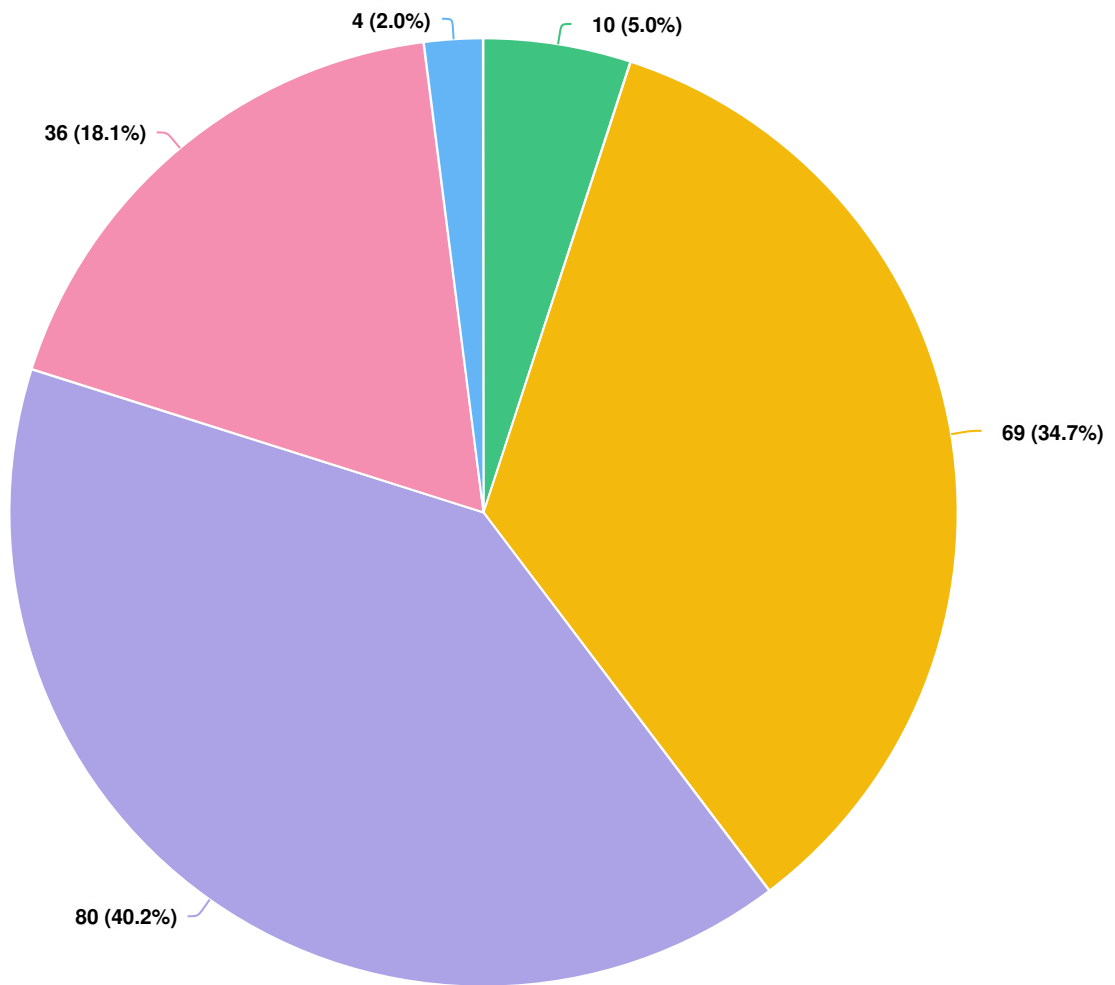
SURVEY QUESTIONS

Q1 | Please RANK the driver application criteria in order of importance to you. (1-5, with 1 being the most important)

| OPTIONS | AVG. RANK |
|---|-----------|
| Enhanced Disclosure and Barring Service Certificate | 2.05 |
| Professional Driving Test | 2.44 |
| Local Knowledge Test and Safeguarding Awareness | 2.95 |
| Group 2 Medical Examination | 3.39 |
| Btech Qualification (Level 2 Role of the professional Driver) or equivalent | 4.05 |

Optional question (199 response(s), 2 skipped)
Question type: Ranking Question

Q2 Applicants are required to undertake a higher standard of medical examination, similar to that of a HGV/Lorry driver. How often do you think a licensed driver should have their medical suitability assessed by their GP?

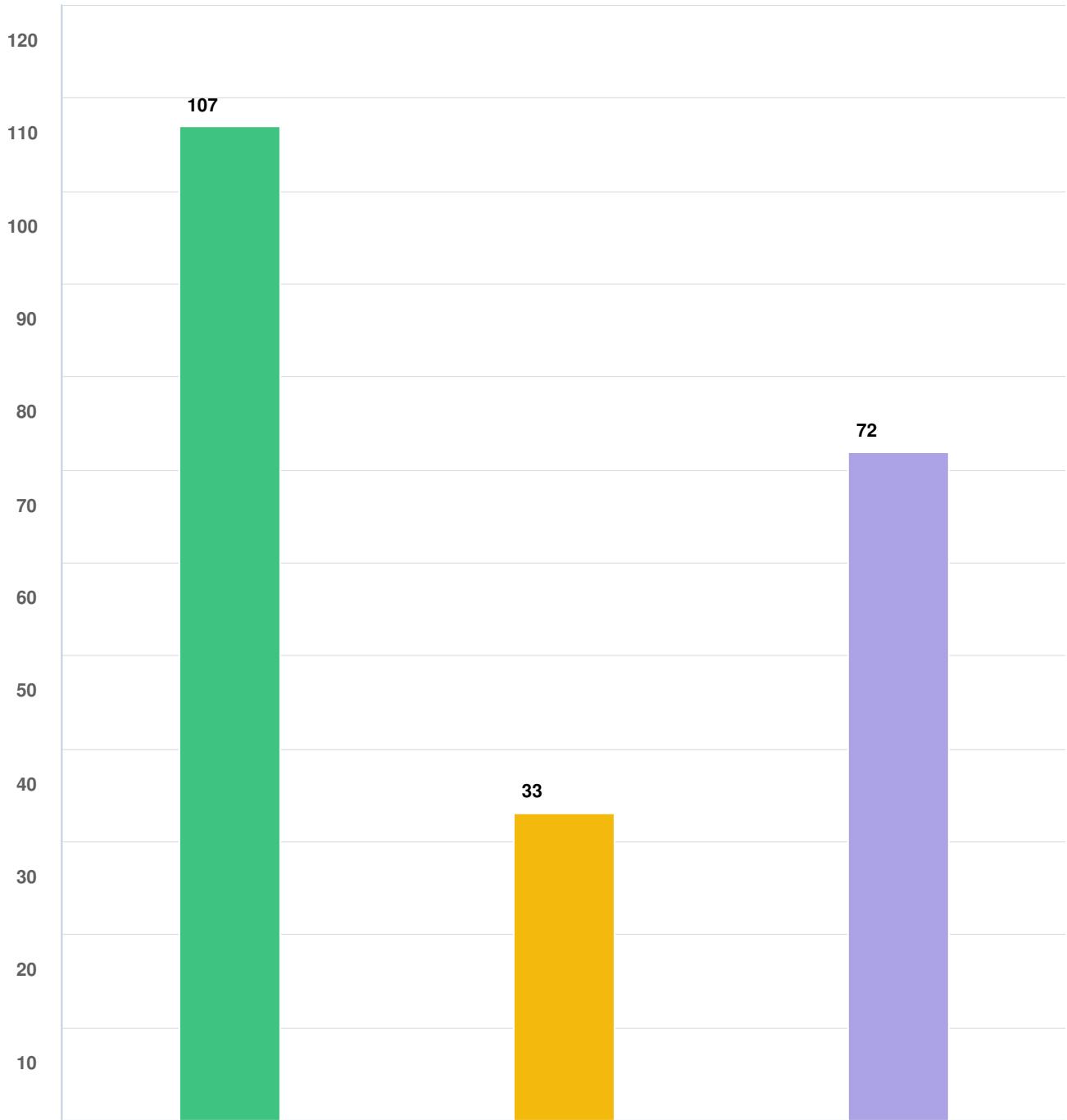


Question options

- Upon initial application only
- Annually
- Every 3 years
- Every 5 years
- Other (please specify)

Optional question (199 response(s), 2 skipped)
Question type: Dropdown Question

Q3 Applicants are required to pass a professional driving test as part of the application process. Please tick which comments reflects your opinion of this application requirement.



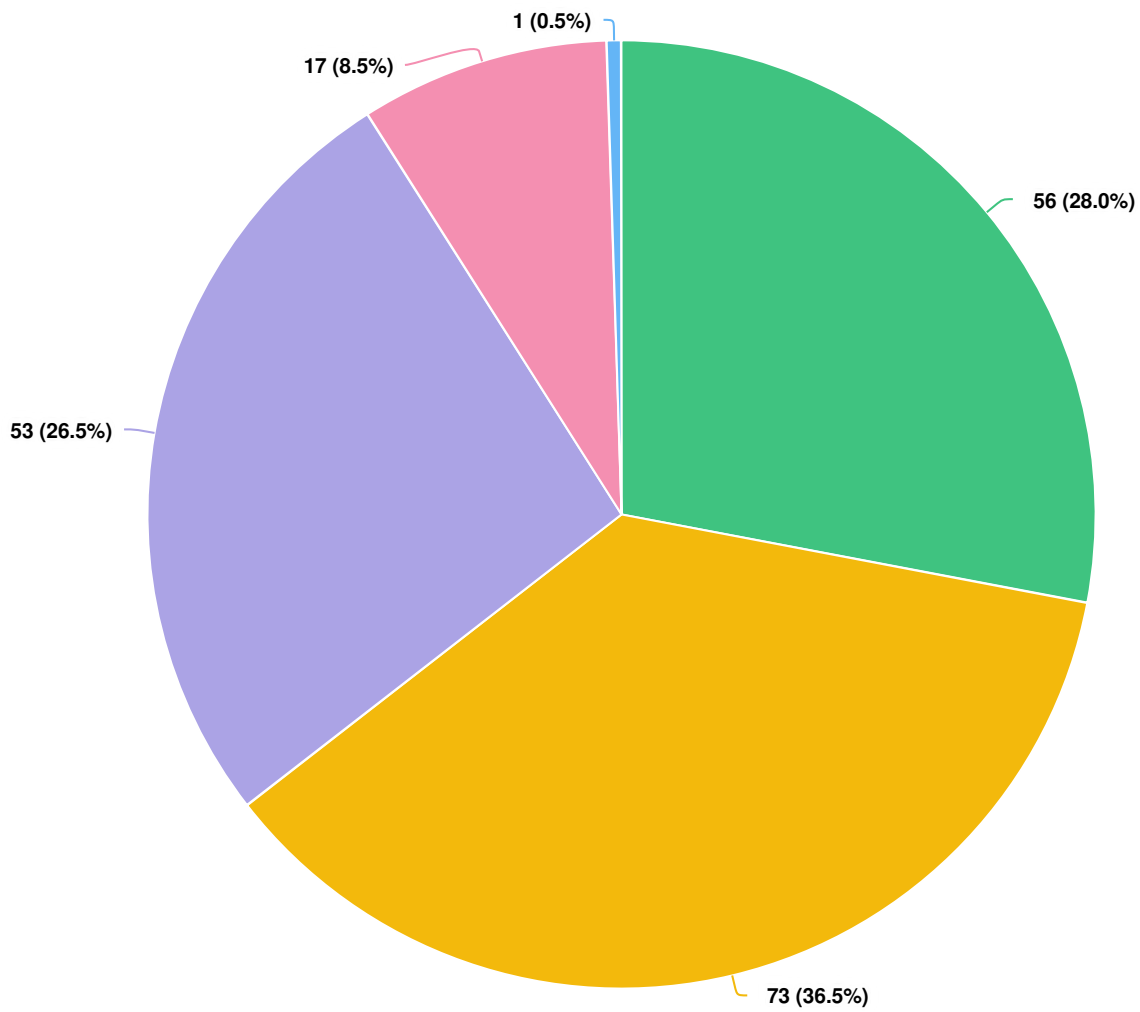
Question options

- I feel it is important to assess an applicant's driving ability prior to licensing
- I feel that if an applicant holds a DVLA licence, they are fit to drive without further assessment
- I feel that if an applicant holds a DVLA licence, they have no motoring endorsements or convictions no assessment prior to licensing should be required.

Optional question (201 response(s), 0 skipped)

Question type: Checkbox Question

Q4 Applicants must also complete a BTECH (or equivalent) course as part of the application process. The course includes 9 modules assessed with multiple choice exams, where applicants must achieve 70% to pass. They include health and safety, road safet...

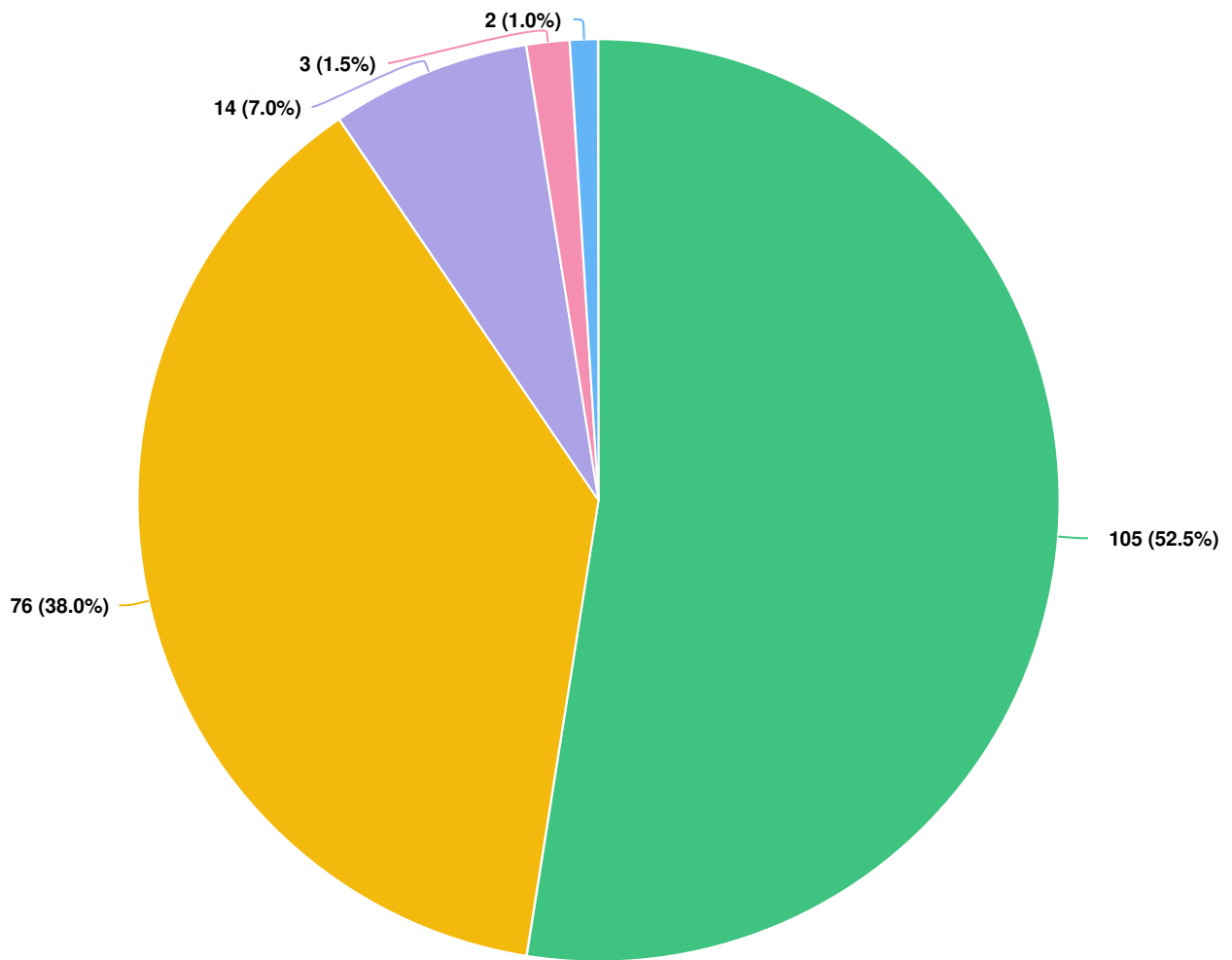


Question options

- Highly Important
- Important
- Not Important
- Irrelevant
- Other (please specify)

Optional question (200 response(s), 1 skipped)
Question type: Dropdown Question

Q5 | The course incorporates a local knowledge test and safeguarding module. This involves disability awareness, child sexual exploitation and reporting streams. How important do you feel completion of these assessments are to new applicants?

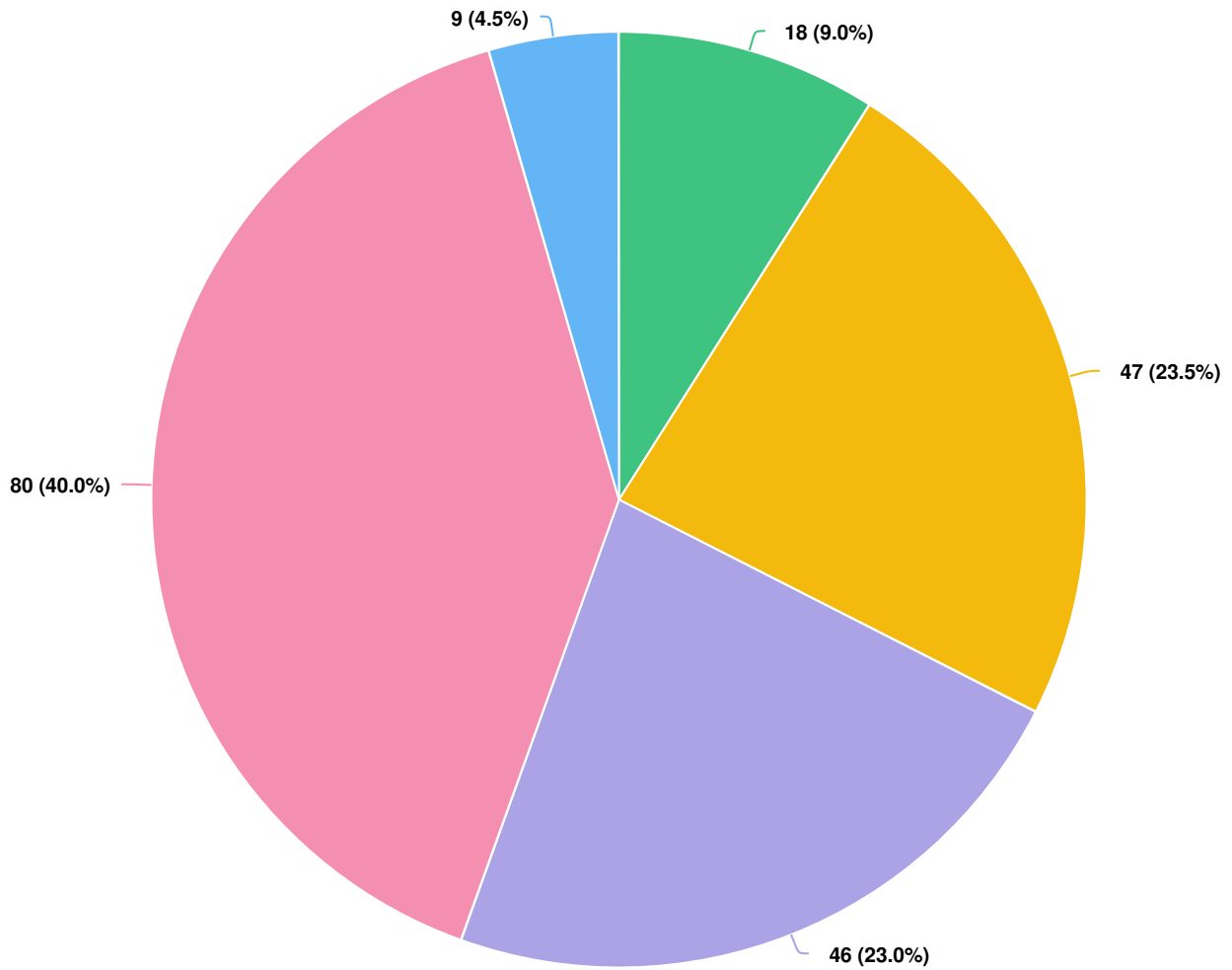


Question options

- Highly Important
- Important
- Not Important
- Irrelevant
- One is more important with another, please specify

Optional question (200 response(s), 1 skipped)
Question type: Dropdown Question

Q6 How often do you use a driver/vehicle licensed by Lancaster City Council?

