



Committee: LICENSING SUB-COMMITTEE
Date: TUESDAY, 18TH NOVEMBER 2025
Venue: MORECAMBE TOWN HALL
Time: 10.30 A.M.

A G E N D A

1. **Licensing Act 2003 - Premise Licence Review - Aroma Chef, 30 Market Street, Lancaster - Determination of Application for the Review of the Premises Licence**
(Pages 2 - 99)

Report of Licensing Enforcement Officer.

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Martin Bottoms (Chair), Louise Belcher and Margaret Pattison

(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 Monday, 10th November 2025.

LICENSING ACT SUB COMMITTEE**LICENSING ACT 2003****PREMISE LICENCE REVIEW****AROMA CHEF, 30 MARKET STREET, LANCASTER, LA1 1HT****DETERMINATION OF APPLICATION FOR THE REVIEW OF THE
PREMISES LICENCE****18th November 2025****Report of Licensing Enforcement Officer****PURPOSE OF REPORT**

To enable members to determine an application for a review of a Premises Licence under Section 51 of the Licensing Act 2003 submitted by Home Office Immigration Enforcement. The application relates to Aroma Chef, 30 Market Street, Lancaster, LA1 1HT.

The report is public

RECOMMENDATIONS

The Sub-Committee is requested to consider the application from Home Office Immigration Enforcement for the review of the premise licence, representations made by other responsible authorities, other persons and any submissions made by the premises licence holder.

In accordance with Section 52 (3) and (4) of the Licensing Act 2003, the Sub-Committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- (a) to modify the conditions of the licence,
- (b) to exclude a licensable activity from the scope of the licence,
- (c) to remove the designated premises supervisor
- (d) to suspend the licence for a period not exceeding three months,
- (e) to revoke the licence
- (f) leave the premises licence intact.

The matter for decision, therefore, is which, if any, of these steps should be taken.

1.0 Introduction

- 1.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.
- 1.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.
- 1.3 Home Office Immigration Enforcement has submitted an application for review of a premises licence under Section 51 of the Licensing Act 2003. The application relates to Aroma Chef, 30 Market Street, Lancaster, LA1 1HT.

A copy of the application is at **Appendix No1**. The grounds for submitting the review are based on one of the four licensing objectives, namely

- The prevention of crime and disorder

- 1.4 A copy of the premises licence for Aroma Chef is attached at **Appendix No.2**. This licence was granted to the premises on 15th February 2016 and details the following licensable activities: -

- Late Night Refreshment (Indoors)

Monday – Sunday 23:00 hours to 02:00 hours

- Supply of alcohol for consumption ON the premises

Monday – Sunday 12:00 hours to 02:00 hours

- 1.5 The premises licence was transferred under Section 42 of the Licensing Act 2003 to the incumbent licence holder, Mr Andy Wei Xia, on 30th September 2020.
- 1.6 In accordance with the relevant Regulations, all parties have been given Notice of the Hearing.

A copy of the Notice of Hearing is attached for Members attention at **Appendix No.3**.

- 1.7 Members are reminded that they must follow the rules of natural justice and must also consider human rights implications. In particular, in accordance with Article 6, all parties are entitled to a fair hearing.

2.0 Legal background to Review Application

- 2.1 Under Section 51 (1) of the Licensing Act 2003, a responsible authority or other person may apply to the licensing authority for the review of a licence.

The grounds for review must relate to one or more of the licensing objectives and as Members will be aware, these are:

- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance and
 - the protection of children from harm
- 2.2 An application for review must be copied to the premises licence holder and to the responsible authorities. Once such an application is received, the licensing authority must place a notice at the premises, and there is then a period of 28 days during which representations may be made to the licensing authority.
- 2.3 A copy of the notice which was displayed at the premises during the 28-day period is attached at **Appendix No.4**. Licensing Officers have made checks throughout this period which commenced on 29th September 2025 and concluded on 27th October 2025 to ensure that the notice was still in place.
- 2.4 Members are reminded that representations can either be in support of or against an application for review of a premises licence. The representation must relate to the likely impact of the grant of the licence in relation to one or more of the four licensing objectives.
- 2.5 During the statutory 28-day consultation period no further representation was received from responsible authorities or any other persons.
- 3.0 **Details of application to review from Home Office (Immigration Enforcement)**
- 3.1 Section 36 and Schedule 4 of the Immigration Act 2016 (the 2016 Act) amended the Licensing Act 2003 (the 2003 Act) to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 6 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.
- 3.2 On 30 January 2025, Northwest ICE visited Aroma Chef, 30 Market Street, Lancaster, Lancashire, LA1 1HT, after intelligence was received the premises was employing illegal workers. During the enforcement visit 7 individuals were encountered, with 3 having no legal right-to-work.
- 3.3 Aroma Chef Lancaster Limited was issued a civil penalty of £120,000 in March 2025, for employing three individuals who held no right-to-work within the UK. A payment plan has been arranged, with the first instalment paid on 21 May 2025. A total of £16,666.80 has been paid so far. The current outstanding balance as of 29 September 2025 is £103,333.20.
- 3.4 Home Office Immigration Enforcement service are satisfied that activities undertaken at Aroma Chef involving illegal workers and employment practices are clearly prejudicial to the prevention of immigration crime including illegal working.
- 3.5 Immigration Enforcement has submitted that the license holder and designated premises supervisor repeatedly failed to conduct right to work checks prior to commencing employment and therefore Immigration Enforcement suggests that the premises licence is revoked. Merely remedying the existing situation (for instance by the imposition of additional conditions or a different DPS), is insufficient to act as a

deterrent to the licence holder and individuals involved in the management of the business from employing workers that lack the relevant permission to work in the UK.

- 3.6 Home Office Immigration have been invited to attend the Licensing Sub-Committee to present their evidence and answer any member questions.

4.0 Government Guidance under Section 182 of the Licensing Act 2003 in relation to a review hearing following a representation involving Crime and Disorder

- 4.1 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.
- 4.2 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.
- 4.3 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.
- 4.4 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime.
 - for the sale and distribution of illegal firearms.
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected.
 - for prostitution or the sale of unlawful pornography.
 - by organised groups of paedophiles to groom children.

- as the base for the organisation of criminal activity, particularly by gangs.
- for the organisation of racist activity or the promotion of racist attacks.
- for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter.
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

4.5 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

5.0 **Statement of Licensing Policy 2023-2027**

5.1 The relevant parts of the Council's current Statement of Licensing Policy in respect of the review of a premises licence or club premises certificate are detailed in Section 4.9 (page 18) and attached for Members attention at **Appendix No.5** to this report.

Within the Statement of Licensing Policy at section 4.94 are various triggers that may give cause for review of a premises licence:

- 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.

The application for review of Aroma Chef by Home Office Immigration Enforcement satisfies one or more of these triggers.

5.2 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.

Home Office Immigration have provided evidence in support of the review.

6.0 **Options for Members to consider**

1. Revoke the premises licence in full.
2. Remove the Designated Premises Supervisor (DPS)
3. Suspend the premises licence for a period of up to 3 months.
4. Modify or include additional conditions.
5. Leave the premises licence intact.

Members should provide full and detailed reasons for their decisions.