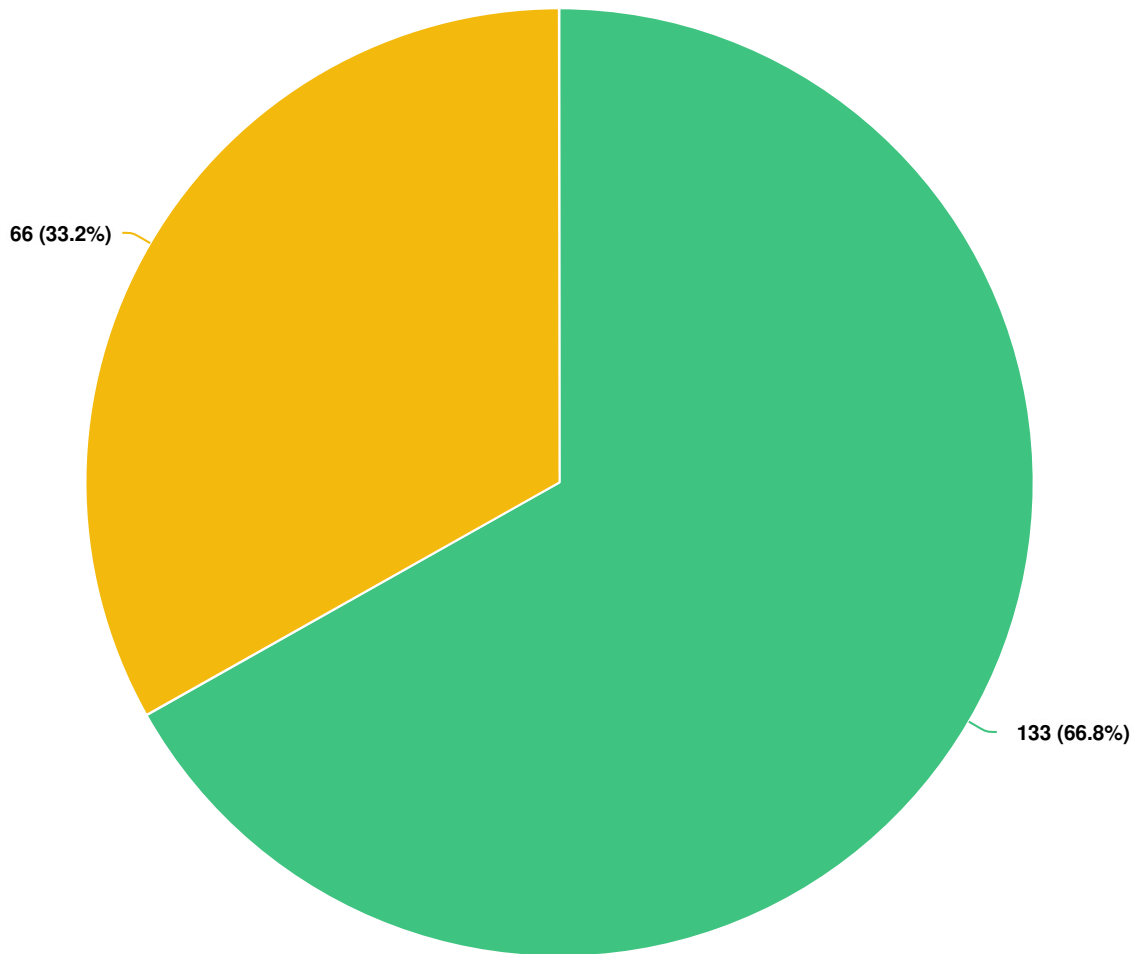


Question options

- Daily
- Once or twice a week
- Once a month
- From time to time
- Never

Optional question (200 response(s), 1 skipped)
Question type: Dropdown Question

Q7 | In the last 12 months have you been unable to obtain the services of a licensed vehicle in our district?



Question options

- Yes
- No

*Optional question (199 response(s), 2 skipped)
Question type: Dropdown Question*

Q8 | Is there anything that prevents or puts you off using licensed vehicles locally? (Eg. Lack of availability/unreliability of service/cost/car owner/use the bus)

Anonymous

10/06/2023 03:02 PM

Old looking cara - I think all license vehicles should be a certain colour /model

Anonymous

10/06/2023 03:34 PM

I've been driving taxis for 30 years the biggest problem is the threat of violence towards taxi drivers I feel CCTV should be installed in taxis for the drivers protection nobody wants to go to work and be disrespected by the customers

Anonymous

10/06/2023 03:36 PM

The issue is not lack of drivers the issue is lack of drivers at NIGHT, my taking have reduced in the last 12 months.

Anonymous

10/06/2023 03:55 PM

As a Hackney carriage owner and driver and having worked in the construction industry for many years where drug testing is mandatory on most sites I am amazed that this is not something licensed taxi drivers have to do, this certainly puts me off getting a taxi.

Anonymous

10/06/2023 04:26 PM

No

Anonymous

10/06/2023 04:28 PM

Not yet. It's actually easy to get a taxi these days, having too many will saturate the area. If you drop the criminal record policy currently in place and allow criminals to obtain a badge without a lengthy gap between offending and licensing, we would stop using taxis.

Anonymous

10/06/2023 04:31 PM

No

Anonymous

10/06/2023 05:01 PM

Had no problems getting a taxi

Anonymous

10/06/2023 05:12 PM

car owner and bus user, but nothing puts me off using if necessary

Anonymous

10/06/2023 05:34 PM

I use taxis a lot as I do not have a car. It is really hard as there are not enough of them now and it makes it unreliable to get a taxi. This is not their fault there is just not enough of them. It would be nice if

there were more vans and more ones I could take a bike in.

Anonymous

10/06/2023 06:26 PM

In the past I have had difficulty getting a taxi to take me from one local village to another. They seem to only want journeys to or from Lancaster or Morecambe. They don't like to travel out of town to do a short journey.

Anonymous

10/07/2023 12:30 AM

The only reason there is a lack of licensed vehicles locally, is because of the lack of night time drivers, by should you put yourself at risk to do your job when you have no back up from the police or the licensing department?

Anonymous

10/07/2023 07:11 AM

Lack of availability at night

Anonymous

10/07/2023 10:16 AM

No

Anonymous

10/07/2023 05:50 PM

No

Anonymous

10/08/2023 08:15 AM

Overly aggressive driving style and speed; cheaper to use public transport/walk; would only use taxi in an emergency

Anonymous

10/08/2023 03:33 PM

Long wait on certain evenigns and times . mainly weekend evenings

Anonymous

10/08/2023 03:43 PM

no

Anonymous

10/09/2023 08:08 AM

No

Anonymous

10/09/2023 10:15 PM

use rarely as expensive but have recently have been unable to access their service due to lack of availability.

Anonymous

10/09/2023 10:22 PM

Lack of availability and cost

Anonymous

Rediculous cost. This needs reviewing and capping

10/10/2023 09:00 AM

Anonymous

10/10/2023 10:12 AM

Poor English speaking drivers with poor personal hygiene is becoming more of a problem

Anonymous

10/10/2023 02:34 PM

Not very well spoken English taxi driver's who have no knowledge of the local area and have to go of the satnav which is not the shortest route which results in a higher fare

Anonymous

10/12/2023 12:58 PM

From my experiences many Lancaster cabs are dirty both inside and out. Drivers tend to be rather uncommunicative. I very rarely use them now.

Anonymous

10/12/2023 04:02 PM

The driving of some drivers

Anonymous

10/13/2023 11:34 AM

car owner

Anonymous

10/13/2023 11:36 AM

Cost, lack of availability, lack of pick up points

Anonymous

10/13/2023 11:37 AM

Use the bus as it's cheaper

Anonymous

10/13/2023 11:40 AM

Taxi takes up to 1 hr at busy times

Anonymous

10/13/2023 11:49 AM

Massive lack of availability. I avoid going out late at night because it's impossible to get a taxi home after 11pm.

Anonymous

10/13/2023 11:51 AM

Unreliable late at night - can't rely on getting one after 10.30pm

Anonymous

10/13/2023 11:59 AM

As a previous dual driver, the application process to get a new badge after I let it lapse is hard work and costly

Anonymous

10/13/2023 12:00 PM

Lack of availability, very long wait times and also high prices

Anonymous

10/13/2023 12:00 PM

Lack of availability/cost

Anonymous

10/13/2023 12:02 PM

Lack of availability

Anonymous

10/13/2023 12:08 PM

Lack of availability

Anonymous

10/13/2023 12:14 PM

Very unreliable - I've experienced a lack of availability on several occasions at various times of day/night, whether there is just myself travelling or a group of us. I especially have difficulty when trying to pre-book a wheelchair accessible taxi for my mum. Also the lack of local knowledge is sometimes staggering, many times they go the the wrong address - I mean how is that even possible nowadays when they all rely on sat nav?!

Anonymous

10/13/2023 12:17 PM

Lack of availability - often an hour wait. Lack of driver awareness around autism which has led to rude comments about my son. Dirty vehicles.

Anonymous

10/13/2023 12:29 PM

Lack of availability

Anonymous

10/13/2023 12:30 PM

NO

Anonymous

10/13/2023 12:51 PM

No, if there are no taxis available when I require one it is because they are busy and I wait till one is available

Anonymous

10/13/2023 12:54 PM

Prices

Anonymous

10/13/2023 01:00 PM

Lack of wheelchair accessible taxis at time needed and ability to pre booking

Anonymous

10/13/2023 01:00 PM

Usually the cost and availability

Anonymous

Nothing puts me off but I've been unable to get a taxi several times in

10/13/2023 01:06 PM

the last few months as no cars are available. I drive a car for the majority of my transport but use taxis when I want to go and have a drink. Without enough taxis we're either preventing people from participating in the local economy or people don't have a safe way to get home leading to potential violence and criminal activity. Women and young people especially need reliable methods of getting home safe, more so late at night. Large queues at taxi ranks also create potential for conflict and violence late at night so the need for enough drivers and cars is really important for a lot of reasons. I do think Stagecoach should be pressured to run more night bus services, especially to the University, but also between Lancaster and Morecambe, and not just on the weekends. Monday and Wednesday are big student nights and sugarhouse can attract up 2000 visits on a Wednesday - why doesn't the night bus run on this night? Could the University be involved somehow.

Anonymous

10/13/2023 01:08 PM

Lack of availability at times where a person could be vulnerable having to use other modes of transport to get home or base operators can be fairly rude for seemingly no reason but this is possibly due to a lot of calls and lack of availability

Anonymous

10/13/2023 01:09 PM

Unreliability

Anonymous

10/13/2023 01:16 PM

Nothing

Anonymous

10/13/2023 01:19 PM

Most vehicles are older models often badly maintained as revealed in recent spot checks on condition of tyres ect.

Anonymous

10/13/2023 01:24 PM

Availability is inherently poor and has been since the covid pandemic. You can wait hours for a taxi on your home journey and also up to an hour for your outward journey. Pre covid you could call up and be guaranteed a taxi within 15 mins at the latest. I use the bus more now when I need to go somewhere and can't drive because its much more reliable.

Anonymous

10/13/2023 01:42 PM

Lack of availability, crowded ranks, good public transport options in the earlier part of the day

Anonymous

10/13/2023 01:47 PM

Unreliability

Anonymous

10/13/2023 02:05 PM

I would happily use licensed vehicles if they were actually available, multiple times I've had to walk back from a night out due to lack of drivers which is very dangerous

Anonymous

10/13/2023 02:12 PM

I mostly use them when arriving at Lancaster Railway Station - especially if Bare Lane train cancelled (which is often). Can be difficult getting a cab - have to resort to other means.

Anonymous

10/13/2023 02:17 PM

Lack of availability, especially on a Sunday lunchtime and lateness of drivers. There should be a rota so a minimum level of drivers are always available 24/7

Anonymous

10/13/2023 02:18 PM

No

Anonymous

10/13/2023 02:21 PM

Use the bus

Anonymous

10/13/2023 02:22 PM

Expensive and unreliable.

Anonymous

10/13/2023 02:29 PM

As a woman, I feel vulnerable in taxis with male drivers

Anonymous

10/13/2023 02:32 PM

Lack of availability

Anonymous

10/13/2023 02:40 PM

Wait times for taxis in evenings

Anonymous

10/13/2023 02:44 PM

No

Anonymous

10/13/2023 02:46 PM

Lack of availability and unreliable when called to home, especially in rural districts.

Anonymous

10/13/2023 02:53 PM

Lack of safety at ranks

Anonymous

10/13/2023 02:54 PM

Unreliability

Anonymous

10/13/2023 03:12 PM

Unreliable and always late or don't turn up

Anonymous

10/13/2023 03:18 PM

Lack of availability and organised taxi ranks in the city centre.

Anonymous

10/13/2023 03:22 PM

Lack of availability (very long wait times), Cost

Anonymous

10/13/2023 03:23 PM

Unreliable, vastly overpriced, some are very ill mannered and have a personal hygiene problem, bad manners with regards to helping with shopping etc..I just will not use one unless I'm really desperate.

Anonymous

10/13/2023 03:31 PM

Lack of available taxis at certain times of the day

Anonymous

10/13/2023 03:41 PM

Availability

Anonymous

10/13/2023 04:16 PM

Lack of availability

Anonymous

10/13/2023 04:26 PM

More honesty about arrival times. We know delays occur but don't over promise.

Anonymous

10/13/2023 05:27 PM

Impossible to get a taxi sometimes and the taxi offices are extremely not professional

Anonymous

10/13/2023 05:41 PM

Seeing taxi drivers smoking in their licenced vehicles and, as a driver, their attitude and lack of courtesy to other drivers.

Anonymous

10/13/2023 06:05 PM

Manors. Taxi shops closed. Drive too fast

Anonymous

10/13/2023 06:23 PM

Erratic & cavalier drivers in the past

Anonymous

10/13/2023 06:52 PM

Reliability, either long waits of an hour plus or none available at all. You can't book in advance but you also can't get one when you call adhoc, Morecambe is even worse than lancaster.

Anonymous

10/13/2023 07:55 PM

Lack of drivers willing to pick up wheel chair users.

Anonymous

10/13/2023 08:15 PM

Availability

Anonymous

10/13/2023 09:01 PM

Lack of ability to use card. Unreliability of service. Customer service levels low.

Anonymous

10/13/2023 09:15 PM

Lack of taxis at the train station when I arrive. They don't allow for pre-booking taxis at the train station but when I arrive there often isn't a taxi there. I prefer to use the bus as it's cheaper. It would be great to have an app that I could book a taxi with. My neighbour who has mobility issues would love to be able to get a taxi but they don't have enough leg room to get in and as she needs help to get in, taxi's won't take her.

Anonymous

10/13/2023 09:17 PM

no taxis available

Anonymous

10/13/2023 09:22 PM

Unlicensed out of town drivers ie Wolverhampton plated Uber vehicles

Anonymous

10/13/2023 09:57 PM

Returning from a night out is very hit and miss, often requiring long waits at taxi rank/office.

Anonymous

10/13/2023 10:16 PM

Lack of general availability, unwillingness to do distance driving ie Lancaster to Carnforth, clusters of taxis around uni hotspots rather than being generally accessible, taxi ranks being disused

Anonymous

10/13/2023 10:19 PM

Lack of availability

Anonymous

10/13/2023 10:33 PM

Obtaining a taxi in the evening has become very problematic since lockdown as many evening drivers gave up then. This puts me off going to events in the evening from time to time.

| | |
|----------------------------------|---|
| Anonymous 10/13/2023 11:23 PM | 100% lack of availability |
| Anonymous 10/13/2023 11:36 PM | Nowhere enough taxis. |
| Anonymous 10/13/2023 11:37 PM | Very difficult to get a cab in Carnforth and buses from Lancaster end at 10pm so are pretty useless. Trains are not reliable either especially due to strikes |
| Anonymous 10/14/2023 12:53 AM | Surly drivers with poor driving, old, poorly maintained vehicles with warning lights showing |
| Anonymous 10/14/2023 03:36 AM | They leave there engines running when stationary and are rude and defensive when told it's illegal to do so!! |
| Anonymous 10/14/2023 08:12 AM | Waiting time to long, expensive |
| Anonymous 10/14/2023 08:18 AM | Shortage of taxis at Lancaster Station |
| Anonymous 10/14/2023 08:23 AM | No. Some of the cabs are scruffy inside |
| Anonymous 10/14/2023 10:01 AM | Lack of availability, quality of vehicles, |
| Anonymous 10/14/2023 10:02 AM | Nearly all drive very unsafely and I've seen a lot of near misses. They drive aggressively. |
| Anonymous 10/14/2023 10:10 AM | Unreliability. Lack of vehicles. Difficulty in booking. Dirty vehicles. |
| Anonymous 10/14/2023 10:38 AM | The expense of the taxi most drivers either don't speak English or are very ignorant and very rude |
| Anonymous | I am full time wheelchair user and can never get a wheelchair |

10/14/2023 10:57 AM

adapted taxi

Anonymous

10/14/2023 11:04 AM

We need a wheelchair accessible taxi for our wheelchair using son who is 22. To enjoy a night out together as a family, one of us has to drive as the availability of taxis which can accommodate us is ridiculous. We aren't able to pre book one as the base operators say we don't know if any will be out or where they will be at that given time - i.e they won't want pulling across the city for any jobs! It is despicable how people with disabilities are treated. We waited over an hour once, and then they still didn't turn up as they had decided to take another job. We then had to walk home in the rain over 4 miles with our son who also has health issues too! I believe that, from speaking to other wheelchair users, that most of the wheelchair accessible taxis are happy with their contracts in a morning/afternoon and then don't come out evening/weekends. It really isn't good enough as a city.

Anonymous

10/14/2023 11:10 AM

Lack of availability

Anonymous

10/14/2023 11:40 AM

Some drivers are negative about the local area. They should be promoting it

Anonymous

10/14/2023 02:03 PM

Long wait times. No availability

Anonymous

10/14/2023 02:04 PM

Yes, disturbing my neighbours as many taxi drivers beep horns needlessly which disturbs the peace of my neighbours. There is also the issue of drivers smoking in the vehicles, i can smell it when i get in, in particular driver called Les Troth.

Anonymous

10/14/2023 02:21 PM

I worry if I will be able to get a driver at all, I don't understand why we can't have uber in our area. Sometimes I wonder about the roadworthyness of the vehicles.

Anonymous

10/14/2023 02:45 PM

Wheelchair accessible taxis are understandably very limited and not always available, so if buses are an option I tend to use them instead. Also, phone calls are terrible. Further, the list on the council website is inaccurate including people who no longer work as taxi drivers and not stating when a driver would prefer texts. As I can text but not make phone calls, the knowledge of which ones are open to texts would be amazing.

Anonymous

10/14/2023 02:57 PM

Some drivers are cash only, and I have been short changed in these situations. The fact that this occurs with drivers that do not use card machines makes me feel this may be intentional

Anonymous

10/14/2023 04:15 PM

Lack of availability especially around Overton area. As disabled person a taxi service is key to me

Anonymous

10/14/2023 04:46 PM

i find it incredulous to believe that some of the drivers i have had have done any of the courses mentioned - i have been scared witless in some cars

Anonymous

10/14/2023 06:11 PM

Unreliable/ not turning up and having old people waiting not knowing when the taxi will arrive.

Anonymous

10/14/2023 07:35 PM

Plenty: sexual harassment from drivers (including sexually explicit conversations and inappropriate remarks, cabs lingering too long outside our address after drop-off usually after such conversations), lack of availability (waits generally over 30-45 mins), unreliability (they then don't turn up after that wait and the taxi rank operators give you abuse on the phone), cost, ableism (discrimination against disability) from drivers, reckless driving, drivers shouting away on hands free calls for the entire duration of the ride, general rudeness. .

Anonymous

10/14/2023 07:36 PM

While taxi availability is a huge problem, I stopped using Lancaster and Morecambe taxis altogether because a number of the drivers frighten me. As a lone woman, I have had drivers tell me they are going to wait on my street after dropping me off to see which house I go into because they want to know where I live. They also take me on longer journeys than necessary to make me pay more and to have more time to talk to me, usually about inappropriate topics like sex. When travelling with my female partner, we have had Lancaster and Morecambe taxi drivers sexually harass us, tell us extremely inappropriate stories about their sex lives and fantasies, and drivers who have become angry and started to drive recklessly and dangerously after we have let them know the sexual talk makes us uncomfortable.

Anonymous

10/14/2023 09:50 PM

Lack availability

Anonymous
10/15/2023 01:34 AM
Lack of availability. Not being able to book and being asked to call back in 30 mins/1 hour

Anonymous
10/15/2023 03:48 AM
Cost

Anonymous
10/15/2023 08:12 AM
No

Anonymous
10/15/2023 09:59 AM
Lack of availability or long waits

Anonymous
10/15/2023 01:03 PM
Lack of availability, drivers not knowing where they are going at times.

Anonymous
10/15/2023 02:24 PM
No

Anonymous
10/15/2023 02:39 PM
Poor availability

Anonymous
10/15/2023 03:03 PM
Availability and unreliability

Anonymous
10/15/2023 04:28 PM
No

Anonymous
10/15/2023 04:37 PM
Non or poor English speaking driver's, also their fare always seems to cost me more.

Anonymous
10/15/2023 07:49 PM
No

Anonymous
10/15/2023 11:53 PM
I have safety issues with male taxi drivers.

Anonymous
10/16/2023 09:38 AM
lack of availability, at busy times there is a long wait due to lack of drivers

Anonymous

10/16/2023 10:40 AM

1. Cost of taxis 2. I'm a car owner.

Anonymous

10/16/2023 10:53 AM

Some of the taxi drivers seem to believe they are above and beyond the law. I know of taxi drivers that go through red lights, don't adhere to speed restrictions and some even drink and drug drive. You need to monitor them for alcohol and drug use too!

Anonymous

10/16/2023 11:06 AM

Over recent years the availability of taxis has somewhat decreased, it is almost impossible to get a taxi on a weekend evening, this weekend it was Lancaster music festival it seems all the local taxis were in Lancaster and none available in Morecambe. It is also very difficult to book accessible taxis in the area.

Anonymous

10/16/2023 12:12 PM

Lack of availability in Morecambe especially Friday and Saturday nights. when you access one local app it reads that they are fully booked until 07.00.

Anonymous

10/16/2023 02:51 PM

Lack of availability is the biggest barrier.

Anonymous

10/16/2023 03:08 PM

NO

Anonymous

10/16/2023 06:37 PM

Lack of availability causes me anxiety.

Anonymous

10/16/2023 10:24 PM

Lack of availability and reliability

Anonymous

10/17/2023 02:16 AM

They don't have any cabs. They charge way too much. Stop being stingy and allow Uber in the area.

Anonymous

10/17/2023 06:02 AM

No

Anonymous

10/17/2023 08:27 AM

Lack of availability, rarely turns up when booked in advanced, poor attitudes when calling for a taxi.

Anonymous

Cost, they are now very expensive even for a short journey and

10/17/2023 08:53 AM

unreliable. The buses are much cheaper & more frequent.

Anonymous

No

10/17/2023 10:57 AM

Anonymous

Lack of availability and fear of being stranded due to unreliability. No evening bus service available or reliability of taxi from Carnforth station

10/17/2023 07:53 PM

Anonymous

No, but I know which taxi service I can trust.

10/18/2023 08:04 AM

Anonymous

Taxi are difficult to book i.e. too few on the road and are expensive

10/18/2023 10:52 AM

Anonymous

Lack of availability.

10/19/2023 04:12 PM

Anonymous

Nothing wrong with taxi trade loads of taxis.

10/19/2023 09:48 PM

Anonymous

Nothing. But as a council you are asking the wrong questions to the wrong people! There is not a shortage of drivers. There is a shortage of drivers willing to work certain hours and as a licensing you need to be asking why! There is no support for drivers from companys licensing or police against anti social behaviour etc. Allowing company's to use 3rd party operators with NO local knowledge is VERY dangerous!

10/20/2023 02:05 PM

Anonymous

Cost and safety concerns

10/20/2023 07:22 PM

Anonymous

no hesitation in using a taxi

10/20/2023 11:53 PM

Anonymous

Cost

10/21/2023 06:58 PM

Anonymous

Lack of availability

10/22/2023 05:04 AM

| | |
|----------------------------------|---|
| Anonymous 10/24/2023 06:31 PM | Yes total lack of availability in Morecambe especially at weekends, cars seem to service Lancaster, we need Uber |
| Anonymous 10/25/2023 11:15 AM | Not enough electric vehicles |
| Anonymous 10/27/2023 06:14 PM | Coastal taxis have now outsourced to a call centre, the staff in the call centre are not familiar with our street names and roads and it can take longer to book a simple taxi. Also, all taxis should offer card payments as standard. |
| Anonymous 10/27/2023 06:31 PM | Cost, lack of availability |
| Anonymous 10/27/2023 06:40 PM | No |
| Anonymous 10/27/2023 07:48 PM | Trying to book a wheelchair accessible taxi in advance for journeys to an even and back home again. A wheelchair user cannot get a taxi to go out if they can't be 100% sure of getting back home. |
| Anonymous 10/27/2023 08:19 PM | Bus is cheaper at the moment |
| Anonymous 10/28/2023 11:31 AM | You ring for a taxi non availability all in Lancaster. You pre book its very late they say nothing available in your area Can't guarantee to have one available Driver arrives but only waits 30 secs Driver goes to wrong address and it's our fault |
| Anonymous 10/28/2023 12:59 PM | Cabs licenced in Wolverhampton operating here, don't feel safe using them as don't know if they are legitimate |
| Anonymous 10/28/2023 09:51 PM | There doesn't seem to be as many taxis as there use to be, I've phoned up a taxi three quarters of an hour earlier than my hospital appointment and still got there late |
| Anonymous 10/30/2023 08:31 AM | Aside from using the buses more frequently and cheaper for the buses. Sometimes when I need a taxi, it was difficult to get and the way of calling a taxi could be troublesome as sometimes the apps could be inaccessible. |

Anonymous

10/30/2023 08:35 AM

Cost Some vehicles used as taxis have seemed poorly maintained

Anonymous

10/30/2023 08:45 AM

No

Anonymous

10/30/2023 08:52 AM

Unreliability is a key factor

Anonymous

10/30/2023 09:20 AM

Cost, only the criminals can afford to pay

Anonymous

10/30/2023 11:11 AM

Not knowing the cost in advance, scruffy cars,

Anonymous

10/30/2023 11:17 AM

Not enough taxis available

Anonymous

10/30/2023 12:23 PM

Twice recently I've booked a taxi, on both occasions it didn't turn up on time, I wasn't informed it would be late despite the office being aware I had an appointment i couldn't be late for, then when I rang to chase they admitted there wasn't one available. I cancelled and on one occasion missed my appointment due to this

Anonymous

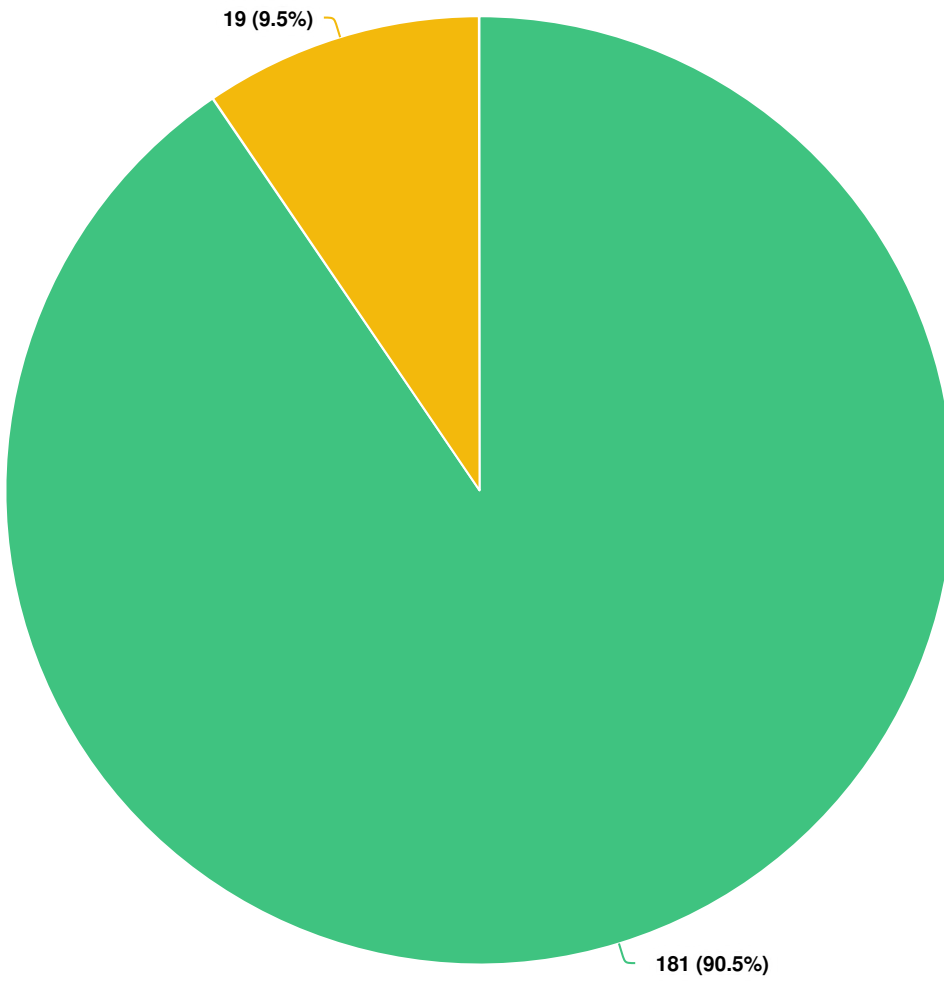
10/30/2023 03:27 PM

Cost and lack of reliability, I have been let down when have a train to catch etc.

Optional question (171 response(s), 30 skipped)

Question type: Essay Question

Q9 Generally, do you feel safe when travelling in licensed vehicles in the district?



Question options

- Yes
- No

*Optional question (200 response(s), 1 skipped)
Question type: Dropdown Question*

Q10 Please explain why you do / do not feel safe when travelling in licensed vehicles in the district?

Anonymous

10/06/2023 02:56 PM

Out of town drivers. Not knowing the area.

Anonymous

10/06/2023 03:34 PM

Drunk and drunk customers can be particularly violent towards drivers this is a big concern and seems to be getting worse

Anonymous

10/06/2023 03:36 PM

The drivers are licensed and clean and must have local knowledge removing this will just encourage drivers from out of the district to try their luck.

Anonymous

10/06/2023 03:55 PM

As a taxi driver myself I know that most taxi drivers are very competent.

Anonymous

10/06/2023 04:28 PM

We feel safe knowing the stringent application process is in place by licensing!

Anonymous

10/06/2023 05:01 PM

Never had any issues with taxis

Anonymous

10/06/2023 05:12 PM

I know their vehicles will have been checked thoroughly on a regular basis

Anonymous

10/06/2023 05:14 PM

I feel safe as know the drivers

Anonymous

10/06/2023 05:34 PM

I have never had an issue in a taxi. Everyone is really nice to talk to and professional

Anonymous

10/06/2023 06:26 PM

I feel safe because the license means they have been properly checked.

Anonymous

10/06/2023 07:26 PM

Ive done the course. I know most drivers ate just normal people

Anonymous

Due to all being DBS checked. Maybe advertise this.

10/06/2023 08:55 PM

Anonymous

inconsistent driving standards

10/07/2023 02:20 AM

Anonymous

Having a taxi licence, I know what drivers go through to get a licence.
Drivers are generally well regulated

10/07/2023 07:11 AM

Anonymous

All drivers have got a valid dbs

10/07/2023 12:39 PM

Anonymous

I always use the same taxi, he's also a neighbour.

10/07/2023 10:29 PM

Anonymous

Overly aggressive driving style and speed

10/08/2023 08:15 AM

Anonymous

I Know the company

10/08/2023 03:33 PM

Anonymous

the question has never acured to me

10/08/2023 03:43 PM

Anonymous

Not usually travelling alone

10/09/2023 10:15 PM

Anonymous

Some of the cars used are quite old. Drivers are not always very friendly

10/10/2023 09:00 AM

Anonymous

Only because I don't travel on my own

10/10/2023 10:12 AM

Anonymous

Some drivers don't seem to understand traffic rules

10/12/2023 04:02 PM

Anonymous

The local drivers never present any problems to me

10/13/2023 11:33 AM

Anonymous

Feel safe

10/13/2023 11:40 AM

Anonymous

10/13/2023 11:51 AM

n/a

Anonymous

10/13/2023 12:00 PM

Never had a problem with a taxi driver in the area, always friendly and helpful

Anonymous

10/13/2023 12:08 PM

Don't when often the driving standards are poor. Have had an incident recently where a driver nearly caused a crash and was verbally abusive to the other driver

Anonymous

10/13/2023 12:14 PM

I generally feel safe as I trust thorough checks have been carried out on individuals before licences are issued. I'm going to tick 3 factors below in Q11 but I must say that they are all very important to me

Anonymous

10/13/2023 12:17 PM

Always check if the drivers council ID card is on show and the vehicle is plated. Means if there are any issues I can resolve after.

Anonymous

10/13/2023 12:29 PM

Sometimes a language barrier. My wife doesn't feel too safe using a taxi alone at night

Anonymous

10/13/2023 12:30 PM

Well maintained

Anonymous

10/13/2023 12:36 PM

Costs have increased but in order to access Lancaster in the evening, there is no bus service so a taxi or walking 5 miles are the only options open to us

Anonymous

10/13/2023 12:51 PM

Drivers are always helpful, polite and good drivers

Anonymous

10/13/2023 01:00 PM

Rarely able to book an accessible taxi but when have feel safe

Anonymous

10/13/2023 01:00 PM

You have to trust the driver and thankfully I've always been ok on the short journeys I take

Anonymous

10/13/2023 01:06 PM

I know they're all licenced, I only use taxis that are booked by either 32090 or 848848 and have never had an issue with a driver. I know the current drivers do their best to get people where they need to be

safely and think the current prices are a fair reflection of that.

Anonymous

10/13/2023 01:08 PM

drivers are always nice

Anonymous

10/13/2023 01:09 PM

Clean cars good drivers

Anonymous

10/13/2023 01:16 PM

Good knowledge of area Good driving Polite/friendly

Anonymous

10/13/2023 01:19 PM

Because all vehicles are registered and drivers verified

Anonymous

10/13/2023 01:24 PM

Drive safely, reassuring and friendly manner, caring, familiar drivers.

Anonymous

10/13/2023 01:30 PM

I feel safe as a customer, however not as a driver. More protections need to be given to drivers and police need to treat "runners" as a criminal matter. I've lost over £200 in income over the last 3 months due to, what in any other industry would be called, theft.

Anonymous

10/13/2023 01:31 PM

Always had good drivers when using local taxis

Anonymous

10/13/2023 01:42 PM

Never had an issue

Anonymous

10/13/2023 01:47 PM

Drivers always helpful to me

Anonymous

10/13/2023 02:12 PM

Never had a problem. Some drivers better than others - the good ones, you take their details and try and use them again.

Anonymous

10/13/2023 02:17 PM

Always got me to destination in one piece, albeit late sometimes.

Anonymous

10/13/2023 02:18 PM

Don't feel great if driver cannot communicate in English

| | |
|----------------------------------|---|
| Anonymous 10/13/2023 02:29 PM | Women will never feel safe in taxis with male drivers ... a dedicated female taxi driven service would be a good idea |
| Anonymous 10/13/2023 02:40 PM | N/A |
| Anonymous 10/13/2023 02:46 PM | I am a 6ft3 male. Were i a lone female i may takenl a different view. |
| Anonymous 10/13/2023 03:22 PM | All drivers have acted professionally |
| Anonymous 10/13/2023 04:16 PM | Always feel safe |
| Anonymous 10/13/2023 04:26 PM | Never felt unsafe |
| Anonymous 10/13/2023 05:41 PM | See above comments about their general lack of courtesy to other drivers making it feel unsafe. |
| Anonymous 10/13/2023 06:23 PM | See Q8 above |
| Anonymous 10/13/2023 08:15 PM | N/a |
| Anonymous 10/13/2023 09:17 PM | no reason to feel unsafe |
| Anonymous 10/13/2023 09:22 PM | Drivers have passes a strict application process & correctly been authorised to drive licenced vehicle. |
| Anonymous 10/13/2023 09:57 PM | I've never experienced any negative feelings whilst using taxis. |
| Anonymous 10/13/2023 10:33 PM | Have been travelling in 848 and 32090 taxis for nearly 20 years now. Have never had a problem. Always feel safe. |

Anonymous

10/13/2023 11:23 PM

Nothing to add. Generally high level of professionalism.