7.0 Conclusion

- 7.1 Members are requested to consider the application from Home Office Immigration Enforcement for the review of the premise licence of Aroma Chef, 30 Market Steet, Lancaster. A restaurant and take-away licensed for the provision of late-night refreshment/supply of alcohol.
- 7.2 Members of the Sub-Committee are asked to consider representations made by the applicant, information provided by the premises licence holder, their representative and any information provided during the hearing.
- 7.3 Members should consider the application for review of the premises licence and any steps it considers necessary for the promotion of the licensing objectives.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None.

FINANCIAL IMPLICATIONS

Financial Services have not been consulted as there are no financial implications.

LEGAL IMPLICATIONS

Legal implications are contained within the report, In accordance with Section 181 and Schedule 5 of the Licensing Act 2003, the parties have a right of appeal to the magistrate's court within 21 days.

BACKGROUND PAPERS

None

Contact Officer: Sarah Jones

Telephone: 01524 582033

E-mail: sljones@lancaster.gov.uk

Ref: SLJ/AROMA

Licensing Authority: Lancaster City Council
Address: licensing@lancaster.gov.uk

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I Home Office Immigration Enforcement

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Aroma Chef 30 Market Street Lancashire	
Post town Lancaster	Post code (if known) LA1 1HT

Name of premises licence holder or club holding club premises certificate (if known) 
--

Number of premises licence or club premises certificate (if known) LAPLWA0680

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

☐

2) a responsible authority (please complete (C) below)

☒

3) a member of the club to which this application relates
(please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Home Office Immigration Enforcement Licensing Compliance Team (IELCT) 6 th Floor, 2 Ruskin Square Dingwall Road Croydon CR0 2WF
Telephone number (if any)
E-mail address (optional) <div style="background-color: black; height: 15px; width: 100%;"></div>

This application to review relates to the following licensing objective(s)

- | | |
|---|-------------------------------------|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

Grounds for review:

We have grounds to believe the license holder has failed to meet the licensing objectives of prevention of crime and disorder, as illegal working has been identified at this premises.

Section 36 and Schedule 4 of the Immigration Act 2016 (the 2016 Act) amended the Licensing Act 2003 (the 2003 Act) to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 6 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.

The Home Secretary (in practice Home Office (Immigration Enforcement)) was added to the list of Responsible Authorities (RA) in the licensing regime, which requires Home Office (Immigration Enforcement) to receive premises licence applications (except regulated entertainment only licences and applications to vary a Designated Premises Supervisor (DPS)), and in some limited circumstances personal licence applications. In carrying out the role of responsible authority, Home Office (Immigration Enforcement) is permitted to make relevant representations and objections to the grant of a licence or request a review of an existing licence as a responsible authority where there is concern that a licence and related licensable activity is prejudicial to the prevention of immigration crime including illegal working.

Please provide as much information as possible to support the application (please read guidance note 3)

Please refer to accompanied review pack for detailed information

Please tick ✓

yes

Have you made an application for review relating to the premises before?

☐

If yes, please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises, please state what they were and when you made them

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant, please state in what capacity.**

Signature **S Monawar**
.....

Date **29 September 2025**
.....

Capacity **Responsible Authority**.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Immigration Enforcement Licensing Compliance Team 6 th Floor, 2 Ruskin Square Dingwall Road	
Post town Croydon	Post Code CR0 2WF
Telephone number (if any)	
If you would prefer [REDACTED]	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



Home Office

Premises Licence Review

Aroma Chef
30 Market Street
Lancaster
Lancashire
LA1 1HT

Contents

Case Summary	3
Licensed Premises History	4
Enforcement Visit: 30 January 2025.....	5
Reasons for Review	9
Outcome Sought	11
Appendix A – Supporting Evidence	12

Case Summary

On 30 January 2025, North West ICE visited Aroma Chef, 30 Market Street, Lancaster, Lancashire, LA1 1HT, after intelligence was received the premises was employing illegal workers. During the enforcement visit 7 individuals were encountered, with 3 having held no legal right-to-work.

Civil Penalty

Aroma Chef Lancaster Limited was issued a civil penalty of £120,000 in March 2025, for employing three individuals who held no right-to-work within the UK. A payment plan has been arranged, with the first instalment paid on 21 May 2025.

A total of £16,666.80 has been paid so far. The current outstanding balance on 29 September 2025 is £103,333.20.

Licensed Premises History

The premises licence number is LAPLWA0680 issued by Lancaster City Council and is held by Andy Wei Xia of 5 Ash Grove, Timperley, Altringham, WA15 6JX.

Ling Ling CHEN is listed as the Designated Premises Supervisor (DPS) and the Personal Licence Number is CPBC/LU/0524P issued by Castle Point.

On 24 March 2024, Aroma Chef was first incorporated on Companies House and is currently listed under the company name of Aroma Chef Lancaster Ltd. The company registration number for Aroma Chef Lancaster Ltd is 15589829. Chunjing Wang and Andy Wei Xia are both listed as active directors having both been appointed on 24 March 2024.

The premises is licensed for the provision of late-night refreshments:

Monday – Sunday 23:00 – 02:00

The premises is licensed for the supply of alcohol for consumption ON the premises:

Monday – Sunday 12:00 – 02:00

Enforcement Visit: 30 January 2025

Entry was gained to the premises at approximately 16:54 under Section 179 of the Licensing Act 2003. Upon entering, immigration officers encountered the following individuals, who were identified as working illegally and arrested:

██████████ (also known as ██████████)

Immigration officers encountered ██████████ in the seating area of the premises, officers witnessed ██████████ remove his apron and leave the premise kitchen. Upon gaining entry, ██████████ attempted to leave but was detained by officers on suspicion of immigration offences. During the interaction, a search of his person revealed an envelope containing a quantity of cash, which ██████████ estimated to be between £1,000 and £2,000. It is suspected that this money may have been obtained through illegal employment at the premises, although ██████████ did not confirm this.

During interviewing ██████████ stated he was at premises to hang around and cook food for himself, claiming this was an occasional activity, occurring roughly once a month. When questioned why he had removed his apron, ██████████ stated it was to keep his clothes clean.

██████████ reported arriving at the premises at approximately 2:00pm and intended to leave between 6:00pm and 7:00pm. When questioned about previous visits, ██████████ admitted to occasionally helping out while waiting for his food to cook. ██████████ claimed he had assisted on roughly ten separate occasions, primarily by carrying boxes and clothing, but denied being employed. ██████████ denied receiving payment or food in exchange for being there and insisted he was only cooking for himself.

██████████ stated no identification was requested prior to being allowed to cook or assist on the premises. When questioned regarding the cash found during the search, ██████████ claimed £200 was earned from working at the premises, later contradicting this by stating he did not work there and that the rest of the money had come from various people.

When questioned, ██████████ disputed the premises owner's statement that he had worked there for two weeks and lived upstairs. ██████████ acknowledged staying in the flat above the premises on two occasions but claimed the owner was unaware he had since left. ██████████ admitted alternating between sleeping on the streets and staying upstairs and admitted that he sometimes helped in order to be allowed to sleep there. No rent was paid.

Home Office records indicated that, prior to the date of the enforcement visit, there was no trace of ██████████ in any of its databases. Upon arrest, ██████████ admitted to entering the UK unlawfully by using a passport that did not belong to him. Consequently, ██████████ did not possess any legal status or right to work in the UK. This could have been verified by the employer through appropriate checks, such as reviewing official documentation or requesting a share code.

██████████

██████████ was encountered attempting to evade officers by leaving the kitchen and was seen heading towards the rear exit. It must also be noted ██████████ had visible food staining on his shoes.