Anonymous

10/14/2023 12:53 AM

Poor driving and defective vehicles

Anonymous

10/14/2023 03:36 AM

N/A

Anonymous

10/14/2023 08:12 AM

Always with someone else

Anonymous

10/14/2023 08:18 AM

We have never had any problems 9ls we have secured a raxi

Anonymous

10/14/2023 10:01 AM

The vehicles are shabby, not clean, I have experience of badly maintained HC and Phv, noises and banging coming from the vehicles on more than one occasion. Having been involved in licensing for more than 20 years, I am stunned that the council is seeking the view of the general public on matters of safety, the public depend on the administration to impose suitable safeguards to protect them. They are not qualified to determine how you get there. Members will only want to win votes and will bow to lobbying to do so, what they determine is a matter of what they are asked to determine by the professional officers. The trade will want the easiest and cheapest pathway to operate a vehicle, In my experience it is the length of time it takes an applicant to obtain a license that puts off people entering the trade, It is not the responsibility of the council to provide HC or Phv service, it is there responsibility to regulate the provision, All businesses have ups and downs, they have to adapt to meet changing needs, in terms of regulation, standards can not be lowered simply to make it easier for the operator, Look within to ensure your burdens are necessary, appropriate and legal, Strive to reduce red tape and streamline processes in favour of the customer, The trade has a responsibility as a business to move with the times and changing demands for there services. The high streets are changing, entertainment is changing, modes of transportation are changing, I see no evidence of the trade in Lancaster changing. Regards Steve.

Anonymous

10/14/2023 10:02 AM

Safe from a licencing angle. Not safe with their driving.

Anonymous

Poor driving standards.

10/14/2023 10:10 AM

Anonymous

The drivers do not make you feel safe

10/14/2023 10:38 AM

Anonymous

I am not paranoid, there is no reason to feel unsafe.

10/14/2023 02:04 PM

Anonymous

Some of the vehicles appear old and battered.

10/14/2023 02:21 PM

Anonymous

I use public transport a lot

10/14/2023 02:57 PM

Anonymous

poor driving, poor attitude, speeding, risk taking

10/14/2023 04:46 PM

Anonymous

Tend to travel with more than one person.

10/14/2023 06:11 PM

Anonymous

As mentioned earlier: unsafe and reckless driving, drivers distracted by hands free calls, ableism, sexual harassment, general threatening and rude behaviour by cab drivers. I used to use taxis in Lancaster frequently as a disabled woman but am too afraid to do so now after several unsafe experiences. It is always male drivers who are abusive- on the rare occasion I've had a female driver there's been no problem.

10/14/2023 07:35 PM

Anonymous

Because several Lancaster and Morecambe taxi drivers have sexually harassed and intimidated myself and my partner.

10/14/2023 07:36 PM

Anonymous

Because I'm always on a phone call unknown to the driver so if I'm unsafe police can be told

10/14/2023 09:09 PM

Anonymous

Never had a reason not to feel safe. Having a taxi licence gives piece of mind

10/15/2023 01:34 AM

Anonymous

.

10/15/2023 03:48 AM

Anonymous

10/15/2023 09:59 AM

Licensed - from a known company

Anonymous

10/15/2023 01:03 PM

Sometimes at night after being out and the driver does not know where they are going, it makes me feel uneasy. Also some drivers drive unsafe.

Anonymous

10/15/2023 02:24 PM

We know many of the drivers.

Anonymous

10/15/2023 02:39 PM

Na

Anonymous

10/15/2023 03:03 PM

Most drivers are courteous and friendly

Anonymous

10/15/2023 04:28 PM

Use two local taxi companies, one is 32090 for Lancaster journeys and coastal taxis for Morecambe journeys. Both companies are excellent, reliable and drivers trustworthy, helpful especially as we are pensioners, polite and courteous. We feel very safe when travelling with both companies.

Anonymous

10/15/2023 11:53 PM

I was assaulted by a taxi driver some years ago and taxi licensing decided it was better for him to keep his livelihood than consider the safety of passengers. He had assaulted at least two other women prior to me and later wrote off his taxi under the influence of drugs and alcohol but refused to give a specimen. He lost his licence for 10 months. he is now back driving taxis.

Anonymous

10/16/2023 09:38 AM

i feel safe because they are regulated

Anonymous

10/16/2023 10:40 AM

Essential that drivers inspire confidence by driving always within speed limits and always respecting the rights and needs both of other road users and of pedestrians.

Anonymous

10/16/2023 10:53 AM

Due to the fact that I know some of them are under the influence of drugs and alcohol. Especially those driving at night. It is what has stopped me using them.

Anonymous

An identity badge is usually on display.

10/16/2023 11:06 AM

Anonymous

10/16/2023 12:12 PM

When you use the taxi services regularly you get to know most of the drivers they are all usually very affable and helpful.

Anonymous

10/16/2023 02:51 PM

N/A

Anonymous

10/16/2023 06:37 PM

Most drivers are friendly

Anonymous

10/16/2023 10:24 PM

Generally good drivers, friendly and not intimidating to a female travelling alone

Anonymous

10/17/2023 02:16 AM

Because the drivers aren't rapey or homophobic.

Anonymous

10/17/2023 06:02 AM

Always feel safe

Anonymous

10/17/2023 08:53 AM

Luckily I have not encountered a bad experience with any driver & most are polite.

Anonymous

10/17/2023 07:53 PM

Always had polite respectful drivers previously therefore licensing procedures have worked well for me

Anonymous

10/18/2023 08:04 AM

Always use a trusted cab company

Anonymous

10/19/2023 09:48 PM

Know getting where want to go friendly some taxi drivers others not.

Anonymous

10/20/2023 02:05 PM

As a driver I Do not feel safe or supported. Been doing the job 6+ years and it's changed alot in that time. Again allowing company's to use call centres to answer phones is dangerous they do not communicate well with drivers, have access to private information and do not have local knowledge including bad areas so when a driver refuses a job on safety grounds they get logged of for 20 minutes at time by someone a million miles away who hasn't a clue what they are talking about. This is partly where the shortage is coming from.

Anonymous

10/20/2023 07:22 PM

I had a frightening experience with a taxi driver when I felt extremely scared and vulnerable and I am now always very cautious. It hasn't happened again.

Anonymous

10/20/2023 11:53 PM

I assume that the driver knows that his livelihood is at stake if things go wrong so I feel safe a taxi.

Anonymous

10/21/2023 06:58 PM

No reason not to

Anonymous

10/24/2023 06:31 PM

I know they have been vetted and all Cary identification

Anonymous

10/27/2023 06:14 PM

I can see the drivers credentials and I always receive a text message with details of the car and driver so I know what I am getting into.

Anonymous

10/27/2023 06:40 PM

Friendly drivers.

Anonymous

10/27/2023 07:48 PM

Never had any problems drivers are friendly cars appear in good condition etc

Anonymous

10/27/2023 08:19 PM

I feel safe All my Taxi drivers have been good safe pleasant drivers

Anonymous

10/28/2023 09:45 AM

Never had an issue with a taxi driver in Lancaster

Anonymous

10/28/2023 11:31 AM

Most drivers are courteous polite and drive carefully. Sometimes you get a driver who drives too fast and is obviously unhappy

Anonymous

10/28/2023 12:59 PM

I know locally licenced taxis have been vetted through the council

Anonymous

10/28/2023 09:51 PM

Because I use taxis all the time I get to know the taxi drivers so when they pick me up they know me. It makes all the difference

Anonymous

The taxi drivers are local and they are very friendly.

10/30/2023 08:31 AM

Anonymous

10/30/2023 08:35 AM

I'm male and a big chap, so there's little issue in terms of personal threat. Main concern is driver competence. Too many break the speed limit.

Anonymous

10/30/2023 08:45 AM

I feel safe, however the drivers have the right to feel safe in the workplace too, and have the relevant support from the council and police for customers who are aggressive.

Anonymous

10/30/2023 08:52 AM

Badly maintained cars

Anonymous

10/30/2023 11:17 AM

Never felt unsafe

Anonymous

10/30/2023 12:23 PM

No incidents that have caused me to feel unsafe

Anonymous

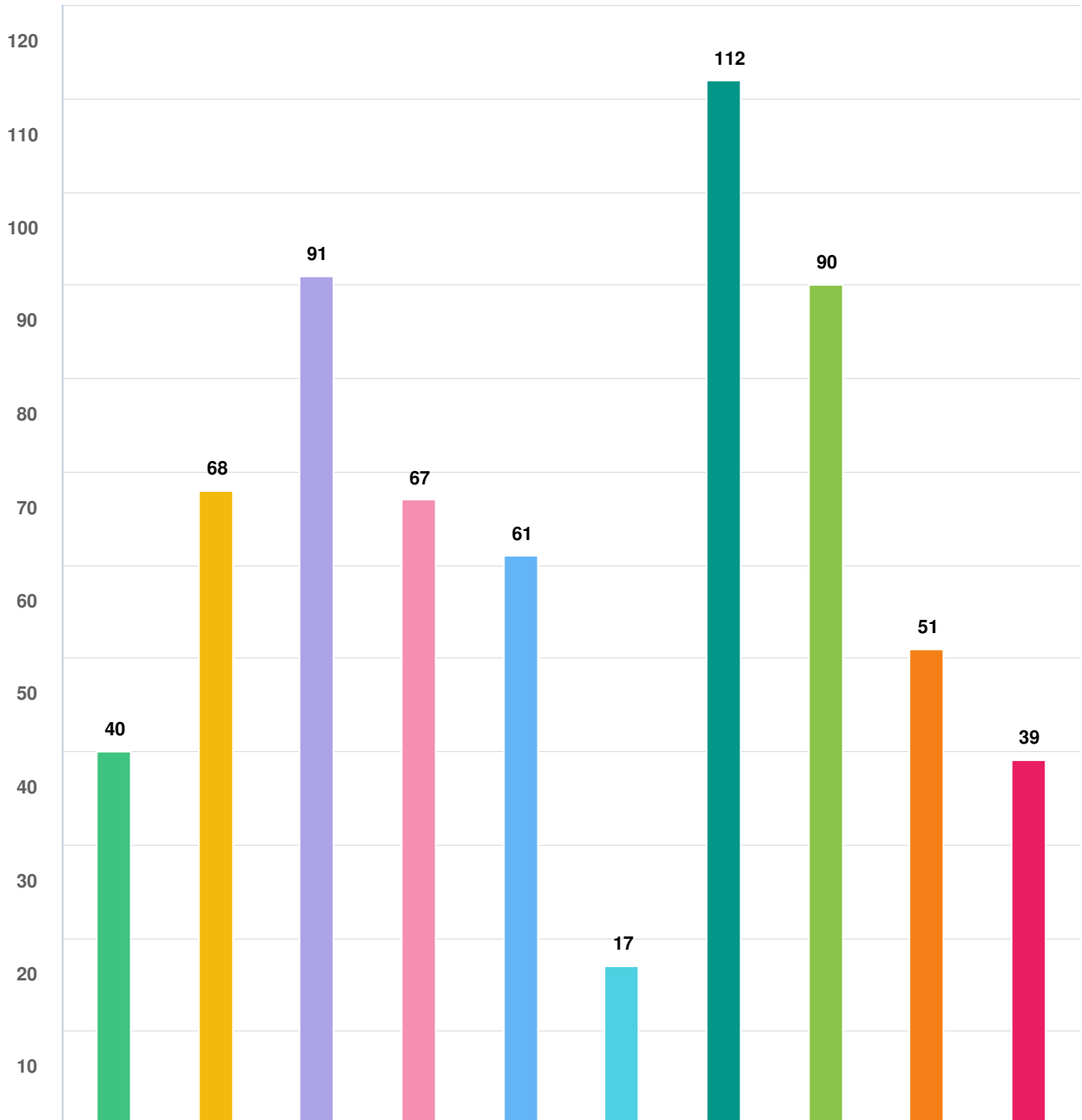
10/30/2023 03:27 PM

I use them regularly and have never felt unsafe

Optional question (122 response(s), 79 skipped)

Question type: Essay Question

Q11 There are a number of other important factors for customers utilising the services of a licensed vehicle and driver. Please TICK the 3 most important factors for you from the list below.



Question options

- Level of assistance from the driver
- Friendliness of the driver
- Speed and driving style of the driver
- Driver's knowledge of the local area
- The cleanliness of the vehicle
- The age and emission standard of vehicle
- Availability of and punctual arrival of vehicle
- Reliability of the service
- The cost of the journey
- Being able to pay by card.

Optional question (200 response(s), 1 skipped)
Question type: Checkbox Question

LMC Certificate – Introduction to the Role of the Professional Taxi and Private Hire Driver

| Day | Unit | Title | Start time | Content |
|-------|-------|---|------------------------|--|
| Day 1 | 1 | Health & safety in the taxi and private hire work environment | 9.30 am – 5.00pm | <ul style="list-style-type: none"> • Hazards and Risks • Insurance requirements • Safe lifting and carrying • Accidents and emergencies |
| | 2 | Road safety when driving passengers in a taxi or private hire vehicle | | <ul style="list-style-type: none"> • Medical requirements • Seat belt law • Stopping distances • Vehicle maintenance and inspections |
| | 3 | Professional customer service in the taxi and private hire industry | | <ul style="list-style-type: none"> • Customer expectations • Core services • Transporting children and young people • Routes and fares |
| | Exams | Testing Units 1, 2 and 3 | | 60 questions (20 on each unit) 70% pass rate |
| Day 2 | 4 | Regulatory Framework for carrying passengers for Hire & Reward | 9.30 am – 5.00pm | <ul style="list-style-type: none"> • Holding and retaining a driver licence • Licensing Authority requirements for HCVs and PHVs • Carrying passengers for hire and reward • Discharging the duties of an Operator |
| | 5 | Transporting Passengers who require assistance | | <ul style="list-style-type: none"> • Anti-discriminatory legislation • Recognising disabilities and impairments • Communicating with passengers who require assistance • Practical assistance for wheelchair users |
| | 6 | Child Sex Exploitation | | <ul style="list-style-type: none"> • Child Sex Exploitation • Child Criminal Exploitation • County Lines • Taxi and Private Hire Drivers role in supporting our community |
| | Exams | Testing Units 4, 5 and 6 | | 60 questions (20 on each unit) 70% pass rate |

LICENSING COMMITTEE**Licensing Act 2003
Revised Statement of Licensing Policy (2023-2028)****16 November 2023****Report of Licensing Manager****PURPOSE OF REPORT**

For members to consider consultation responses and make recommendations to Cabinet and then Full Council for approval of the revised Statement of Licensing Policy (2023-2028).

This report is public.

RECOMMENDATIONS

- (1) That members consider consultation responses and any proposed changes, and;
- (2) Make recommendations to Cabinet for approval of the draft Statement of Licensing Policy (2023-2028) for adoption by Full Council.

1.0 Introduction

- 1.1 The Licensing Authority is required, every 5 years, to review, consult and publish a Licensing Policy setting out its policy for the exercise of its functions under the Licensing Act 2003.
- 1.2 The Licensing Act 2003 came into effect on 24 November 2005. It covers the following licensable activities:
 - Sale or supply of alcohol
 - Provision of regulated entertainment
 - Provision of late-night refreshment
- 1.3 The policy sets out a general approach to how licensing decisions are made; how representations are considered, and conditions imposed, while also acting as a guide for applicants. The licensing authority must carry out its functions with a view to promoting the licensing objectives and this policy is framed around those objectives.

Members will be aware the 4 licensing objectives are as follows:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance

- The protection of children from harm

1.4 The policy review has been carried out in line with the Home Office revised guidance issued under section 182 of the Licensing Act 2003 (August 2023)

2.0 Consultation Details

2.1 At a previous meeting of Licensing Committee, members approved the revised draft policy attached at **Appendix 1** for consultation.

2.2 The draft statement of licensing policy was published on the Council's website for consultation for a period of 6 weeks. (From Monday 18th September 2023 – Monday 30th October 2023)

2.3 In accordance with s5(3) of the Licensing Act, we consulted with:

- The Chief Officer of Police for Lancashire
- Lancashire Fire and Rescue Authority
- Director of Public Health for Lancashire
- Persons/bodies representative of local premises licence holders
- Persons/bodies representative of local club premises certificate holders
- Persons/bodies representative of local personal licence holders
- Persons/bodies representative of business and residents in the licensing authority area

2.4 Additionally, the consultation was also publicised on the Council social media channels and the following individuals/groups with a particular interest in development of the policy were alerted to the consultation.

- Responsible Authorities as defined in the Licensing Act 2003
- Representatives of Licence Holders e.g. Licensing Solicitors
- Business Improvement Districts (Morecambe and Lancaster)
- Pubwatch Representatives (Morecambe and Lancaster)
- All Councillors of Lancaster City Councillor
- Students Union Chief Executive

2.5 Licensing Officers also attended local meetings, including Pubwatch to highlight the key changes the policy, explaining the reasoning for those changes and answering any questions or concerns licence-holders had.

3.0 Responses to the Consultation

3.1 A total of 2 responses were received, the respondents were premise licence-holders or their representatives.

3.2 Details of the responses received are provided in **Appendix 2**.

3.3 The key issue(s) raised were:

- Re-entry to licensed premises after 1.00am
- Concerns regarding the wording of the comments regarding sexual harassment of women and girls.

- Request for guidance on how premises deal with sexual harassment.

- 3.4 One representation asked for clarity for those premises licensed into the early hours and the impact the no re-entry or no entry post 01.00am expectation would have on their business as the majority of those entering do so post 01.00am.
It is merely an expectation, not a blanket requirement on all premises; if premises wish to be licensed into the early hours of the morning, measures detailed in the operating schedule in managing the risk would be expected as part of their application.
- 3.5 The concerns relating to the wording of sexual harassment towards women and girls has been noted, along with the request for training and guidance for licensed premises. Links will be included in the final draft to websites and organisations who can assist with training and advice for victims and premises.
- 3.6 The Licensing Manager will make final amendments in terms of design and layout changes prior to Cabinet and Full Council.

4.0 Options

Options available to members are.

- a) Approve the draft Statement of Licensing Policy
- b) Make further changes to the draft Statement of Licensing Policy, before;
- c) Making recommendations to Cabinet for approval of the Policy before adoption by Full Council.

5.0 Conclusion

- 5.1 Lancaster City Council must review, update and publish its Statement of Licensing Policy every 5 years. A thorough review has been undertaken and a draft subject to public consultation. The consultation period lasted 6-weeks, 2 responses were received and have been considered.
- 5.2 The policy sets out a general approach to how licensing decisions are made; how representations are considered, and conditions imposed, while also acting as a guide for applicants.
- 5.3 Members are asked to make recommendations to Cabinet before adoption of the revised statement of licensing policy by Full Council.

**CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety,
Sustainability and Rural Proofing):**

Each application made under the terms of the revised policy will be determined on its own merits, with the 4 licensing objectives of paramount consideration.

LEGAL IMPLICATIONS

Section 5 of the Licensing Act 2003 requires that a Licensing Authority publish a Statement of Licensing Policy for a five-year period, although current policy expired in January 2021 it has been used as a basis for decision-making since that time.

The revised policy sets out the general approach of how the Licensing Authority will determine applications made under the Licensing Act 2003 for the next 5 years, the policy will be kept under review and changes made as required during that period.

FINANCIAL IMPLICATIONS

None identified.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces

One identified.

SECTION 151 OFFICER'S COMMENTS

None

MONITORING OFFICER'S COMMENTS

None

BACKGROUND PAPERS

Contact Officer: Miss J Curtis
Telephone: 01524 582732
Email: jcurtis@lancaster.gov.uk
Ref: SOLPNov

Lancaster City Council

Statement of Licensing Policy

2023-2027

Insert Pictures of City/Coast/Countryside etc

Author: XXX

Document Name: Statement of Licensing Policy 2023 - 2028

Approved by Full Council:

Effective Date:

Date due for review: January 2028

Responsible for review: Licensing Manager

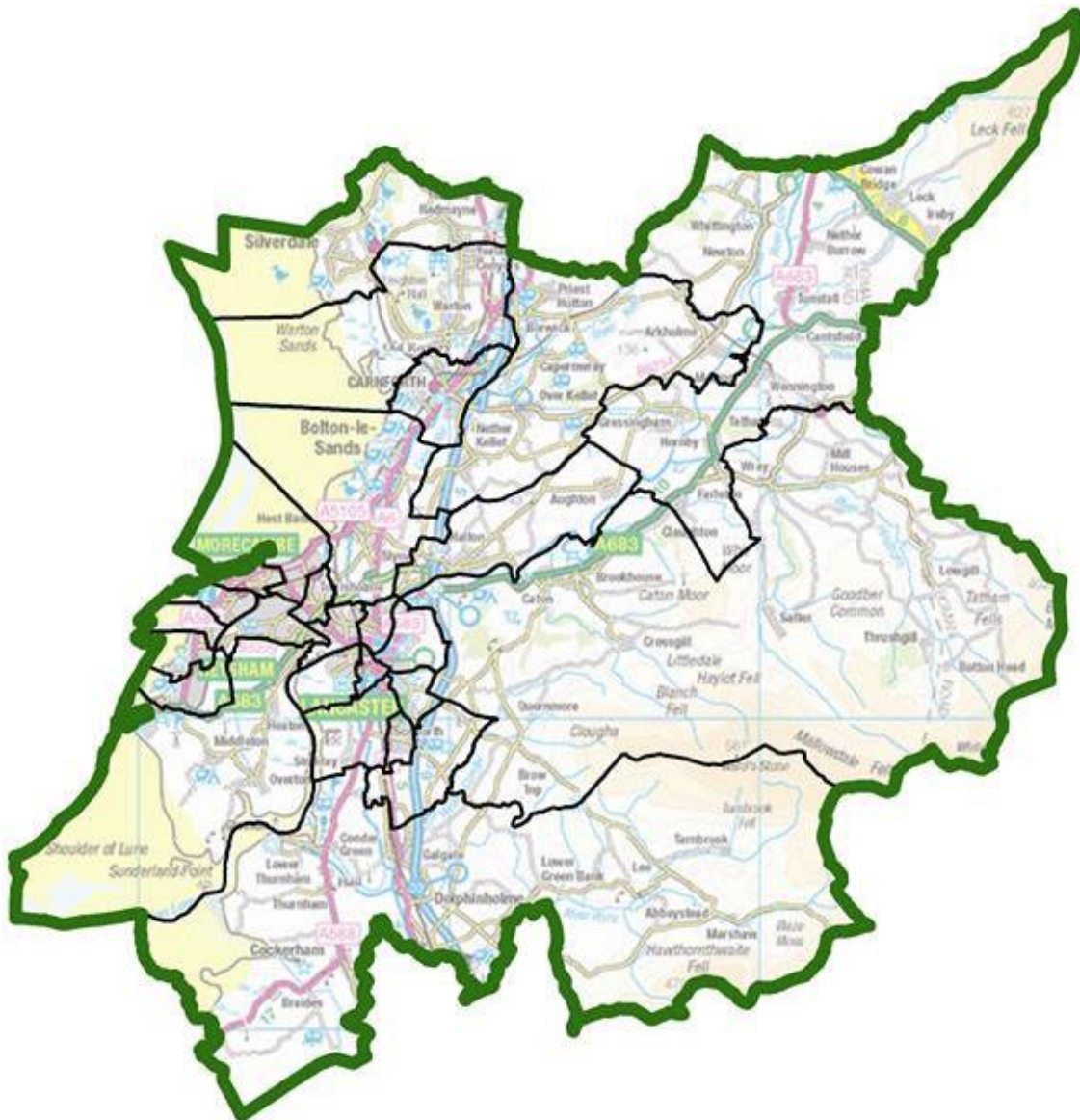
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District Map and Summary

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x

District Map and Summary



The Lancaster district is one of 12 local authority areas in Lancashire and is the most northerly within the County. The district shares its borders with both Cumbria and Yorkshire. Lancaster City Council covers the historic University City of Lancaster, the coastal resort of Morecambe, the town of Carnforth as well as the surrounding rural areas.

The premises within the district that are required to be licensed are many and varied, catering for diverse tastes and consumer demands. Several open-air events and festivals take place annually in the district further enhancing the offer of cultural activities.

The Licensing Authority recognises that the entertainment, hospitality and leisure industry within its authority area is a major contributor to the local economy. It attracts tourists and visitors, makes for vibrant towns and communities, and is a major employer.

1.0 INTRODUCTION

1.1 BACKGROUND

1.1.1 Lancaster City Council (the Council) is the Licensing Authority under the Licensing Act 2003 (the 2003 Act). It is empowered to administer the following in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late-night refreshment within the district: -

- premises licences including provisional statements, full and minor variations, transfers, interim authorities, and reviews
- club premises certificates
- temporary event notices
- personal licences

1.1.2 The Licensing Act 2003 requires a Licensing Authority to prepare and publish a statement of its Licensing Policy before the Authority can carry out any licensing or regulatory functions under the terms of the Licensing Act 2003. This Policy must be kept under review and the Licensing Authority may make any revisions to it, as it considers appropriate. In any event the Licensing Authority is required to review their Statement of Licensing Policy every 5 years, the previous policy ran from 2016 – 2021.

1.1.3 This Licensing Policy sets out the issues that the Licensing Authority will consider when determining licences throughout the district and encompasses experience gained in the implementation and regulation of the Licensing Act 2003.

1.1.4 In determining this Policy the Licensing Authority has had regard to the Guidance issued under Section 182 of the Licensing Act 2003. In determining applications under the 2003 Act the Licensing Authority shall consider: -

- the promotion of the four licensing objectives
- representations and evidence presented by all parties, together with any relevant supporting documentation
- the latest guidance issued by the government
- the licensing authority's own Statement of Licensing Policy

1.2 AIM

1.2.1 The 2003 Act requires the Licensing Authority to carry out its various licensing functions to promote the four licensing objectives.

1.2.2 The aim of this Licensing Policy is to set out how the Licensing Authority seeks to promote the four licensing objectives, which are: -

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

1.2.3 These four objectives will be the paramount considerations when determining a course of action in relation to the Licensing Authority's licensing functions. Each objective will be given equal importance.

1.3 PURPOSE

1.3.1 The main purpose of this Policy is to provide clarity to applicants, other persons and Responsible Authorities on how the Licensing Authority will determine applications to supply alcohol, provide regulated entertainment and operate late night refreshment. As the 'vicinity' test has now been removed, the Licensing Authority will consider all representations from any person however, the Licensing Authority shall apportion the weight of the representation between those persons immediately affected by the premises and its operation and those persons who may have a lack of knowledge of the area or of personal experience.

1.3.2 Where revisions are made to the Guidance there may be a period when this Policy is inconsistent with the Guidance. In these circumstances the Licensing Authority shall have regard, and give appropriate weight, to the revised Guidance in conjunction with this Licensing Policy.

1.4 CONSULTATION

1.4.1 Before determining its policy for any five-year period, the Licensing Authority will consult the following: -

- the Chief Officer of Police
- the Fire and Rescue Authority
- the Director of Public Health
- persons/bodies representative of local holders of premises licences
- persons/bodies representative of local holders of club premises certificates
- persons/bodies representative of local holders of personal licences
- persons/bodies representative of businesses and residents in the district

The Licensing Authority may consult beyond the statutory requirements, and seek comments from additional bodies, groups or individuals as appropriate.

1.5 FUNDAMENTAL PRINCIPLES

1.5.1 This Policy sets out the Licensing Authority's general approach to the making of licensing decisions and is consistent with the provisions of the 2003 Act. Nothing in the Policy will undermine the right of any individual to apply for authorisations and to have any such application considered on its individual merits. Similarly, nothing in the Policy will override the right of any person to make representations on an application or to seek a review of a Licence or Certificate in accordance with the provisions of the 2003 Act.

1.5.2 This Policy recognises that the Equality Act 2010 places a legal obligation on public authorities to 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 applicant must give due consideration to disabled persons under this Act for access and egress so that they are not at a substantial disadvantage.

1.5.3 The introduction of the Policing & Crime Act 2009 extends Police closure powers. The Licensing Authority further acknowledges and supports that this legislation has been introduced against the background of increasing alcohol-related anti-social behaviour and subsequent hospital admissions that has led to criticism due to the increased cost to local residents. This Act signifies a shift back from deregulation towards offering greater support for communities being adversely affected.

1.5.4 The Licensing Authority may recommend actions over and above the requirements of a licence/certificate and applicants are asked to give these recommendations serious consideration, as

adoption of best practice may be considered in the investigation of complaints if they arise in connection with the premises in the future.

1.5.5 The Licensing Authority may only impose conditions on a premises licence if they are consistent with the operating schedule or after receiving relevant representations and only if a Licensing Committee or Licensing Sub-Committee determines the matter. Any conditions attached to the licence must relate to the promotion of the Licensing Objectives.

1.5.6 The Licensing Authority acknowledges that the Government believes that in some circumstances flexible hours for the sale of alcohol can help to ensure that the concentrations of customers leaving premises simultaneously are avoided.

1.5.7 Where licensed premises are surrounded by housing, unrestricted extensions of hours could extend the time of disturbance to later in the night; therefore, the Licensing Authority acknowledges that tighter control may be justified in residential areas always however having regard to the individual merits of any application.

1.5.8 In general terms the Licensing Authority will closely scrutinise applications for premises licences showing a late terminal hour so as to be satisfied that they will have no adverse impact on the Licensing Objectives.

1.5.9 Once people are beyond the control of the individual, club or business holding the relevant authorisation, licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour. Licensing law will always be part of a holistic approach to the management of the evening and night-time economy in the district.

1.5.10 The Licensing Authority expects every licence holder or event organiser to minimise the impact of their activities on the surrounding area and any anti-social behaviour created by their customers in and within the vicinity of their premises by taking appropriate measures and actions consistent with that responsibility. Whether or not incidents can be regarded as being in the vicinity of the licensed premises is recognised as a question of fact and will depend on the specific circumstances in each case. In cases of dispute, the question will ultimately be decided by the courts, where an appeal is heard by them. In addressing this matter, the Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

1.5.11 The type of entertainment offered on licensed premises and the closing hour of premises permitted to provide alcohol to the public often have a direct link to crime and disorder, public nuisance and public safety issues. For example, there is generally more likelihood of crime and disorder and public safety problems occurring in a music and dance venue permitted to sell alcohol and open until 3am than there is in a well-managed public house located in a quiet back street that provides limited regulated entertainment and closes at 11pm.

2.0 GENERAL PRINCIPLES

2.1 LEGISLATION

2.1.1 In undertaking its licensing function under the Act, the Licensing Authority is also bound by other legislation, including: -

- Section 17 of the Crime and Disorder Act 1988;
- Human Rights Act 1998, with regard being given to Article 6, Article 8 and Article 1 of the first Protocol
- Equalities Act 2010
- Policing & Crime Act 2009
- Business and Planning Act 2020

2.1.2 In all applications relating to premises, applicants should specify methods by which they will promote the four Licensing Objectives in their operating schedules.

2.2 REVISIONS TO POLICY

2.2.1 The Policy shall be subject to periodic reviews and further consultation as and when required. The Licensing Authority may revise this Policy following changes to, for example: -

- Local circumstances;
- The Licensing Act, associated regulations or statutory guidance;
- Other national legislation; or
- The policies and practices of a Responsible Authority

2.3 AREAS OF CONCERN

2.3.1 Specific areas of concern include: -

- Sales of alcohol to under 18s, directly and by-proxy
- Noise nuisance caused by regulated entertainment
- Nuisance caused by hot-food take-aways, particularly parking of delivery vehicles
- Dispersal of patrons from licensed premises
- Drink and needle spiking
- Sexual harassment and violence towards women and girls
- Detailed door security operating procedures and risk assessments

2.3.2 Applicants for a premises licence are advised to include in their Operating Schedule, (where applicable) specifically how they will approach the areas of concern highlighted. Including how they will prevent the sale of alcohol to minors, what measures are implemented by the premises to minimise any reports of noise nuisance caused by regulated entertainment, to manage the threat of spiking in their premises, policies on how reports of violence or sexual harassment of women will be handled by the premises, How the premises will disperse customers, minimising the impact on local residents and parking provision for delivery-drivers operating for late night refreshment venues.

2.3.3 Experience indicates that a last time of entry condition assists in the promotion of the licensing objectives. It is therefore expected that applicants for late licensed premises will detail in their operating schedules that there will be no new entry or re-entry to the premises after 1am.

2.4 CHILDREN

2.4.1 The 2003 Act requires applicants for premises licences and club premises certificates to copy details of their applications to a body which: -

- a) 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
- b) is recognised by the Licensing Authority for that area for the purposes of this section as being competent to advise it on such matters.

2.4.2 The Licensing Authority's policy is that the Responsible Authority in relation to the protection of children from harm is Lancashire County Council, Children's Safeguarding team.

2.4.3 The Licensing Authority will expect licensees of premises giving film exhibitions to include, in their operating schedules, arrangements for restricting children from viewing age restricted films. Such premises will be subject to a mandatory condition requiring that access will be restricted to only those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification (BBFC), or in specific cases where such certificates have not been granted, the Licensing Authority.

2.4.4 The Licensing Authority does not intend to adopt its own system of film classification but reserves the right to impose different age restrictions on admittance to film exhibitions from those imposed by BBFC classifications.

2.4.5 If the Licensing Authority attaches an age-restriction to any film that differs from the BBFC classification or attaches one to an unclassified film, the information about the Licensing Authority's classification will be published at the venue.

2.4.6 The Licensing Authority shall not seek to limit the access of children to any licensed premises unless it is necessary for the prevention of physical, moral or psychological harm. In all other cases it will be left to the discretion of the licensee but the Licensing Authority shall expect that the licensee shall give full consideration of access by children at all times and ensure that there is a policy in place to promote this licensing objective.

2.4.7 However, the following are examples of issues that are likely to raise concern: -

- Where entertainment or services of an adult or sexual nature are common thereby likely to undermine the licensing objectives;
- Where relevant premises are known to allow unaccompanied children;
- Where the applicant has described in the Operating Schedule that 'no adult or similar entertainment shall take place on the premises' but intends to hold an event liable to compromise the protection of children from harm licensing objective;
- Where there has been early indication and subsequent evidence of poor management of the premises leading to undermining of the licensing objectives;
- Where the premises have a known association with drug taking or dealing;
- Where the current staff have received convictions or cautions for serving alcohol to minors or where the premises has a reputation for underage drinking or failures in test purchasing;
- Where there is a strong element of gambling on the premises;
- Where there is likely to be underage events with the intention of selling or exposing alcohol for sale or where the intention is to permit adults to this event;

- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

2.4.8 Examples of entertainment likely to cause concern are entertainment or services of an adult or sexual nature including topless bar staff, striptease, lap, table or pole dancing, performances involving feigned violence or entertainment involving strong or offensive language.

2.4.9 This Licensing Authority strongly advises that where music and alcohol sales are the main reasons for the event taking place, that persons under 18 years are not admitted unless the organisers have extremely robust procedures for ensuring those under 18 years do not have access to any alcohol – this includes sales, proxy sales, and bringing it onto the event.

2.4.10 Where there are events solely provided for young people, for example an Under 18's disco in a nightclub or similar relevant premises, the Licensing Authority strongly advises that adequate and sufficient measures are put in place so that young people cannot gain access to alcohol or energy drinks and further that no alcohol is served to any supervising adults at such events. The management of the premises should also ensure that measures are taken to prevent alcohol being brought onto those premises.

2.4.11 In particular, the Licensing Authority will consider what conditions are offered in the Operating Schedule. The applicant in completing the Operating Schedule is required to describe the steps they intend to take to promote this Licensing Objective and highlight any adult entertainment or services, etc. that may give rise to concern in respect of children. However, where the applicant does not state the steps they intend to take to promote this Objective but does state that 'no adult or similar entertainment shall take place on the premise', the Licensing Authority shall consider this restriction to be a condition on the Licence/certificate from the publication of this Policy.

2.5 LICENSING HOURS

2.4.1 With regard to licensing hours the Licensing Authority will consider each application on its individual merits.

2.5.2 Applications for premises licences with a terminal hour later than 12 midnight where the sale or supply of alcohol for consumption on the premises is the main activity or where the sale or supply of alcohol is accompanied by musical entertainment, will be subject to close scrutiny by the Responsible Authorities to ensure that there will be no adverse impact on the Licensing Objectives. Specifically, the applicant should ensure that the operating schedule for such premises demonstrates how the Licensing Objectives will be met. This is a general policy and does not automatically mean that all applications will result in licences being granted until midnight or that no applications will be granted with a closing hour after midnight.

2.5.3 In considering these issues the Licensing Authority will give careful consideration to the nature of the venue proposed. For example, the Council is keen to promote establishments at which the service and consumption of alcohol is not the primary activity. These may include restaurants, theatres, cinemas, comedy clubs, galleries, museums, and similar venues. The Licensing Authority's experience is that such venues are liable to give rise to fewer public concerns in relation to later closing hours.

2.5.4 The Licensing Authority will pay special regard to the proximity of residential properties to the proposed premises. Consideration will be given to the imposition of stricter noise control conditions, if representations are received in areas with a concentration of residential properties.

2.5.5 The Licensing Authority will expect premises to be cleared of patrons within a reasonable time of the terminal hour set for licensable activities.

2.5.6 Shops, stores and supermarkets will generally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping, unless there are good reasons for restricting those hours. An example would be where the Police make representations that the premises are a focus of disorder and disturbance.

2.6 LATE NIGHT LEVIES (LNL) AND EARLY MORNING RESTRICTION ORDERS (EMRO'S) LATE NIGHT LEVIES

2.6.1 The Police Reform and Social Responsibility Act 2011 (the PRSRA) has introduced the power for the Licensing Authority to charge a late-night levy to all premises within the Lancaster City Council District. The late night levy is a discretionary power allowing Councils to collect an annual fee from all licensed premises in the district that are authorised to sell alcohol between the hours of midnight and 6am as a means of raising a contribution towards the costs of policing the night time economy. The decision to introduce, vary or cease the levy will be made by Full Council in conjunction with the Police and Crime Commissioner and Lancashire Constabulary. However, any decision in relation to the administration and design of the levy will be delegated to the Licensing Committee.

2.6.2 The Licensing Authority recognises that this levy would cover the whole of the district and not just those premises that are causing problems or those premises within any cumulative impact area. Therefore, serious consideration would be given to the introduction of the levy in light of this. Furthermore, the Licensing Authority would give serious consideration as to whether or not the levy is a viable proposal.

EARLY MORNING RESTRICTION ORDERS (EMRO)

2.6.3 An EMRO enables a licensing authority to prohibit the sale of alcohol for a specified time period between the hours of 12am and 6am in the whole or part of its area, if it is satisfied that this would be appropriate for the promotion of the licensing objectives.