Food stains on ██████████ shoes.

During interviewing ██████████ denied working at the business but later admitted to having worked there for over a month. ██████████ stated that he works approximately 8 hours per week, spread over 2 to 3 days, typically for around 2 hours per day. His working days are not fixed, and he does not follow a set schedule.

██████████ disclosed that he has an ongoing application with the Home Office and that no checks were carried out by the employer regarding his right to work or immigration status prior to him starting work. ██████████ claimed to have been given the job by a friend, whose name he could not provide. ██████████ also stated that no one assigns him tasks; instead, he finds work to do on his own initiative.

When asked about payment, ██████████ confirmed that he is not paid in money but receives food in exchange for his work. ██████████ reiterated that no formal employment arrangements were made and that he simply comes to the premises to earn some money to buy food.

Home Office checks showed ██████████ entered the UK illegally and made a claim for protection in 2003, which was refused. At the time of the visit ██████████ had an outstanding application for leave in the UK. ██████████ has never held any lawful right-to-work within the UK.

██████████ was encountered within the kitchen area, an area permitted for staff only.

During interviewing ██████████ stated he had been employed at the premises for approximately 22 months, with his role involving assisting with food preparation, specifically cutting and washing ingredients, which he confirmed were to be served to customers.

██████████ reported he works six days per week, approximately ten hours each day, and receives £490 in cash, paid weekly. Payment is made directly by a person identified as "Andy," described as the boss. No right to work checks were conducted at the time of employment, and ██████████ confirmed that his immigration status had not been discussed with Andy.

██████████ stated a kitchen uniform and accommodation were provided, for which he pays no rent. ██████████ confirmed that the accommodation was linked to his employment at the restaurant and was provided free of charge.

Home Office checks showed ██████████ entered the UK on a temporary work (seasonal worker) migrant visa valid June 2022 to December 2022. ██████████ failed to return once his work visa had expired, as a result ██████████ was an overstayer and was found working without any legal right to do so.

Andy WEI XIA – Licence Holder

During the enforcement visit WEI XIA identified himself as the owner. An illegal working employer interview was conducted with WEI XIA. During interviewing WEI XIA confirmed the business is name Aroma Chef. WEI XIA identified himself as both the director and manager. WEI XIA stated another director, Chun Jing Wang, was described as a friend and business partner. WEI XIA stated the business has been under his management for approximately four years, with staffing responsibilities divided, WEI XIA overseeing front-of-house staff and ██████████ managing kitchen staff.

WEI XIA stated that his role in hiring involves checking BRP cards and visas. However, admitted to not verifying the immigration status of some employees and not consistently requesting identification. Employment agreements are verbal, with no written contracts in place. ID copies are sometimes kept as photographs on a mobile phone, but not for all staff.

WEI XIA claimed ██████████ has been working at Aroma Chef for approximately two weeks as a kitchen assistant. He works five days a week, typically from 11am to 10pm, totalling around 40–50 hours. He is paid £500–£600 per week, paid in cash. WEI XIA admitted he did not request ID from ██████████ and is unaware of his immigration

status. He lives upstairs at the premises, does not pay rent, and receives food and accommodation as part of his employment.

WEI XIA claimed [REDACTED] has been employed as the head chef for three years. He works six days a week, around ten hours per day, and earns £700 per week in cash. WEI XIA was unsure of his immigration status and does not hold a copy of his ID. [REDACTED] is known personally to WEI XIA as a friend and lives upstairs under the same rent-free arrangement as other staff.

WEI XIA stated [REDACTED] has worked at the business for less than two years, performing dishwashing and cleaning duties. He works 5–6 days a week, approximately 50–60 hours, and is paid around £500 per week in cash. He was hired through a personal connection with [REDACTED] WEI XIA stated that [REDACTED] presented an Indonesian passport, which was photographed but not copied. [REDACTED] has lived upstairs for about 1.5 years under the same rent-free arrangement.

WEI XIA stated the flat above the premises includes five single rooms and one stock room, where several staff members reside including [REDACTED] [REDACTED] and [REDACTED] None of them pay rent, and food and accommodation are provided free of charge. All three have keys to the premises and freedom of movement. No tenancy agreements or formal housing contracts exist.

Reasons for Review

Section 36 and Schedule 4 of the Immigration Act 2016 amended the Licensing Act 2003 to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 06 April 2017. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.

Three illegal workers were encountered at the premises during the enforcement visit. It is clear to see that the premises licence holder along with management has failed to conduct mandatory employment checks in line with legal obligations to prevent illegal working. It is an offence to work when a person is disqualified to do so, and such an offence can only be committed with the co-operation of a premises licence holder or its agents. The management could have eradicated any doubt concerning right-to-work by the simple task of acquiring a share-code from potential employees.

Whether by negligence or wilful blindness illegal workers were engaged in activity on the premises, yet it is a simple process for an employer to ascertain what documents they should check before a person can work. All employers are dutybound by law to conduct these checks, and guidance can be found on the GOV.UK website or by using a search engine.

Additional information on how to conduct these checks is available online, this includes the Home Office's official YouTube page. It is an offence to work when a person is disqualified to do so, and such an offence can only be committed with the co-operation of a premises licence holder or its agents. It is also an offence to employ illegal workers where there is reason to believe this is the case.

During the course of the enforcement visit, several concerning employment practices were identified at the premises. Employees admitted to receiving free food and accommodation as part of their remuneration, raising serious concerns about potential exploitation and non-compliance with employment standards.

One individual disclosed being paid £8.16 per hour, significantly below the statutory minimum wage of £11.44 at the time. Furthermore, another worker confirmed they had been employed under these conditions for a period of two years, indicating a sustained and deliberate pattern of unlawful employment practices. These findings collectively demonstrate a clear disregard for legal obligations and worker welfare, warranting serious consideration in the review of this premises licence. Such practices not only exploit workers but also provide an unfair competitive advantage over businesses that adhere to wage regulations. The payment of below-minimum wages raises serious questions about the licence holder's commitment to lawful and ethical employment practices.

The licence holder also confirmed that he conducts checks on some staff and omits others. This clearly shows that the licence holder knows the understands the legal requirements but chosen to ignore that for certain individuals.

Section 182 guidance at point 11.27 states that certain activity should be treated particularly seriously, and this includes employing someone who is disqualified from that work by reason of their immigration status in the UK. 11.28 of the guidance states that it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Immigration Enforcement submits that for commercial reasons those engaged in the management of the premises employed illegal workers and a warning or other activity falling short of a review is inappropriate; therefore, Immigration Enforcement has proceeded to review.

Outcome Sought

The objective of the Licensing Act 2003 (the Act) is to provide a clear, transparent framework for making decisions about applications by individuals or businesses wishing to sell or supply alcohol or provide certain types of regulated entertainment and late-night refreshment.

There are four licensing objectives which underpin the Act, and which need to be taken into account and promoted throughout the licensing process.

The licensing objectives are:

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

Aroma Chef under the control of Andy WEI XIA has been found employing illegal workers. This business has clearly failed to meet the prevention of crime and disorder and public safety objectives. The license holder/DPS would have been aware of his responsibilities to uphold the licensing objectives as they are clearly defined as part of the premises license application.

Immigration Enforcement has submitted that the license holder and its agents repeatedly failed to conduct right to work checks prior to commencing employment and therefore Immigration Enforcement asks that the premises licence is **revoked**. Merely remedying the existing situation (for instance by the imposition of additional conditions or a different DPS), is insufficient to act as a deterrent to the licence holder and individuals involved in the management of the business from employing workers that lack the relevant permission to work in the UK.