2.6.4 EMROs are designed to address recurring problems such as high levels of alcohol related crime and disorder in specific areas at specific times; serious public nuisance; and other instances of alcohol-related anti-social behaviour which is not directly attributable to specific premises.

2.6.5 The licensing authority will review the need for an EMRO at least every five years in line with the review of this policy to see if circumstances have changed and any are needed. In addition to the review each five years the licensing authority may consider an EMRO at any time if circumstances changed and evidence supported this course of action. No area of the District is covered by an EMRO at present.

2.6.6 As an EMRO is a powerful tool and a very stringent approach in tackling issues, the Licensing Authority will first consider whether other measures may address the problems and achieve the same goal. These could include: -

- Taking a robust multi-agency approach to tackling problem premises;
- Prior to reviewing a licence/certificate, meeting with the DPS and licence/certificate holder to ensure a Premises Improvement Plan.
- Using other mechanisms to control the cumulative impact, e.g. planning controls;
- Using other mechanisms to control noise and anti-social behaviour;
- Police powers to closure premises;

- Providing powers to designate parts of the local authority area as places where alcohol may not be consumed publicly;
- Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- Provision of CCTV;
- Provision of night marshals and street pastors;
- Introduction of a late-night levy.

The above is not an exhaustive list of possible measures.

2.7 LATE NIGHT REFRESHMENT

2.7.1 The Licensing Authority will expect applicants for licences in respect of late-night refreshment premises to detail in their operating schedules how they intend to promote the licensing objectives and in particular how they intend to address queue management, litter, noise and delivery vehicle disturbance.

2.7.2 Where appropriate, and, in line with the Public Nuisance and Public Safety Licensing Objectives, the Licensing Authority may recommend that applicants display their company name on containers and packaging; this will enable the Licensing Authority to identify any premises causing concern.

2.7.3 The Licensing Authority expects that any premises providing late night refreshment will have a responsible policy for regularly clearing litter from outside their premises and for 25 metres along the pavement in either direction as necessary, whilst the premises are open and at the end of the working day. Such Policy could also include the display of notices advising customers to use the bins provided. In addition, where there is evidence that grease and food, etc. has emanated from the premises, the Licensing Authority recommends that the highway in the vicinity of the premises is swilled or scrubbed so as not to attract seagulls, pigeons and vermin. The Licensing Authority recommends that all such inspections and action taken be recorded in the Premises Log Book.

2.7.4 Where an applicant wishes to sell alcohol either on or off the premises in such an establishment or provide an alcohol delivery service, the Licensing Authority recommends that the Operating Schedule sets out specific measures to ensure the prevention of Crime and Disorder and Public Nuisance in the vicinity of the premises. Existing premises that seek to provide an alcohol delivery service are expected to notify the Licensing Authority that they are operating such a service setting out specific measures they intend to take to promote the licensing objectives.

2.7.5 The Authority has considered the relaxation of controls suggested through the Deregulation Act 2015 and has decided that it would not be appropriate to do so. There is no evidence base to suggest that such action would be beneficial to local residents.

3.0 LICENSING APPROACH

3.1 PARTNERSHIP WORKING

3.1.1 The Council recognises that Licensing functions under the 2003 Act are not the only means of promoting the principles behind the Licensing Objectives. Delivery includes working with Planning, Environmental Health, the Police, the Fire Authority, the Crime Reduction Partnerships, Town Councils, Pubwatch, local businesses and residents, Lancashire County Council, transport operators and those involved with child protection.

3.1.2 The Council recognises that co-operation across services within the Council and with our external partners remains the best means of promoting the Licensing Objectives.

3.1.3 The Licensing Authority seeks to encourage and support the night-time economy by providing a vibrant and safe town centre experience. It shall work closely with the Responsible Authorities to promote the Licensing Objectives, including the licensed trade, local people and businesses. The Licensing Authority will continue to work closely as part of these groups to promote the common objectives and shall recognise its duty under Section 17 of The Crime and Disorder Act 1998 when carrying out its functions under the 2003 Act. In addition, the Licensing Authority will seek to support strategies where they are allied to the Licensing Objectives such as the National Alcohol Harm Reduction Strategy and any other relevant strategies and policies.

3.1.4 The Licensing Authority recognises that the private sector, local residents and community groups in particular have a vital role to play in promoting the licensing objectives. The Licensing Authority shall work closely with other enforcement agencies in the management of the nighttime economy, particularly relating to the tackling of underage sales and proxy sales of alcohol and drunkenness or disorder on or in the immediate vicinity of the licensed premises.

3.2 CUMULATIVE IMPACT POLICY

3.2.1 A cumulative impact policy creates a rebuttable presumption that applications within a particular area of the District for new premises licences or club premises certificates or material variations thereto will normally be refused if relevant representations are received about the cumulative impact on the four licensing objectives.

3.2.2 The Licensing Authority will review the need for a special policy on cumulative impact at least every five years in line with the review of this policy to see if circumstances have changed and one is needed.

3.2.3 In addition to the review each five years the Licensing Authority may consider a special policy on cumulative impact at any time if circumstances changed and evidence supported this course of action.

3.2.4 No area of the District is currently covered by a special policy on cumulative impact.

3.3. LOCAL STRATEGIES AND POLICIES

3.3.1 Where appropriate, the Committee will take into account local strategies and policies. These will include: -

- Community Alcohol Partnership (CAP)
- Community Safety Partnership (CSP)
- XXX
- XXX

3.4 INTEGRATING STRATEGIES

3.4.1 There are many stakeholders involved in the leisure industry and many are involved in the promotion of the licensing objectives. A number of stakeholders' plans and strategies deal with matters related to the licensing function. Where this is the case the Council will aim, as far as possible, to coordinate them.

3.4.2 Where appropriate, the Licensing Authority will also have regard to:

- local crime prevention strategies;
- needs of the local tourist economy;
- employment situation in the area and the need for new investment and employment where appropriate;
- needs of the local community
- the duty on Public Authorities to eliminate unlawful discrimination;
- the policy on cumulative impact.

3.5 AVOIDING DUPLICATION

3.5.1 The Licensing Authority recognises the need to avoid, so far as possible, duplication with other regulatory regimes such as health and safety at work, fire safety, building control and planning. Conditions will not be imposed if the matters concerned are already provided for sufficiently in other legislation. However, other legislation may not always cover the unique circumstances that arise in connection with licensable activities and in such cases tailored conditions may be necessary but only if relevant representations are received.

3.5.2 The Licensing Authority recognises that in accordance with Section 43 of the Regulatory Reform (Fire Safety) Order 2005, any conditions imposed by the Licensing Authority that relate to any requirements or prohibitions that are or could be imposed by that Order, shall have no effect. The Licensing Authority shall therefore not seek to impose fire safety conditions where the Order applies.

3.5.3 In much the same way, the Indecent Displays Act 1981 prohibits the public display of indecent matter and the Licensing Authority shall therefore not seek to impose conditions concerning such displays inside or outside the premises. The existing laws governing indecency and obscenity are adequate to control adult entertainment of this nature. However, the Licensing Authority shall, if it considers necessary in certain premises, consider attaching conditions following a hearing addressing the exclusion of minors.

3.5.4 Non-compliance with other statutory requirements may be considered in reaching a decision about whether or not to grant or vary a licence but only if relevant representations are received.

3.5.5 The Licensing Authority recognises that the existence of planning permission, building regulation approval or pavement licences must be properly separated from licensing applications to avoid duplication and inefficiency. Similarly, the existence of a Premises Licence shall not prejudice the consideration of any planning, building regulation approval or pavement licence applications. However, the Licensing Authority shall expect applicants to have obtained the appropriate consents or licences prior to operation.

3.5.6 Where premises have not obtained such consents or licences, they will be liable to enforcement action under the appropriate legislation. There may be circumstances when as a condition of planning permission a terminal hour is set for the use of commercial premises. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time to ensure that they are not in breach. Premises operating in breach of their Planning Permission or their premises licence/certificate may be liable to enforcement action by the Planning Authority or the Licensing Authority as appropriate.

3.6 REPRESENTATIONS

3.6.1 Under the 2003 Act both Responsible Authorities and 'other persons' may make representations on licence/certificate applications and review existing premises licences/certificates.

3.6.2 Other persons are defined as any individual, body or business that may be affected by the operation of a licensed premise regardless of their geographical location. Although the other person may be in any geographical location, any representation they make must be relevant to one or more of the licensing objectives. In addition, the other person is encouraged to provide evidence supporting their representation or review. This may be for example by way of recording dates where noise nuisance or anti-social behaviour occurs. Any representation however must be specific to the premises in question and not to the area in general. The representation should also detail how the granting of the application is likely to affect the person making it.

3.6.3 The Licensing Authority will however consider the geographical location of the other person who has made the representation in their consideration of their evidence.

3.6.4 In addition all representations must be relevant relating to the likely effect of the grant of the licence/certificate on the promotion of at least one of the licensing objectives. The Licensing Authority will determine whether a representation from an individual, body or business is relevant, frivolous, repetitive or vexatious. If appropriate, the benefit of the doubt will be given to the person or body making that representation.

3.7 CONDITIONS

3.7.1 Where conditions are imposed at a licensing hearing, they shall be appropriate and proportionate and shall be tailored to the size, style, characteristics and activities that take place at the premises concerned. However, the Licensing Authority accepts that Responsible Authorities may suggest conditions following negotiation with the applicant when completing their Operating Schedules.

3.7.2 In addition conditions imposed by a Licensing Authority shall be precise and enforceable, clear in what they intend to achieve, should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation, shall not replicate offences set out in the 2003 Act or other legislation, shall be justifiable and capable of being met and shall not seek to manage the behaviour of customers once they are beyond the direct management of the licence/certificate holder and their staff.

3.7.3 The Licensing Authority recommends that conditions volunteered in the Operating Schedule should be: -

- Targeted on the deterrence and prevention of crime and disorder
- Appropriate for the promotion of the licensing objectives;
- Proportionate and enforceable;
- Consistent and not conflicting;
- Relevant, clear and concise;
- Not duplicating other legislation; and
- Expressed in plain language capable of being understood by those expected to comply with them.

3.7.4 The Licensing Authority when preparing the licences/certificates will replicate the wording from an applicant's Operating Schedule, it is therefore recommended that applicants seek suggested condition wording from this policy by way of model conditions (amended as appropriate) or from the relevant responsible authorities.

3.8 ENFORCEMENT

3.8.1 The Licensing Authority has adopted a Licensing Enforcement Policy, available on the Council's web site.

3.8.2 Enforcement action will be: -

- Targeted toward those premises presenting the highest risk;
- Proportional to the nature and seriousness of the risk those premises present;
- Consistent, so that the Licensing Authority takes similar approaches in similar situations;
- Transparent, so those who are subject to enforcement action know what to expect; and
- Accountable, so that the Licensing Authority and its officers take responsibility for their actions.

3.8.3 The Council intends to use appropriate enforcement to promote the licensing objectives. Once licensed, it is essential that premises are monitored to ensure that they are run in accordance with their operating schedules, in compliance with the specific requirements of the 2003 Act and any licence conditions. It will also monitor the District for unlicensed activities that may or may not require authorisation.

3.8.4 The Licensing Authority has established protocols with Lancashire Police Authority, Lancashire County Council Trading Standards and Lancashire Fire and Rescue Service on enforcement issues to ensure an efficient deployment of Police and Council Officers. Where official warnings are given prior to any decision to prosecute for an offence, the Licensing Authority shall ensure that these enforcement authorities are informed of these warnings and the result of any action taken.

3.8.5 In order to ensure compliance with the law and licensing conditions, the Licensing Authority will also carry out whenever possible unscheduled 'non routine' evening inspections with Lancashire Constabulary. After each visit, the Designated Premises Supervisor and Premises Licence Holder shall be notified of any concerns and be given an opportunity to rectify any issues.

3.8.6 The Licensing Authority recognises that most Licence Holders seek to comply with the law and any enforcement action will normally follow a graduated approach and in the first instance will include education and support. Where licence holders continue to flout the law or act irresponsibly action will be taken.

3.8.7 The Licensing Authority may seek to meet with the licence or certificate holder and/or DPS working closely with them and relevant Responsible Authorities in implementing a Premise Improvement Plan where appropriate.

3.8.8 Where the premise does not comply with an agreed Improvement Plan and continues to breach the licensing laws and/or licence conditions, the Responsible Authority or Licensing Authority can consider further sanctions, either by way of a review, formal caution or prosecution. In any event, the Licensing Authority will have regard to the Regulators' Compliance Code and the Council's Licensing Enforcement Policy.

3.8.9 Where one-off events are taking place, the Licensing Authority may also carry out inspections to ensure the Licensing Objectives are being promoted. Inspections shall be carried out in accordance with the principles of risk assessment and targeting problem premises.

3.8.10 In addition, the Licensing Authority will conduct checks to ensure that official notices for new applications, varied applications, reviews and minor variations are accurate and clearly displayed.

Notices for reviews shall be displayed at or near the site of the premises, and where there are concerns these shall be regularly checked and recorded.

3.8.11 Any decision to instigate legal proceedings will take account of principles set out in the Licensing Enforcement Policy.

3.9 COMPLAINTS AGAINST LICENSED PREMISES

3.9.1 Complainants are advised, whenever possible, in the first instance to raise their complaint directly with the licensee in order to resolve the matter. The Licensing Authority, however, recognises that it is not always possible or practical for complaints to be raised directly. In such circumstances, complaints in the first instance should be addressed to the most appropriate body. For example, crime and disorder related issues should be raised with the Police.

3.9.2 All noise-related complaints are investigated by the Council's Environmental Protection Service and complaints regarding unlicensed activities and operating outside the permitted hours are investigated by the Licensing Team. There will be collaboration between the two teams to assist in reaching effective and appropriate outcomes for noise related matters.

3.9.3 On receipt of a complaint, the Authority shall investigate the circumstances, discussing the complaint with the Designated Premises Supervisor of the licensed premises, the Premises Licence Holder, any Relevant Responsible Authority and the complainant. Where it is a valid complaint, the Licensing Authority shall endeavour to seek a resolution through informal means prior to taking any legal action.

3.9.4 The Licensing Manager is responsible for considering complaints in the context of this Policy and will determine whether or not it is a relevant complaint. They will authorise suitably qualified officers to discharge enforcement duties as appropriate to their seniority, professional qualifications and/or experience in order to resolve any complaint.

3.9.5 Where there is a serious complaint, the Licensing Manager shall ensure that it is investigated, and enforcement action taken where necessary. The Licensing Authority shall act in accordance with the its own Licensing Enforcement Policy available on the Council's web site.

3.9.6 The Licensing Authority recognises that this Policy and the promotion of the Licensing Objectives relies on partnership between all the parties. Therefore, where there are any concerns identified at the premises, or there is need for improvement, the Licensing Authority shall work closely with the parties at an early stage to address these concerns.

3.10 LIVE MUSIC, DANCING AND THEATRE

3.10.1 The Council recognises the need to encourage and promote a broad range of entertainment, particularly live music, dancing and theatre for the wider cultural benefit of the community and in particular for children and young people.

3.10.2 When considering applications for such events and the imposition of any conditions if representations are received on licences or certificates, the Licensing Authority will carefully balance the need to promote the licensing objectives against these wider cultural benefits.

3.10.3 When considering whether an activity constitutes the provision of regulated entertainment each case will be treated on its own merit.

4.0 ADMINISTRATIVE ISSUES

4.0.1 As the Regulations require advertising of all new and variation applications, the Licensing Authority recommends that the applicant contact them prior to displaying the statutory notice or advertising the application in a local paper circulating in the vicinity of the premises. This will ensure that an accurate consultation date will be given which will avoid any errors and the potential of a breach of the regulations that would result in the application being rejected or delayed.

4.1 PREMISES LICENCE

4.1.1 The Premises Licence application outlines the operating conditions and the Operating Schedule that will form the basis of conditions that will be attached to the Licence. It should include information that is necessary to enable any Responsible Authority or other person to assess whether the steps to be taken to promote the licensing objectives are satisfactory. The Licensing Authority shall expect the applicant to have carefully considered the promotion of all four Licensing Objectives in their Operating Schedule.

4.1.2 It is recommended that applicants liaise with neighbours and/or any relevant community group such as a local residents association, or other such groups, as may be appropriate prior to submitting an application.

4.1.3 The Licensing Authority especially recommends that applicants liaise with the Relevant Authorities prior to submitting their applications, e.g. Police or Fire Authority, when compiling their Operating Schedules and the local Pubwatch if one operates in that area.

4.1.4 In completing their Operating Schedule the Licensing Authority suggests the applicant considers the following: -

General

- Premises log book
- Management and staff training and awareness of duties under the 2003 Act
- Policies and procedures relating to e.g. age restricted sales, capacity, noise monitoring, dispersal, queuing, etc.
- Safe capacities
- Evidence of competent management procedures

Prevention of Crime and Disorder

- Drugs policy
- CCTV
- Pub Watch and Radio links with other licensed premises
- Security Industry Authority Door supervisors and Approved Contractor Scheme
- Polycarbonate or shatterproof vessels
- Frequency of glass bottle disposal and provision of secure storage before collection
- An appropriate ratio of tables and chairs to customers
- Management of outside areas
- Use of 'spikeys' or similar anti drink spiking device
- Policy for reporting of sexual harassment/violence towards women
- Calming atmosphere at close of business/event
- Safe capacities
- Queuing policy
- Stewards for events and event plan Public Safety

Public Safety

- Health and Safety and Fire Safety risk assessments and staff training
- Safeguarding measures
- Use of CCTV in and around the premises
- Safe capacities and monitoring procedures
- Provision of local taxi companies who can provide safe transportation home
- Procedures to control access to and egress from premises
- Patrolling of premises
- Glass clearance policy
- Control of ventilation
- Control of litter immediately outside the premises
- The presence of trained first aiders and appropriate & sufficient first aid kits
- Adequate external lighting
- Consideration of the safety of performers appearing at any premises
- Indoor sporting events: medical practitioner; flame retardant material, location of public to wrestling ring; water sports events – lifeguards
- Stewards for events and event plan; and regard to standards of the National Sporting Body
- Ensuring appropriate access for emergency services

Prevention of Public Nuisance

- Control of general noise, disturbance, light, odour, litter and anti-social behaviour
- Whilst regulated entertainment taking place, management of noise disturbance
- Control of litter (e.g. cigarette ends, rubbish, etc.), vomiting, urinating and anti-social behaviour in the vicinity of the premises
- Dispersal policy to ensure customers respect their neighbours
- Delivery vehicle management, ensuring no obstructions are caused in the vicinity of the premises.
- Removal of persons causing disturbance
- Management of outside areas, e.g. pub gardens, smokers, etc.
- Control of deliveries in early hours
- Queuing policy
- Winding down period

Protection of Children from Harm

- Refusals book
- Consideration of access to premises where adult entertainment may take place
- Consideration to proximity of premises to schools and youth clubs
- Restriction on hours when children under a specified age can be present and whether they should be accompanied by a responsible adult
- Clarity on activities and times at which events take place to determine whether or not it is appropriate to allow access to children
- Challenge 21 or 25 policy
- Prompting mechanism on tills at retail outlets
- Measures to control access to hotel minibars
- Operational measures to avoid proxy purchases
- How to prevent children from being exposed to alcohol sales at underage events, gambling, incidents of violence and disorder and drugs or drug taking

- Consideration of safeguarding issues
- Consideration of children as performers where relevant
- Supervision of children
- Under 18 event Code of Conduct, for example: searches, ticketed event, door supervisors, DBS checks, stewards monitoring event, set hours for event, restricted event, policy to ensure young people leave premise safely, etc.