This submission and appended documents provide the licensing subcommittee with background arguments and information pertinent to that contention. These provide the sub-committee with a sound and defensible rationale as to why it should **revoke** the licence.

Appendix A – Supporting Evidence

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Arrest		
Details		
Type of work	Visit	
Visit reference	[REDACTED]	
Created by	[REDACTED]	
Address	Aroma Chef, 30 Market Street, Lancaster, LA1 1HT (Visit Address)	
ProntoID	[REDACTED]	
Subject CIDPID/CEPR	[REDACTED]	
Subject name	[REDACTED]	
Subject DOB	[REDACTED]	
Subject gender	Male	
Subject nationality	China	
Created at geolocation	Easting 347645 Northing 461735	
Creation date	30-01-2025 18:42:20	
Arrest Details		
Time of arrest	17:21	
Power of arrest	Paragraph 17(1) Schedule 2 Immigration Act 1971	
Arresting officer	[REDACTED]	
Reason for arrest	Illegal entrant (EWOL)	
Grounds for arrest explained to subject?		
Caution administered	Administrative caution	
Confirm subject understood caution?	Yes	
Notes		
Search of Person		
Subject searched	Yes	
Did you search the subject?	Yes	
Power used for search	Paragraph 25B Schedule 2 Immigration Act 1971	
Justification	Individual stated he had no ID and no picture of ID on his phone therefore search done to try and find a form of ID. He had also been in the kitchen area and viewed coming out [REDACTED] therefore search done for my own safety	
Items found	Yes	
Item 1	Power of seizure Paragraph 25B Schedule 2 Immigration Act 1971	

	Type	Cash
	Description	3 separate envelopes with cash. Male stated it is roughly two thousand pound. Envelopes taken out of his pocket by myself infront of [REDACTED] and [REDACTED] Envelopes were put onto the table infront of me and I did not take the money out of any envelope. On person opinion I believed there was over £1000 present
	Where found	Left pants pocket
	Time seized	17:59
	Exhibit reference number	SEE [REDACTED] CASH SIEZURE FORM
	Evidence bag seal number	SEE [REDACTED] CASH SIEZURE FORM
	Comments (including questions and answers about the item)	[REDACTED] conducted the cash seizure and has completed cash seizure form on Pronto.
Item 1 Photos		
Outcome After Arrest		
Outcome	Bail	
Details of bail restrictions, including address	Bail 201 to report to ROM Liverpool 06.02.2025	
Bail authorised by	[REDACTED]	
Notes		
No notes entered.		
Management Checks Complete		
Date management checks complete	06-02-2025 12:25:12	
Reviewer(s)	[REDACTED]	

Encounter	
Details	
Type of work	Visit
Visit reference	
Created by	
ProntoID	
Time	17:16
Created at geolocation	Easting 347645 Northing 461734
Creation date	30-01-2025 17:16:38
Main Identity	
Identity source/type	Declared
Full name	
Date of birth	
Gender	Male
Nationality	China
Country of birth	
Place of birth	
Languages	
Languages spoken	Mandarin
Interpreter used?	Yes
Interpreter details	
Does the individual understand the interpreter?	Yes
Encounter	
Encountering officer	
Is this encounter related to a Small Boats event?	No
Is this person the subject of the visit?	No
Prior to Schedule 2 examination, did you suspect an Immigration Offence?	Yes
Why do you suspect the person of an immigration offence?	Intel of illegal working did not specify age or nationality. male tried to leave when we entered and admitted to entering illegally using a passport that was not his
Where was the person located?	Eating area of the premises


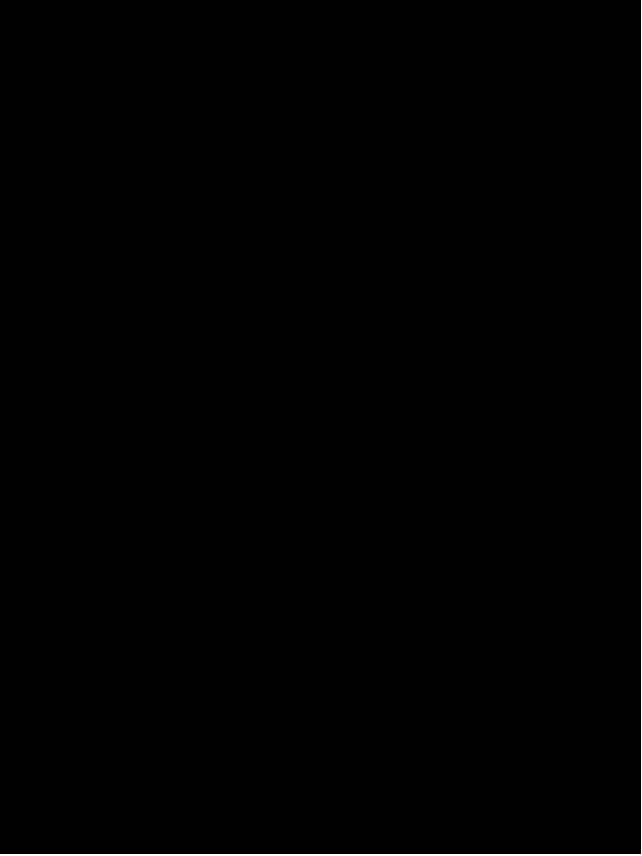

Declared immigration status	Illegal entrant
How and when did the subject last enter the UK?	8 or 10 years ago
CIDPID/CEPR	
Are there any vulnerabilities/trafficking/safeguarding issues?	No
Are you taking enforcement action?	Yes
References (Person ID, HO Ref, Port Ref, BRP)	
Biographic search results	<p>Systems checked</p> <p>Result of checks</p> <p>Does the person have an open absconder status on Atlas Person Alerts? No</p> <p>Status returned by system checks</p>
Photo of Subject	
Do you want to take a photograph of the subject?	Yes
Powers used	Paragraph 18(2) Schedule 2 Immigration Act 1971


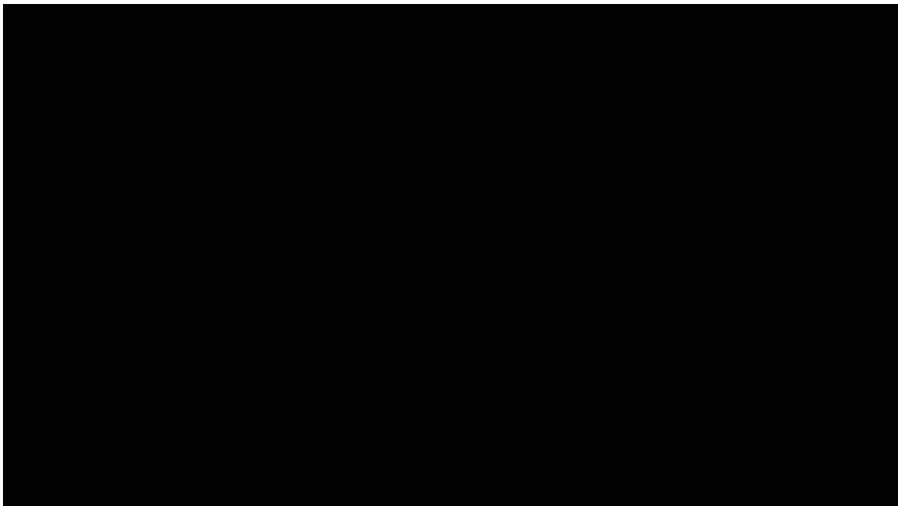
Photo of subject	 <p>photo of subject</p>
Identity Documentation	
No documentation provided.	
Notes	
No notes entered.	
Management Checks Complete	
Date management checks complete	06-02-2025 12:25:15
Reviewer(s)	

Illegal Working - Employee	
Details	
Type of work	Visit
Visit reference	
Created by	
ProntoID	
Subject CIDPID/CEPR	
Subject name	
Subject DOB	
Subject gender	Male
Subject nationality	China
Time	17:41
Created at geolocation	<div>Easting347644</div> <div>Northing461735</div>
Creation date	30-01-2025 17:40:56
Language of Interview	
What language is the interview carried out in?	Mandarin
Interpreter used?	Yes
Details of interpreter	
Does the individual understand the interpreter?	Yes
Obligation	
what are you doing here today?	I come here to hang around and cook food for myself
how often do you cook here?	Not often maybe once a month
why did you take the coomkng apron off when you saw immigration officers?	I just try my clothes clean
Control	
Who allows you to be here?	A China man allows me to come but I do not if he is the boss or not
How do you know him?	Someone introduced us I know him as he saw me on the street
What name do you know him by?	I do not know
Does he pay you or give you food when you are here?	No

Do you cook food for anyone else apart from yourself?	No
What time did you arrive today?	2pm
What time was you planning on leaving?	6 or 7pm
If we was to check the cctv would we see you working here on other occasions?	Sometimes I help out when I am waiting for my food to cook they say I can cook so I think I should help then out
How often do you help out here?	About ten days all together I think
What do you do when you help out?	Just to carry things anything that needs carrying
What do you carry?	Just boxes and clothing but I do not work
Remuneration	
Who pays you?	No one pays me
Pre-employment Checks	
did anyone ask to see ID before they allowed you to come here to cook and help out?	No
Additional Questions	
No details provided.	
Photographs	
No photographs.	
Declaration	
I confirm that I have understood all the questions and that the details are true and correct.	
Subject has refused to provide a signature.	
Employee read the contents of the interview themselves	No
Contents read back to the employee in the language used during the interview	No
Observations	
Observations	Male took apron off when he seen immigration
Do you suspect this person of illegal working?	Yes

<p>Photo 1</p>	<div data-bbox="726 201 1372 1057"></div> <div data-bbox="579 1070 1524 1176"><p>Caption photo of subject with the apron he took off</p><p>Exhibit Ref Photo of subject</p></div>
Management Checks Complete	
Date management checks complete	03-04-2025 13:35:16
Reviewer(s)	<div data-bbox="579 1299 785 1348"></div>

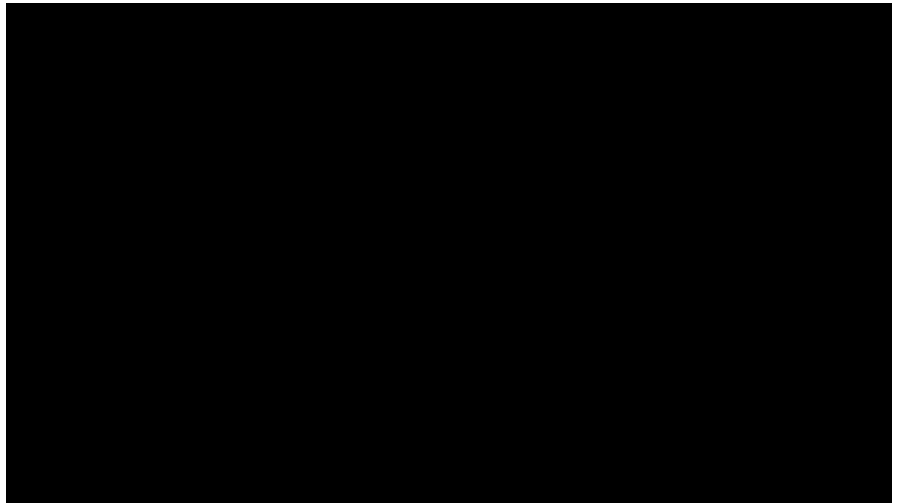
Q&A	
Details	
Type of work	Visit
Visit reference	[REDACTED]
Created by	[REDACTED]
ProntoID	[REDACTED]
Subject CIDPID/CEPR	Unknown
Subject name	[REDACTED]
Subject DOB	[REDACTED]
Subject gender	Male
Subject nationality	China
Time	17:59
Created at geolocation	Easting 347645 Northing 461735
Creation date	30-01-2025 17:59:23
Language of Interview	
What language is the interview carried out in?	Mandarin
Interpreter used?	Yes
Details of interpreter	[REDACTED]
Does the individual understand the interpreter?	Yes
Q&A	
the money we have found on you what is it?	I got it from some other place, 200 from me working here £1000 is from a person that give me the money
why did someone give you £1000?	It is not from one person it is from many people
you have stated that £200 is from working at the premises however you stated before that you do not work here and do not get any money. so what is correct?	I do not work here I just come to cook.
where is this money from?	Many different people
how much money do you believe you on your possession?	Around £1000-£2000

you have stated you are homeless, why would someone who is homeless have this money on them?	I can be homeless and still have money why can I not be homeless and have money
the boss of the premises has stated you have worked here for 2 weeks and live upstairs above the premises. what do you have to say to that?	I do not know why he says that I have been here about 10 days
what do you have to say about the boss saying you live upstairs?	I have stayed upstairs only 2 nights but the boss does not know that I have left not
So you are saying that you left the premises upstairs to live on the streets and be homeless?	Sometimes I sleep upstairs sometimes i sleep on the streets
what was you planning on doing with the money you have on you?	I save it for food, clothing, shoes and skincare
To confirm, you are stating that many different people have given you this money?	Yes that is correct.
Declaration	
Interviewee signature 	

Q&A	
Details	
Type of work	Visit
Visit reference	
Created by	
ProntoID	
Subject CIDPID/CEPR	
Subject name	
Subject DOB	
Subject gender	Male
Subject nationality	China
Time	18:17
Created at geolocation	<div><div>Easting</div>347645</div> <div><div>Northing</div>461735</div>
Creation date	30-01-2025 18:17:37
Language of Interview	
What language is the interview carried out in?	Mandarin
Interpreter used?	Yes
Details of interpreter	
Does the individual understand the interpreter?	Yes
Q&A	
when you do stay upstairs do you pay any rent?	No sometimes i just carry things
do you work here in order to sleep here?	Correct
to confirm, you are saying you entered the UK illegally 8 years ago is that correct?	I am not sure if I came illegally or not

Declaration

Interviewee signature



Encounter	
Details	
Type of work	Visit
Visit reference	
Created by	
ProntoID	
Time	17:20
Created at geolocation	Easting 347645 Northing 461735
Creation date	30-01-2025 17:20:16
Main Identity	
Identity source/type	Declared
Full name	
Date of birth	
Gender	Male
Nationality	China
Country of birth	
Place of birth	
Languages	
Languages spoken	Mandarin
Interpreter used?	Yes
Interpreter details	
Does the individual understand the interpreter?	Yes
Encounter	
Encountering officer	
Is this encounter related to a Small Boats event?	No
Is this person the subject of the visit?	No
Prior to Schedule 2 examination, did you suspect an Immigration Offence?	Yes
Why do you suspect the person of an immigration offence?	Intel of illegal working subject seen by io wright attempting to flee the kitchen area towards the back exit
Where was the person located?	Kitchen