These lists are not exhaustive, and advice can be obtained from the relevant responsible authorities. However, applicants are reminded again to contact the relevant Responsible Authorities to seek their expert advice before an application is submitted to the Licensing Authority.

4.2 GARAGES

4.2.1 With regard to the licensing of garages, and/or filling stations, Section 176 of the 2003 Act prohibits the sale or supply of alcohol from premises that are used primarily as a garage. However, the Licensing Authority will use the court's approach based on intensity of use, to establish primary use. Where such applications are submitted, the Licensing Authority will expect sufficient relevant evidence to accompany the application form to prove the issue of primary use.

4.3 MOBILE PREMISES

4.3.1 Where licensable activities take place in mobile vehicles, a Premises Licence will be required for the land upon which the vehicle operates. The Operating Schedule must indicate the specific pitch from where trading is to take place.

4.3.2 As this type of premises is likely to cause people to congregate, the Licensing Authority shall expect applicants to demonstrate specific measures to prevent Crime and Disorder and Public Nuisance. In addition, the Licensing Authority shall expect the applicant to consider specific measures to ensure that litter from such premises is regularly disposed of and that the licensee has adopted a Litter Policy as set out above.

4.4 TEMPORARY EVENT NOTICES

4.4.1 The 2003 Act states that the premises user must give the Licensing Authority a minimum of 10 working days notice for a standard temporary event notice and between 5 and 9 working days for a late temporary event notice. The 'working day' requirement means that the day of receipt of the notice, Saturdays or Sundays, Bank Holidays, or the day of the event are not included as a working day.

4.4.2 Premises users are advised to submit their TENS well before the date of the event (ideally 28 days beforehand), using our online service. When serving TENS in a hard copy format, the premises user must serve the notice on the Licensing Authority, Lancashire Police and the "local authority exercising environmental health functions" ("EHA") at the same time to avoid a situation where one of the bodies does not receive their copy within the statutory timescale, which could mean that the event cannot proceed even if the other bodies have received their copy in time.

4.4.3 It is a legal requirement for all organisers to carry out Health and Safety and Fire Safety Risk Assessments with regards to their event. Guidance on how to conduct such risk assessments may be obtained from the relevant enforcing authority. The Licensing Authority may notify the Fire Authority of any TENS submitted so that they can offer advice to event organisers if necessary. Members of any relevant Event Safety Advisory Group may also be notified of any TENS for similar reasons. Organisers are recommended to give thought to the provision of first aid at such events. It

should be noted that if the Fire Authority is of the opinion that the use of premises/venue involves, or will involve, a risk to relevant persons so serious, including anything affecting their escape from the premises in the event of fire, the Fire Authority may prohibit or restrict premises use without notice.

4.4.4 Those intending to serve a TEN are strongly advised to consider whether their proposals should be considered by a Event Safety Advisory Group (ESAG) and ensure they follow the advice given, this is particularly relevant for small scale festivals and/ events that take place over more than 1 day.

4.4.5 Finally, the Authority strongly recommends that premises users address the following issues: -

- Applicants are strongly advised to consider and mitigate the potential impact in terms of public nuisance, i.e. noise, vehicle parking of attendees, traffic.
- Seek relevant professional advice on public liability insurance.
- Seek relevant professional advice on noise, public safety, sanitation, food hygiene, health & safety and fire safety matters.
- Liaise with local residents and businesses that may be affected by the event, to raise awareness of the nature and duration of the event.
- Seek relevant professional advice on medical provision.
- Ensure that the event site and environs are maintained free of litter to a reasonable extent during an event and completely cleared following an event. This includes the removal of all advertising material used to promote events, within a reasonable period.
- Consider the conditions attached to a Premises Licence or Club Premises Certificate and manage the event in accordance with such conditions, where appropriate. (This is to mitigate the potential for adverse impacts on the promotion of the Licensing Objectives and/or complaints).

4.4.6 Payments for temporary event notice(s) are made upon application and are non-refundable.

4.5 PERSONAL LICENCES & EXEMPTION OF THE REQUIREMENT FOR A DESIGNATED PREMISES SUPERVISOR

4.5.1 The Licensing Authority places particular emphasis on the role of Designated Premises Supervisors (DPS) and Premise Licence Holder and where the Police object on the grounds of prevention of crime and disorder there will be a presumption against issuing a personal licence to any applicant with an unspent conviction for a relevant offence. If the applicant can demonstrate exceptional and compelling reasons for disregarding the conviction, this will be taken into consideration.

4.5.2 The Licensing Authority advises that it is good practice for the Personal Licence Holder to give specific written and dated authorisation to individuals to demonstrate due diligence. Whilst the DPS and Personal Licence Holder may authorise sales in their absence, they remain responsible for those sales. Similarly, the Premises Licence Holder also remains responsible for ensuring that the licensing law and conditions are complied with at that premises. Any authorisations should be meaningful and properly managed.

4.5.3 Where a Premises Licence is in force authorising the supply of alcohol, a DPS will need to be nominated. The main purpose of the DPS is to ensure that there is always one specified individual who can be readily identified by Responsible Authorities as the individual who has day-to-day responsibility for running the business and who can therefore ensure that any problems are dealt with swiftly. As such the DPS will occupy a pivotal position. Experience has proved that in some cases

the Premises Licence Holder has employed a DPS who is remote from the premises and therefore not involved in the day-to-day running of that premise; the Licensing Authority will therefore pay particular attention to those premises.

4.5.4 Whilst the Licensing Authority recognises that a DPS may supervise more than one premise, the DPS must be able to ensure that the four Licensing Objectives are promoted and that the licensing law and licensing conditions are complied with. Where the DPS is not available at the premises for whatever reason, the Licensing Authority recommends a responsible individual is nominated who can deal with matters in the absence of the DPS. In addition, the Licensing Authority recommends that a notice is displayed prominently indicating the name and position of that nominated person. Whenever alcohol is to be sold it is recommended that written and dated consent be given to that nominated person.

4.5.5 Experience has indicated that a number of Personal Licence Holders have failed to produce their Personal Licence to the court in accordance with Section 128 of the 2003 Act. In view of this the Licensing Authority will take appropriate action against those who continue to fail to notify the courts and/or provide notification of their change of address in accordance with their statutory duty.

EXEMPTION OF THE REQUIREMENT FOR A DPS

4.5.6 Where a community premises applies for an exemption from the requirement to have a DPS, the Licensing Authority must be satisfied that arrangements for the management of the premises by their Committee or Board of individuals are sufficient to ensure the adequate supervision of the supply of alcohol on the premises. The applicant will be required to set out how the premise is managed, its committee structure and how the supervision of alcohol sales is conducted. Copies of the Constitution and other management documents must be submitted. The management committee is strongly encouraged to notify the Licensing Authority if there are any key changes in the committee's composition as this committee will collectively be responsible for ensuring compliance with licence conditions and licensing law. Where management arrangements are unclear, the Licensing Authority may seek further details to confirm that the management board or committee is properly constituted and accountable. While overall responsibility lies with the management committee where premises are hired out, the hirer will be clearly identified as having responsibilities falling within their control. Community premises are encouraged to check with the Licensing Authority before making any application.

4.6 LARGE SCALE EVENTS

4.6.1 Lancaster and the surrounding area is a popular location for a wide range of cultural and entertainment events, these range from village days to small scale one-day events and weekend festivals.

4.6.2 Such events can involve considerable and complex planning and management. This involves a high level of competency from those involved with organising and managing such events.

4.6.3 The Authority is aware of the potential for varied and extreme impacts on the promotion of the Licensing Objectives, where such events take place. Organisers of such events are advised to contact the Licensing Service in the planning stages to discuss the event and application.

4.6.4 The Authority has a general statutory duty under section 4 of the 2003 Act to promote the Licensing Objectives. The legislation does not refer to the special circumstances and sometimes very different issues that can be relevant to these types of application. However, the Authority has taken all reasonable endeavours to balance the demands and aspirations of the event industry against the

protection of the local communities and the attendees that may be adversely affected by or at such events.

The Authority believes that the risk associated with large scale events can only be adequately mitigated by the submission of an up to date, relevant, detailed and complete operating schedule that is specific to the proposed event.

4.6.5 The enforcement policies of the Council may be significantly undermined by the short duration and potentially occasional nature of these events. This is because the Council's graduated response to problems arising may not be as effective in responding to these issues on an occasional and irregular basis, particularly with different event organisers.

4.6.6 Sites for large occasional events are not usually entirely purpose built for the proposed licensable activities to take place. Therefore, there is considerable work involved in planning and organising these events. The Authority believes that this is only achievable by ongoing involvement of the Authority and Responsible Authorities in dealing with such events, as far as is reasonable and appropriate.

4.6.7 It is clear that Responsible Authorities (and sometimes Other Persons) may often engage with applicants prior to submission of an application. This notion is referred to in the Statutory Guidance, as it promotes the Licensing Objectives by fostering a partnership approach; and is supported by the Authority (where appropriate), but with an additional caveat.

4.6.8 Applicants are expected to rely most heavily on their own competence and knowledge or that of persons/ bodies that they employ in making their plans. They cannot and should not rely on the input of the Responsible Authorities to ensure that detailed and comprehensive plans for their event are produced.

The demands on the Responsible Authorities can be disproportionate to their resources, This might place undue pressure on such bodies, undermining the level of scrutiny of such applications. It must be considered that the legal responsibilities connected to holding such events primarily rest with the event organiser and landowner.

4.7 SUSTAINABLE EVENT MANAGEMENT

4.7.1 Events can impact heavily on our resources, society, and the environment, as they can generate significant waste, put a strain on local resources like water or energy, and generate large volumes of traffic. It is, therefore, important that event organisers are taking the right steps to integrate sustainability into their event management and ensure that they are organised responsibly. As such, the Council encourages event organisers to take the necessary steps to develop proposals that are conscious of the Council's Climate Emergency Commitments, by way of demonstrating what steps will be taken to ensure the environmental impacts of the event are kept to a minimum.

4.7.2 It is highly recommended that event organisers consider the following points:

- Banning single use plastic glasses/cups in the bars and look to use reusable receptacles.
- Encourage non fossil fuel powered events, including any caterers.
- Alcohol sourced from local brewers/suppliers to keep bars with a lower carbon footprint.
- High recycling rates, a target of 70% plus, which could be evidenced from weighbridge tickets provided by recycling transfer stations.

4.8 EVENT SAFETY ADVISORY GROUPS (ESAGS)

4.8.1 The Authority acknowledges the benefits of working closely with Responsible Authorities and other statutory bodies in supporting event organisers in operating safe and well managed events. Event Safety Advisory Groups or 'multi agency meetings' are one means of promoting such partnership working.

4.8.2 The Authority will facilitate and host such meetings from time to time to assist applicants and those organising events that do not require an authorisation under the 2003 Act, where appropriate.

4.8.3 All applicants should consider whether to attend such a meeting before they apply, as failure to do so could undermine the promotion of Licensing Objectives.

4.9 REVIEWS OF LICENCE OR CLUB PREMISES CERTIFICATE

4.9.1 The Licensing Act 2003 details that where a premises licence or club premises certificate has effect, a Responsible Authority or other person may apply to the relevant Licensing Authority for a review of the licence. Nothing in this Policy shall restrict their right to apply for a review of a licence or make relevant representations in accordance with the 2003 Act, however the Licensing Authority may, at any time, reject any ground for review specified in an application under this section if it is satisfied that the ground is not relevant to one or more of the licensing objectives, or in the case of an application made by a person other than a Responsible Authority, that the ground is frivolous or vexatious, or the ground is a repetition.

4.9.2 Where a person or body is considering making an application for a review, they are advised to contact the Licensing Service. This is so that Officers may provide some initial feedback on the matter and then, if appropriate, attempt to facilitate a meeting or a series of meetings between relevant persons and bodies to consider alternative solutions and/or discuss the review process.

4.9.3 Applicants should make all reasonable efforts to set out their concerns regarding an authorisation concisely and clearly and ensure that these concerns are relevant to a failure to promote the Licensing Objectives.

4.9.4 Examples of triggers for a review may be:

- continual complaints of noise from or in the vicinity of the premises;
- continual complaints of noise or intimidation from customers outside the premises;
- an accumulation of breaches of licensing conditions;
- poor management where the licensing objectives are undermined;
- underage sales of alcohol (persistent or otherwise); crime-related activity; anti-social behaviour;
- sales of alcohol outside of the permitted hours, etc.

4.9.5 The Licensing Authority shall expect applicants for a review to gather sufficient and relevant evidence relating to the specific premises that is subject to the review. This may include a diary of events and any potential witnesses. Regarding reviews on noise complaints, applicants are encouraged to liaise with the Council's Environmental Protection Service who may be able to assist with and support the review process.

4.9.6 Prior to a review, however, Lancashire Police, other Responsible Authorities or the Licensing Authority may seek to meet with the licence/certificate holder to address issues through a Premises Improvement Plan.

4.10 ADMINISTRATION, EXERCISE AND DELEGATION OF FUNCTIONS

4.10.1 The Council has a Licensing Committee, consisting of 10 elected members, to carry out its licensing functions and to make licensing decisions, except those functions relating to the making of a Statement of Licensing Policy.

4.10.2 In the interests of speed, efficiency and cost-effectiveness the Committee will delegate certain decisions and functions to Sub-Committees and officers.

4.10.3 For example, where there are no relevant representations on an application for the grant of a premises licence or club premises certificate or Police objection to an application for a personal licence, these matters should be dealt with by officers.

4.10.4 The table attached at Appendix X sets out the agreed delegation of decisions and functions to the Licensing Committee, Sub-Committees and officers.

4.10.5 This scheme of delegation does not prevent the referral of matters to a higher authority if considered appropriate in the circumstances of any particular case.

4.10.6 Members of the Licensing Committee will comply with the Lancaster City Council Code of Conduct for Councillors and will declare any personal or prejudicial interest in any matter coming before them in accordance with the Code. Members with a prejudicial interest will have the opportunity to speak as any member of the public (i.e. only where they make relevant representations) is permitted but will withdraw from the room in which the meeting is being held immediately after speaking and will not seek to improperly influence the decision.

4.10.7 Members of the Licensing Committee who make representations on behalf of any Other Person or in their own right as a member of the Licensing Authority will not sit on any hearing or Sub-Committee making any decision in relation to the matter in question, nor take any other part in the decision-making process.

4.10.8 Members will not sit on any Sub-Committee dealing with a matter in relation to premises in his or her ward, or any person living in that Ward.

If you wish to make comments on this Licensing Policy or if you want further information regarding the Licensing Act 2003 please contact: -

The Licensing Department

Morecambe Town Hall

Marine Road Central

Morecambe

Lancashire

LA4 4 AF

Telephone: 01524 582033

Email: licensing@lancaster.gov.uk

The Licensing Act 2003 can be viewed at: -

[Licensing Act 2003 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

The Statutory Guidance can be found at: -

[Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Lancaster City Council website: -

[Home - Lancaster City Council](#)

Event Safety Advisory Group: -

[Event safety - Lancaster City Council](#)

Events on Council Land, Guidance and Application Procedures: -

[Events on council land - Lancaster City Council](#)

Lancaster City Council's Pavement Licence Policy and Application Procedures: -

[Pavement licences - Lancaster City Council](#)

Appendices

Appendix 1 – Responsible Authorities Contact List Inc Email/Postal

Appendix 2 – Model Conditions

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

Appendix 3 – Scheme of Delegation

Responsible Authorities – Consultee Contact Details

Licensing Authority – licensing@lancaster.gov.uk

Licensing
Morecambe Town Hall
Marine Road
Morecambe
LA4 5AF

Public Protection - environmentalhealth@lancaster.gov.uk

(Incl Community Protection and Health and Safety Officers)

Public Protection
Morecambe Town Hall
Marine Road
Morecambe
LA4 5AF

Lancashire Police – WestLicensing@lancashire.police.uk

Licensing Department
West Division
Lancaster Police Station
Thurnham Street
Lancaster
LA1 1YB

Lancashire Fire and Rescue Service – northernfiresafety@lancsfireandrescue.org.uk

Business Fire Safety Advisor
Lancaster Fire Station
Cable Street
Lancaster
LA1 1HH

Home Office – Alcohol@homeoffice.gov.uk

The Alcohol and LNR Licensing Team
Interventions Sanctions and Compliance
Immigration Enforcement
Home Office
15th Floor Long Corridor
Lunar House
40 Wellesley Road
Croydon
CR9 2BY

Lancashire Safeguarding (Children) – JPBU@lancashire.gov.uk

PO Box 78
County Hall
Fishergate
Preston
PR1 8XJ

Planning/Development Control – planningenforcement@lancaster.gov.uk

PO Box 4
Lancaster Town Hall
Dalton Square
Lancaster
LA1 1QR

Trading Standards – intelligence.management@lancashire.gov.uk

Trading Standards Service
Lancashire County Council
Level 4 - Lancashire Point
County Hall
Preston
PR1 0LD

Director of Public Health – phlicensing@lancashire.gov.uk

Lancashire County Council Licensing
Level 1 Christ Church Precinct
County Hall
Preston
PR1 8XB

Model Conditions

Introduction

How to use this document

Model conditions are all set out in the pages of this document as a template for you or your representative to copy for your own application. We have given instructions for you to add details for certain elements, according to your specific licence application. Where bespoke detail is needed, we have used a bracket and the word "Insert:" for example [Insert: the total number of staff.]

What we mean by Conditions

The conditions on a premises licence or club premises certificate set the parameters within which premises can lawfully operate. Conditions are attached to licences and certificates in three ways:

1. Mandatory conditions, as set out in the Licensing Act 2003, which must be included on all licences and certificates.
2. Applications for new premises licences or club premises certificates, as well as variations, must include a completed operating schedule that is translated into conditions on any licence or certificate granted.
3. Once the application is made, where relevant representations have been made by the Responsible Authorities (such as the police, Environmental Health and Trading Standards, or other parties such as local residents), the licensing authority may impose such conditions it considers appropriate for the promotion of the licensing objectives.

These model conditions were approved by Full Council on **XXXX** and are intended to provide a consistent approach for all parties by specifying appropriate conditions that could be included on any licence or certificate granted; this could be by the applicant in designing the operating schedule, by other parties in seeking to address concerns associated with the application, or ultimately, by the licensing authority when imposing conditions considered appropriate for the promotion of the licensing objectives.

The model conditions should not be regarded as standard conditions that apply in all cases. They should be tailored as appropriate to the size, type, location and characteristics of – and activities taking place at – the premises concerned. Where a condition includes any [Insert: bracketed content] these variable details should be completed accordingly.

Conditions are not limited to only addressing the licensing objective they are titled under and it is recognised that some conditions may be relevant to more than one objective. The conditions are not intended to be, nor can they be, an exhaustive list, and they do not restrict the ability of any party to propose, or the Committee to impose, any reasonable or proportionate condition they consider appropriate for the promotion of the licensing objectives.