Declared immigration status	
How and when did the subject last enter the UK?	2003 when claimed asylum at port
CIDPID/CEPR	██████
Are there any vulnerabilities/trafficking/safeguarding issues?	No
Are you taking enforcement action?	Yes
References (Person ID, HO Ref, Port Ref, BRP)	██████
Biographic search results	Systems checked Result of checks Does the person have an open absconder status on Atlas Person Alerts? No Status returned by system checks
Photo of Subject	
Do you want to take a photograph of the subject?	Yes
Powers used	Paragraph 18(2) Schedule 2 Immigration Act 1971

Photo of subject	<div></div> <div>subject</div>
------------------	--------------------------------

Identity Documentation


Document 1	<div>Identity<div></div><div></div></div> <div>Document type</div> <div>Document reference</div> <div>Issuing authority</div> <div>Document issue date</div> <div>Document expiry date</div> <div>Country of issue (if different from nationality above)</div> <div>Is the person the rightful holder of the document?</div> <div>Is the document falsified?</div> <div>Is the document in the possession of the Home Office?</div> <div>Suspected fraudulent</div>
------------	---



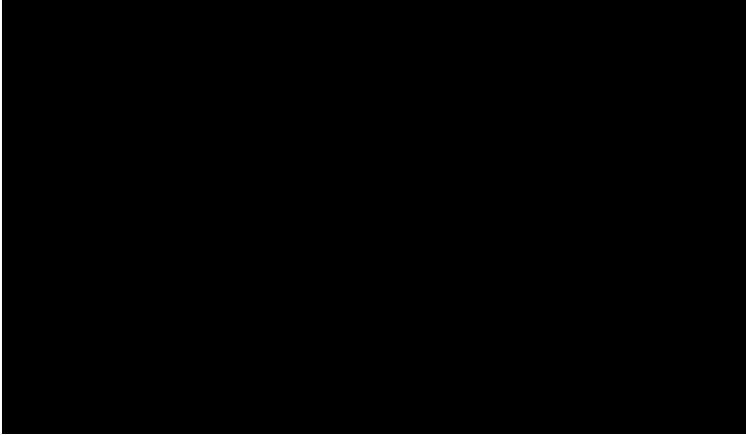

	In transit details Photos
Notes	
No notes entered.	
Management Checks Complete	
Date management checks complete	04-02-2025 11:48:19
Reviewer(s)	

Q&A	
Details	
Type of work	Visit
Visit reference	
Created by	
ProntoID	
Subject CIDPID/CEPR	
Subject name	
Subject DOB	
Subject gender	Male
Subject nationality	China
Time	17:29
Created at geolocation	Easting 347645 Northing 461735
Creation date	30-01-2025 17:29:43
Language of Interview	
What language is the interview carried out in?	Mandarin
Interpreter used?	Yes
Details of interpreter	
Does the individual understand the interpreter?	No
Q&A	
how long have you been working at this business for	I don't work here
you have food all over your shoes and we encountered cooking in the kitchen area by an immigration officers it's important you tell the truth	More than a month
what is your immigration status	I have an application in with the home office for article 8
Declaration	
Subject has refused to provide a signature.	
Interviewee read the contents of the interview themselves	No

Contents read back in the language used during the interview	Yes
---	-----

Illegal Working - Employee	
Details	
Type of work	Visit
Visit reference	
Created by	
ProntoID	
Subject CIDPID/CEPR	
Subject name	
Subject DOB	
Subject gender	Male
Subject nationality	China
Time	17:34
Created at geolocation	Easting 347644 Northing 461735
Creation date	30-01-2025 17:34:40
Language of Interview	
What language is the interview carried out in?	Mandarin
Interpreter used?	Yes
Details of interpreter	See q and a
Does the individual understand the interpreter?	Yes
Obligation	
How long have you been working at this business?	More than a month
how many hours do you work a week	8 hours per week
how many days per week	Only 2 - 3 days per week each day I work mahne 2 hours
do you work set days	Sometimes it not here
where else do you work	I only work here for like 2 months
what days do you work each week	It's not fixed
Control	
Who gave you this job	My friend
What's his name	I don't know
What do you call him or know him as	I call him

Who tells you what tasks/ duties to do each day?	No one tells me I find it by myself
Did no one tell you to start cooking today when you were encountered by immigration in the kitchen cooking	No I just came here and I earn some money to buy some food no one told me
Remuneration	
Who pays you?	I get paid in food
How are you paid (money, accommodation, food)?	Food
Pre-employment Checks	
Did the employer check your right to work or immigration status before they offered you the job?	No they checked nothing
Additional Questions	
No details provided.	
Photographs	
food on shoes	<div></div> <div>Exhibit Ref Food on footwear Common name See above</div>

Declaration	
I confirm that I have understood all the questions and that the details are true and correct.	
Interviewee signature  	
Observations	
Observations	When ios entered the subject was seen fleeing the kitchen to the rear exit of the business
Do you suspect this person of illegal working?	Yes
Management Checks Complete	
Date management checks complete	04-02-2025 11:39:39
Reviewer(s)	

Encounter	
Details	
Type of work	Visit
Visit reference	
Created by	
ProntoID	
Time	17:02
Created at geolocation	Easting 347645 Northing 461735
Creation date	30-01-2025 17:02:10
Main Identity	
Identity source/type	Declared
Full name	
Date of birth	
Gender	Male
Nationality	Indonesia
Country of birth	
Place of birth	
Languages	
Languages spoken	English
Interpreter used?	No
Encounter	
Encountering officer	
Is this encounter related to a Small Boats event?	No
Is this person the subject of the visit?	No
Prior to Schedule 2 examination, did you suspect an Immigration Offence?	Yes
Why do you suspect the person of an immigration offence?	intel states there are illegal workers on the premises. male was evasive when officers entered and quickly tried to walk away through the rear. after multiple requests to ask the person to stop he would not listen and continued to walk away.


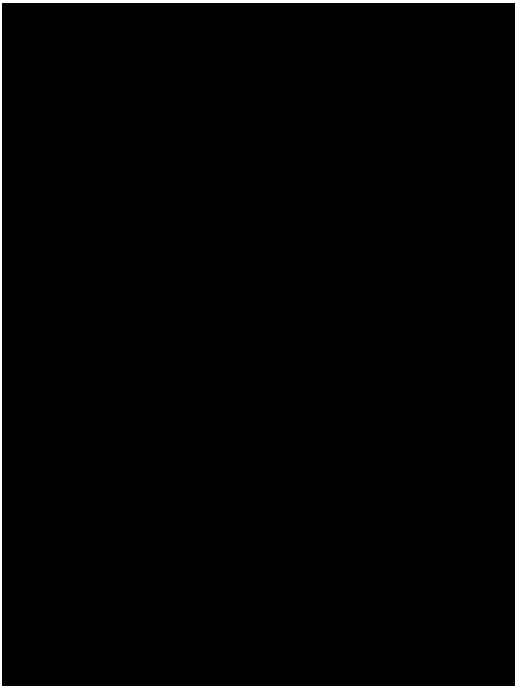

	therefore person arrested as suspected immigration offender
Where was the person located?	In the staff area (kitchen)
Declared immigration status	Overstayer
How and when did the subject last enter the UK?	I last entered the UK June 2022
CIDPID/CEPR	
Are there any vulnerabilities/trafficking/safeguarding issues?	No
Are you taking enforcement action?	Yes
References (Person ID, HO Ref, Port Ref, BRP)	
Biographic search results	<p>Systems checked</p> <p>Result of checks</p> <p>Does the person have an open absconder status on Atlas Person Alerts? No</p> <p>Status returned by system checks</p>
Photo of Subject	
Do you want to take a photograph of the subject?	Yes
Powers used	Paragraph 18(2) Schedule 2 Immigration Act 1971

Photo of subject	<div></div> <div>jpg/1</div>
------------------	------------------------------

Identity Documentation

Document 1	<div>Identity<div></div><div></div></div> <div>Document typeNational passport</div> <div>Document reference<div></div></div> <div>Issuing authority</div> <div>Document issue date</div> <div>Document expiry date12-01-2027</div> <div>Country of issue (if different from nationality above)</div> <div>Is the person the rightful holder of the document?</div> <div>Is the document falsified?</div> <div>Is the document in the possession of the Home Office?</div> <div>Suspected fraudulentNo</div>
------------	---

	In transit details	
	Photos	
jg/1		
Notes		
No notes entered.		
Management Checks Complete		
Date management checks complete	10-04-2025 14:48:01	
Reviewer(s)		

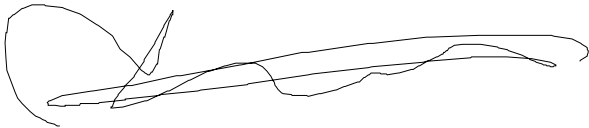
Illegal Working - Employee	
Details	
Type of work	Visit
Visit reference	
Created by	
ProntoID	
Subject CIDPID/CEPR	
Subject name	
Subject DOB	
Subject gender	Male
Subject nationality	Indonesia
Time	17:34
Created at geolocation	<div>Easting347644</div> <div>Northing461735</div>
Creation date	30-01-2025 17:34:01
Language of Interview	
What language is the interview carried out in?	Indonesian
Interpreter used?	Yes
Details of interpreter	
Does the individual understand the interpreter?	Yes
Obligation	
How long have you been working at this business?	22 months
What is your job role/ what are your duties?	I am a helper in the kitchen I help with the cutting and the washing.
and is the food that you cut served to the customers?	Yes there is somebody else who works as a waitress at the front
What days/ hours do you work each week?	Six days
and how many hours each day?	Only 10 hours
how often do they pay you and how much?	They pay me £490 per week

Control	
Who gave you this job (name and role in business)?	My boss who gave me the job is called andy
When andy employed you, did he conduct any right to work checks?	He didnt check my ID.
Does andy know that you have no right to work in the UK?	I never talked about it with him..
When you started working here did you receive any training to help out in the kitchen?	I only received an order that's it (doesn't seem to understand questions)
Does the buisness provide you with a uniform?	Yes they have me uniform for the kitchen
Remuneration	
Who pays you?	It is andy who pays me
How are you paid (money, accommodation, food)?	Cash in hand weekly
do you pay rent for your accommodation?	I don't pay anything
so is the accommodation provided to you for the work you do as the restaurant?	Yes I don't pay anything for working here.

Pre-employment Checks	
No details provided.	
Additional Questions	
No details provided.	
Photographs	
No photographs.	
Declaration	
I confirm that I have understood all the questions and that the details are true and correct.	
Interviewee signature [REDACTED] [REDACTED]	[REDACTED]
Observations	
Observations	I observed the person In the staff area (kitchen) and subject admits to working.
Do you suspect this person of illegal working?	Yes
Management Checks Complete	
Date management checks complete	10-04-2025 14:46:37
Reviewer(s)	[REDACTED]

Illegal Working - Employer	
Details	
Type of work	Visit
Visit reference	
Created by	
ProntoID	Other
Subject CIDPID/CEPR	Unknown
Employer	
Time	17:22
Created at geolocation	Easting 347644 Northing 461733
Creation date	30-01-2025 17:21:46
Language of Interview	
What language is the interview carried out in?	English
Interpreter used?	No
Employer Details	
What is the name of the business?	Aroma Chef
What is your position here?	Director of the business
What is your position here?	Manager and owner
Do you have another directors working here	Chun jing Wang
who is he to you	Friend and business partner
who's the person employees people	Andy is charge front of house waiters and waitresses. Wang in charge of kitchen staff
what do you do for employing people	I just chech BRP cards and visas
How long have you been in charge if the business	4 years
How long has worked here	About 2 weeks
what does he do here	Kitchen assistant
How many days a week does he work	5 days a week
What hours would he work on a normal day	11am to 10pm
Are you aware of his immigration status	No

Did you ask gir any ID from him	No
How many hours a week	40-50 hours
How muchbis he paid a week	I don't no
How do pay him	CASH
How did he get the job	I don't no
does he have a contract of employment	No aural agreement
How much does he earn	£500-£600 per week
How long has he worked here [REDACTED] [REDACTED]	3 years
what does he do	Head chef
how many hours a week	6 days a week at 10 hours
How much does he earn	£700
are you aware of his immigration status	I'm not sure
Do you keep copies if ID	Yes I keep copies on the phone. Pictures
How does he get paid	Cash
How did he get the job here	Friends known him for years
Do you have copies of his ID	No
what do you know [REDACTED] as	As a friend
[REDACTED] do you know him	No got hired 2 weeks ago
[REDACTED] how has he worked here	Less than 2 years
Whatvis his role	Dishes and cleaning jobs
How many days a week	5-6 days a week
What hours	50-60 hours a week
How much does he get paid	About £500
How	CASH
Would Mr Wang deal with that	Yes because he's kitchen staff
How did [REDACTED] get the job	He is a friend d of [REDACTED]
Are you aware of his status	No
Did he show any ID	Indonesia passport I took a photo
Would you have taken a copy	No
Do you no him as any other names	No
How many staff work here in whole	7-8 full time staff
Any living accommodation for staff	Yes some of the staff stay there

Any staff spoken about live here	They all live stairs
How long has He Bao lived upstairs	2 weeks
Does he pay rent	No
Do you pay him with food and accommodation	Yes
Is that included with the cash	Food and accommodation is free
Do you have any contracts	No contracts
Do you know who the landlord is	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
How long has [REDACTED] lived upstairs	3 years he's lived up there
Does he pay any rent	All the same conditions as everyone else
[REDACTED] live here	1 year and a half
Does he pay rent	Same as before
Any contracts	No
How many rooms upstairs	5 single rooms and stock rooms x 1
Do the 3 members of staff have keys	Yes
Have they got freedom of movement	Yes
Do you understand all the questions that have been asked?	Yes
Would you like to sign my phone to say you have answered all the questions correctly	I will sign
Declaration by Employer	
I confirm that I have understood all the questions and that the details are true and correct.	
Signed by Andy Wei Xia	 30-01-2025 17:58:28

Observations	
Observations	
Management Checks Complete	
Date management checks complete	10-02-2025 09:43:08
Reviewer(s)	



Lancaster City Council
Licensing Section
Morecambe Town Hall
Marine Road
Morecambe
LA4 5AF

01524 582033
licensing@lancaster.gov.uk



Licensing Act 2003

Premises Licence

LAPLWA0680

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

30 Market Street

30 Market Street, Lancaster, Lancashire, LA1 1HT.

Telephone 01524 845373

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday - Sunday	17:00	02:00
F. Playing of recorded music (Indoors)	Monday - Sunday	12:00	02:00
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday - Sunday	17:00	02:00 Karaoke
I. Late night refreshment (Indoors)	Monday - Sunday	23:00	02:00
J. Supply of alcohol for consumption ON the premises only	Monday - Sunday	12:00	02:00

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday - Sunday	12:00	02:30

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON the premises only



Lancaster City Council
Licensing Section
Morecambe Town Hall
Marine Road
Morecambe
LA4 5AF

01524 582033
licensing@lancaster.gov.uk



Licensing Act 2003

Premises Licence

LAPLWA0680

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Andy Wei Xia
5 Ash Grove, Timperley, Altringham, WA15 6JX.
Telephone 07983816329
Andyweixia@gmail.com

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Ling Ling CHEN
92 Willow Lane, Lancaster, LA1 5QF.