The Prevention of Crime and Disorder

When copying the content on this page into your own document you'll need to insert certain details that are relevant for your licence. Where these are required the need for specific information is marked in brackets and leads with the word 'Insert' eg: [Insert: specific days and times]

CCTV

- The premises shall operate a CCTV system that complies with the minimum requirements of Lancashire Police.
- The premises licence holder must ensure that:
 - CCTV cameras are located within the premises to cover all public areas including all entrances and exits [Insert: The location of cameras could also be specified on the plan attached to the premises licence]
 - The system records clear images permitting the identification of individuals
 - The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days
 - The CCTV system operates at all times while the premises are open for licensable activities [Insert: or specify timings]
 - All equipment must have a constant and accurate time and date generation
 - The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected
 - There must be at least one member of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

Public safety

When copying the content on this page into your own document you'll need to insert certain details that are relevant for your licence. Where these are required the need for specific information is marked in brackets and leads with the word 'Insert' eg: [Insert: specific days and times]

Staff training (alcohol and vulnerability welfare)

- All staff authorised to sell alcohol shall be trained in (delete as appropriate):
 - Relevant age restrictions in respect of products
 - Prevent underage sales
 - Prevent proxy sales
 - Maintain the refusals log
 - Enter sales correctly on the tills so the prompts show as appropriate
 - Recognising signs of drunkenness and vulnerability
 - How overservice of alcohol impacts on the four objectives of the Licensing Act 2003
 - How to refuse service
 - The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment; and how to report issues of modern slavery and trafficking

- Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
- The conditions in force under this licence.
- Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed by the trainee.
- Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 [Insert: or specify] monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Lancaster City Council.

Preventing and dealing with drunkenness and vulnerability

- The premises shall have a documented Duty of Care policy for managing intoxicated and vulnerable customers and dealing with incidents of harassment at the premises. The policy shall also include provision for persons refused entry to the premises who are also considered vulnerable by staff.
- The premises shall display prominent signage indicating [Insert: at any point of sale, at the entrance to the premises, in all areas where alcohol is located] that it is an offence to sell alcohol to anyone who is drunk.
- A Personal Licence holder must be present at the premises to supervise all sales of alcohol.
- A minimum of [Insert: specify number] persons must be employed and on duty at the premises between [Insert: specify days/hours] who are specifically tasked to maintain the safety of customers who may be vulnerable, ill or in distress as a result of alcohol and/or drug-related intoxication. Such persons must be trained on drunkenness, vulnerability, and drugs awareness in the night-time economy; and responding to these matters.
- The premises shall provide facilities for customers to securely recharge their mobile phones.

Glassware and use of ice fountains / bottle sparklers

- Drinks must only be served in polycarbonate/plastic containers [Insert: on specified days or events] [Insert: upon reasonable notice by Lancashire Police].
- Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise) in open containers [Insert: except for consumption in any delineated external area as shown on the plan attached to the licence].
- Spirit, Champagne and all other glass bottles greater than [Insert: specify measurement eg 70cl] are restricted to customers seated at a [Insert: either table or booth] in the delineated area(s) as shown on the plan attached to the licence. These bottles must be secured to the table or ice bucket and must only be dispensed by a member of staff who is trained in the responsible service of alcohol. Customers must not be permitted to leave their table carrying any such bottle or be permitted to drink directly from the bottle.

Ice fountains or similar products (which are classed as HT4 explosives):

- Must be kept in their original packaging and only stored in a secure store room or fire-resistant cabinet that the public have no access to. The room/cabinet must be kept locked, except for the depositing or removal of products but must be locked immediately thereafter.

- Their use must be risk assessed in advance and appropriate control measure put in place to reduce the risk to staff and customers, which must include (but is not limited to):
 - i) staff training in their safe use and dispersal
 - ii) the provision of appropriate first aid training and equipment
 - iii) suitability of areas of the premises where the products will be used
- The risk assessment and control measures identified must be documented, kept on the premises and made available for inspection to a police, fire or authorised officer upon request.

Martyn's Law

1. At all times that the premises are open to the public for licensable activities, all staff on-duty at the premises, including all door supervisors, and all on-duty managers must have completed Action Counters Terrorism (ACT) Awareness e-learning training. All training should be documented and evidence of this produced if requested by a police officer or authorised officer of the licensing authority.
2. There must be a documented security assessment, which must incorporate counter terrorism measures for the premises. The assessment shall be routinely reviewed and must be reviewed following the elevation of the change of the national threat level. All reviews shall be documented.
3. Within 28 days of the grant or variation of the licence, the premises licence holder shall evaluate any risks identified through the security assessment and take prompt steps to eliminate them or to reduce the risk as far as is reasonably practicable. A documented record must be maintained of any remedial action implemented and made available upon request to any police officer or an authorised officer of Lancaster City Council.
4. The premises must have a documented security plan, which sets out counter measures to be implemented in response to a terrorist attack that incorporates the principles of 'Guide', 'Shelter' and 'Communicate' as appropriate in conjunction with relevant National Counter Terrorism Security Office (NACTSO) / Centre for the Protection of National Infrastructure (CPNI) guidance, and the purposes of those procedures and the necessity of following them must be understood by those carrying them out:
 - Guide – Direct people towards the most appropriate location (in vacuation, evacuation, hide)
 - Shelter – Understand how your place or space might be able to lock-down and shelter people within it for several hours
 - Communicate – Have a means of communicating effectively and promptly with users of your place and have staff capable of giving clear instructions. Also have the capability of integrating with any response or rescue operation by providing things like building plans.

Door Supervisors and Body-Cams

1. Door supervision must be provided on [Insert: specify days / circumstance]. Door supervisors must be on duty from [Insert: specify hours] and must remain on duty until the premises are closed and all the customers have left.
2. On [Insert: specific days and hours], at least [Insert: number] of Security Industry Authority (SIA) registered door supervisors must be on duty at the premises [Insert: either i) specify location at the premises or ii) as shown on the plan].
3. Door supervisors shall be employed at the ratio of [Insert: number] door supervisor for every 100 customers (or part thereof).
4. Door supervisors shall be employed by the premises based upon a risk assessment carried out in relation to the following factors:
 - Size of the venue
 - Expected attendance
 - Type of event taking place
 - Location of the premises
 - Time of year
 - Special occasion (New Year, Halloween, Local events etc.)
 - Premises Licence Conditions
5. At least [Insert: number] female door supervisor(s) shall be on duty at the premises at such times as door supervisors are required to be provided.
6. All door supervisors, and other persons engaged at the premises for the purpose of supervising or controlling queues or customers, must wear [insert: any or all of: high visibility jackets, vests, armbands]
7. Any door supervisors on duty at the premises must be supplied by an SIA-Approved Contractor Scheme company.

Body-worn video

1. On [Insert: specify days/hours], [Insert: either i) all or ii) at least [Insert: number]] of SIA registered door supervisors on duty at [Insert: either i) specify location at the premises or ii) as shown on the plan] must wear working body-worn video devices (body cams) that comply with the minimum requirements of Lancashire Police.
2. A record must be kept of the SIA registration number of the door supervisor and the ID of bodycam worn by them.
3. Bodycam images must be stored so that they are retrievable and accessible for replay and viewing and kept in an environment that will not be detrimental to the quality or capacity for future viewing. They should be appropriately labelled to enable identification and retrieval and kept for a minimum of 28 days. No recording must be deleted within this period from when it is recorded.
4. The premises licence holder must ensure at least one member of trained staff at the premises during operating hours able to provide viewable copies on request to police or

authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

5. The Designated Premises Supervisor or on-duty manager must ensure that all door supervisors on duty at the premises are correctly displaying their current SIA accreditation and are briefed on their responsibilities and relevant company operating procedures before they commence duty.
6. Door supervisors must be provided with radios to enable them to contact each other and the duty manager at the premises.
7. Where SIA registered door supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times when they are on duty.

Emergencies

- The premises licence holder shall ensure that at all times when the public is present there is [Insert either: at least one, or an appropriate number of] competent person(s) able to administer first aid, that an adequate and appropriate supply of first aid equipment and materials is available on the premises, and that adequate records are maintained in relation to the supply of any first aid treatment.
- The premises licence holder shall ensure that at all times when the public is present there is an appropriate level of medical care for all persons present. The level of provision should be determined by a medical needs assessment.
- All external emergency exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.
- All staff on duty at the premises shall be trained in the Emergency and Evacuation procedures for the premises and aware of their individual responsibilities. This includes any door supervisors. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than [Insert: specify number] monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Lancaster City Council.
- The premises shall have a minimum 20m rescue throwline available on the premises for emergency use. All on-duty staff (including security) shall be knowledgeable of its location and the manufacturer's instructions for use.
- [Insert: Staff to be specified] must hold a valid Emergency First Aid at Work qualification or equivalent qualifications that complies with the relevant guidance from the Health and Safety Executive (GEIS3)
- A member(s) of staff qualified to a minimum Level 3 Certificate in First Response Emergency Care must be on duty, with appropriate medical equipment, at the premises when licensable activities are carried out [Insert: or at specified days/times]
- All door supervisors must have emergency first aid at work training.

Promotional activity

- The premises licence holder must submit to [Insert: contact details for Responsible Authority] a completed risk assessment form as prescribed at least 28 days before any event

that is carried on by any person not affiliated with the venue; and promoted / advertised to the public.

- No promotional social media communication may be carried on for the purpose of encouraging the sale or supply of alcohol at the premises, which can reasonably be considered to condone, encourage or glamorise antisocial behaviour or to refer to the effects of drunkenness in any favourable manner.

Restricting alcohol sales in relation to designated special events, eg. football matches

Prior to any [Insert either: designated special event by Lancashire Police, or 'designated sporting event' (as defined in the Sporting Events Control of Alcohol Act 1985)] the premises licence holder shall ensure that:

- Alcohol sales in respect of cans of beer or cider are limited to no more than four cans per person for a minimum of four hours before the commencement of the relevant designated [Insert either: special or sporting] event
- No sales of alcohol in bottles or glass containers are made in the period four hours before the commencement of the designated [Insert either: special or sporting] event
- Alcohol sales cease for a period of one hour immediately before the commencement of the relevant designated [Insert either: special or sporting] event
- On any day where there is a relevant designated [Insert either: special or sporting] event taking place, the premises will not externally advertise as a result of a local store promotion the availability of beer or cider in such a way as to be likely to be the sole inducement to attract persons to the premises who are either attending the designated [Insert either: special or sporting] event or in the vicinity of the premises as a result of the designated [Insert either: special or sporting] event
- All members of staff working at the premises are informed of this condition prior to taking up employment
- On the day of the relevant designated [Insert either: special or sporting] event, upon the direction of a police officer, using the grounds of the prevention of crime and disorder or public safety, the premises will immediately cease to sell alcohol until further directed.

Use of special effects

Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used if 10 days' prior notice is given to the licensing authority where consent has not previously been given:

- Dry ice and cryogenic fog
- Smoke machines and fog generators
- Pyrotechnics, including fireworks
- Firearms (eg. Blank firing pistols)
- Lasers
- Explosives and highly flammable substances
- Real flame
- Strobe lighting.

Large events

- The Premises licence Holder must comply with the Event Management Plan submitted to and approved by the Licensing Authority and no changes will be made to the Event Management Plan without the prior written consent of the Licensing Authority.

Boxing and wrestling (including MMA and other combat sports)

The Premises licence Holder must comply with the Event Management Plan submitted to and approved by the Licensing Authority and no changes will be made to the Event Management Plan without the prior written consent of the Licensing Authority. The Plan must set out (but is not limited to):

- how fighters will be matched
- the measures that will be in place to ensure the safety and welfare of competitors; including medical facilities and qualified staff provision
- fighter details
- layout of the venue
- competition rules
- referee details including qualifications.

Adult entertainment

The premises may not show R18 films without the benefit of a sex cinema licence.

No person under the age of 18 will be permitted to enter or remain on the premises when any “relevant entertainment” (as defined in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982) is taking place.

For reference:

- Relevant entertainment is ‘Any live performance or any live display of nudity, which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).
- Display of nudity means: in the case of a woman - exposure of her nipples, pubic area, genitals or anus; and - in the case of a man - exposure of his public area, genitals or anus.
- The audience can consist of one person.

The Prevention of Public Nuisance

When copying the content on this page into your own document you'll need to insert certain details that are relevant for your licence. Where these are required the need for specific information is marked in brackets and leads with the word 'Insert' eg: [Insert: specific days and times]

Preventing noise and other public nuisances

- All external windows and doors must be kept shut at all times when regulated entertainment is being provided. Doors may be opened for normal entrance and egress of people but must be shut immediately thereafter.
- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
- A noise limiting device must be installed and must operate at all times regulated entertainment takes place at the premises. The device must be of a type, in a location and set at a level [Insert: specify if known or approved in writing by the appropriate officer of the Council].
- The location and orientation of loudspeakers must be as specified on the attached premises plan.
- An [Insert: acoustic lobby / acoustic door / acoustic curtains / acoustic door seals / automatic door closer] must be installed [insert: specify the location or define on plan].
- There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.

Alcohol deliveries

The premises licence holder shall provide the following information in writing to the licensing authority before any sale of alcohol is carried out (and notify change to this information to the licensing authority within 7 days):

- The trading name of any company that will operate under the licence
- All telephone numbers that will be used to accept orders
- The URL/website address that will be used to accept orders.

Any promotional material and/or any website home page used as part of the business operating under this licence will clearly state the premises licence number. For the avoidance of doubt, this includes flyers, leaflets and business cards promoting the business.

All deliveries of alcohol shall only be delivered to a premises address with a valid postcode and will only be delivered directly to that property.

Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to, a takeaway meal.

Smoking and other external areas

- Customers permitted to temporarily leave and then re-enter the premises to smoke must be restricted to a designated smoking area defined as [Insert either: specify location / mark on

plan]. No more than [Insert: number] of customers will be permitted to remain in the designated smoking area at any one time.

- Clear and legible notices must be prominently displayed at any area used for smoking requesting customers to respect the needs of local residents and use the area quietly.
- No more than [Insert: number] customers will be permitted to enter or remain in [Insert: define outdoor area(s)] of the premises at any one time, between the hours of [specify].

Litter and cleansing

- At [Insert: specify times] [Insert: specify areas] outside the premises, including [Insert: specify areas] must be swept and/or washed, and litter and sweepings collected and stored [Insert: specify storage and collection].
- All takeaway packaging and wrappers shall clearly identify the premises, ie. by way of company logo or name.
- Where the premises provide late night refreshments for consumption off the premises sufficient waste bins must be provided at or near the exits, to enable the disposal of waste.
- Empty bottles which have been collected must be placed into locked bins when deposited outside.
- All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- Between the hours of [Insert: specify hours] no waste/glass bottles will be moved or deposited outside.

Delivery Vehicles

- Delivery vehicles utilised by the premises will not park or wait in such a place that causes an obstruction to other road users.
- Drivers of the delivery vehicles will be informed of this requirement prior to employment or undertaking deliveries on the premises behalf, regular reminders will be provided.

The Protection of Children from Harm.

When copying the content on this page into your own document you'll need to insert certain details that are relevant for your licence. Where these are required the need for specific information is marked in brackets and leads with the word 'Insert' eg: [Insert: specific days and times]

- No person under the age of [Insert: age] years of age is permitted to enter or remain on the licensed premises when alcohol is being sold or supplied.
- Where children are allowed on the premises, information shall be displayed [Insert: location] on what to do if there is a cause for concern regarding a lost child.

Preventing underage sales

- The Challenge [Insert: either 21 or 25] scheme must be operated to ensure that any person who appears to be under the age of [Insert: either 21 or 25] shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
- The premises shall display prominent signage indicating [Insert either: at any point of sale, at the entrance to the premises, or in all areas where alcohol is located] that the Challenge [Insert: either 21 or 25] scheme is in operation.
- The premises shall display prominent signage indicating [Insert either: at any point of sale, at the entrance to the premises, or in all areas where alcohol is located] that it is an offence to buy or attempt to buy alcohol for a person who is under 18 and for a person under the age of 18 to buy or attempt to buy alcohol.
- A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within [Insert: specify days / hours or a reasonable time] of a request by an officer of a Responsible Authority.

From: [REDACTED]
Sent: 26 September 2023 14:02
To: licensing
Subject: Revised Statement of Licensing Policy

This email is from an external email address
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Never disclose your password to anyone.

Good afternoon,

Could I get some clarification on the Revised Statement of Licensing Policy currently under review please?

In section 2.3.3 it states that an expected last entry time would be 1am, is this in effect for new applications only or would it apply to current premises in Lancaster?

As a nightclub the majority of our customers arrive between 12-2am, I'm happy to share attendance figures but enforcing a 1am last entry time would be crippling for our business as it stands.

Could I have more information about the proposed LNL in 2.6 - what would this amount to?

Many thanks for your time,

[REDACTED]

From: [REDACTED]
Sent: 26 September 2023 12:24
To: licensing
Subject: Licensing Policy

This email is from an external email address
Do not click any links or open attachments unless you know the content is safe.
Never disclose your password to anyone.

Good Afternoon,

I have just had a read through the proposed Licensing Policy, and feel it is missing some guidance.

The policy does highlight concerns around sexual harassment but does state 'towards women'. I think this section could do with more attention but also recognising that sexual harassment does happen towards men too. There is also no mention of trans-gender/gender fluid which we are also aware can also be the victim so I think the wording around this could do with re-evaluating.

As a Personal License holder I would like more attention towards the sexual harassment issue within licensed premises and guidance on how to deal with the matter, we do deal with it in house but some guidance on the council standpoint would be helpful for all licensed premises too.

2.3.3 states no entry or re-entry after 1am, would this be a blanket rule or would it depend on premises licenses?

Thanks
Sarah

[REDACTED]
Lancaster University Students Union
www.lancastersu.co.uk



<http://lancastersu.co.uk/email-disclaimer>

My working hours differ depending on Events we have on at Sugarhouse each week.

*My typical working week is:
Monday - 09:00 - 16:00
Tuesday - 09:00 - 16:00*

Wednesday - 10:00 - 17:00 then 21:00 - 05:00

Thursday - OFF

Friday - 21:00 - 05:00

The following table sets out the delegation arrangements established under Section 10 of the Licensing Act 2003:

| Matter to be dealt with | Sub Committee | Officers |
|---|---------------------------------|--|
| Application for Personal Licence with relevant unspent Convictions | If a Police representation made | If no Police representation made |
| Application for premises Licence/club premises certificate | If a representation made | If no representation made |
| Application for Provisional statement | If a representation made | If no representation made |
| Application to vary premises licence/club premises certificate | If a representation made | If no representation made |
| Application to vary Designated premises supervisor | If a police objection | All other cases |
| Request to be removed as designated premises supervisor | x | 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 | x |
| Decision on whether a complaint is irrelevant frivolous vexatious etc | x | All cases |
| Determination of Police objection to a Temporary event notice. | All cases | x |
| Determination of film classification | x | Licensing Manager in consultation with Chairman of Licensing Committee |
| Determination of minor variation | If a representation made | If no representation made |

| | | |
|--|-----------|-----------|
| Dissaplication of the S19 requirement to have a designated premise supervisor in Community Premise | x | All cases |
| Decision to object when Local Authority is a Consultee and not the relevant authority considering the application. | All cases | x |