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. CPBC/LU/0524P

Issued by Castle Point



Lancaster City Council
Licensing Section
Morecambe Town Hall
Marine Road
Morecambe
LA4 5AF

01524 582033
licensing@lancaster.gov.uk



Licensing Act 2003

Premises Licence

LAPLWA0680

ANNEXES

Mandatory Conditions where the licence authorises the sale of alcohol

- 1 No supply of alcohol may be made under the premise licence -
 - (a) at a time when there is no designated premise supervisor in respect of the licence , or
 - (b) at a time when the designated premise supervisor does not hold a personal licence, or his licence has been suspended.
- 2 The supply of alcohol under a premises licence must be made or authorised by a person who holds a personal licence.

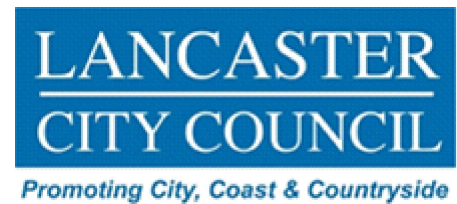
Irresponsible Drinks Promotions - Mandatory Conditions

3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or



Lancaster City Council
Licensing Section
Morecambe Town Hall
Marine Road
Morecambe
LA4 5AF

01524 582033
licensing@lancaster.gov.uk



Licensing Act 2003

Premises Licence

LAPLWA0680

glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Age Verification Policy - Mandatory Condition

5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
- (a) a holographic mark, or
 - (b) an ultraviolet feature.

Availability of different Measures - Mandatory Condition

6. The responsible person must ensure that:
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and



Lancaster City Council
Licensing Section
Morecambe Town Hall
Marine Road
Morecambe
LA4 5AF

01524 582033
licensing@lancaster.gov.uk



Licensing Act 2003

Premises Licence

LAPLWA0680

- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Mandatory condition where Door Supervisors are provided

All individuals who carry out security activities must be licensed by the Security Industry Authority (SIA)

Alcohol Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purpose of the condition set out in paragraph 1-

- (a) "duty" is to be construed in accordance with the Alcohol Liquor duties Act (1979)
- (b) "permitted price" is the price found by applying the formula -

$$P=D + (D \times V)$$

Where-

- (i) P is the permitted price
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premise licence -
- (i) The holder of the premise licence
 - (ii) The designated premise supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence.
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question: and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax



Lancaster City Council
Licensing Section
Morecambe Town Hall
Marine Road
Morecambe
LA4 5AF

01524 582033
licensing@lancaster.gov.uk



Licensing Act 2003

Premises Licence

LAPLWA0680

Act 1994

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph (2) on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day

Offered Conditions

The sale and supply of alcohol for consumption on the premises shall be restricted to persons taking table meals with no off sales.

A documented Challenge 25 scheme will be operated at the premises. The Challenge 25 scheme shall be actively promoted and advertised at the premises and will ensure that any person purchasing alcohol, who appears to be under 25 years of age, shall be asked to provide acceptable identification to prove that they are 18 years of age or over. Failure to supply such identification will result in no sale or supply of alcohol to that person.

The Proof of Age Standards Scheme (PASS) will be actively promoted at the premises by the display of Challenge 25 posters bearing the PASS logo.

A PASS accredited holographic proof of age card will be the main identification document accepted at the premises as proof of age. A PASS card must be accepted as proof of age if a purchaser possesses one. Where a purchaser does not possess a PASS accredited proof of age card, only the following alternative forms of identification will be acceptable:-

- (a) Photo driving licence
- (b) Passport or
- (c) Her Majesty's Forces Warrant Card

To utilise and fully record any refused sales or challenges made to patrons and such records be kept in an appropriate form and be made available on inspection to the police or other authorised agency.

All staff involved with the provision of alcohol will successfully complete training in age related products. Refresher training will also be successfully completed not more than every 6 months, this will be fully documented and be available for inspection to police officers or other authorised persons.



Lancaster City Council
Licensing Section
Morecambe Town Hall
Marine Road
Morecambe
LA4 5AF

01524 582033
licensing@lancaster.gov.uk



Licensing Act 2003

Premises Licence

LAPLWA0680

CCTV equipment should be installed and shall be maintained in good working order in accordance with the manufacturer's instructions. Training should be provided for staff members in the usage of the CCTV equipment. CCTV footage recorded must, as a minimum, cover each entry/exit point of the premises and be recording at all times when the premises is conducting licensable activities.

The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 30 days.

The Data Controller will make footage available within a reasonable time to a Police Constable or Authorised Officer, where such request is made in accordance with and which satisfies the Data Protection Act 1998.

Karaoke will only take place in the first floor rooms as detailed on the plan of the Premise.

Signs will be located at the exit asking customers to leave the Premises in a quiet and orderly manner.

The Premises will comply with the Regulatory Reform Fire Safety Order 2005.

Non Standard Timings

One additional hour to standard timings on the day that British Summer Time commences in respect of the hours the Premise is open to the public, live music, recorded music, karaoke, late night refreshment and supply of alcohol.



Lancaster City Council
Licensing Section
Morecambe Town Hall
Marine Road
Morecambe
LA4 5AF

01524 582033
licensing@lancaster.gov.uk



Licensing Act 2003

Premises Licence Summary

LAPLWA0680

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

30 Market Street

30 Market Street, Lancaster, Lancashire, LA1 1HT.

Telephone 01524 845373

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday - Sunday	17:00	02:00
F. Playing of recorded music (Indoors)	Monday - Sunday	12:00	02:00
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday - Sunday	17:00	02:00 Karaoke
I. Late night refreshment (Indoors)	Monday - Sunday	23:00	02:00
J. Supply of alcohol for consumption ON the premises only	Monday - Sunday	12:00	02:00

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday - Sunday	12:00	02:30

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON the premises only



Lancaster City Council
Licensing Section
Morecambe Town Hall
Marine Road
Morecambe
LA4 5AF

01524 582033
licensing@lancaster.gov.uk



Licensing Act 2003

Premises Licence Summary

LAPLWA0680

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Andy Wei Xia
5 Ash Grove, Timperley, Altringham, WA15 6JX.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Ling Ling CHEN

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED



28th October 2025

**LANCASTER CITY COUNCIL LICENSING ACT 2003 AND THE LICENSING ACT 2003
(HEARINGS) REGULATIONS 2005**

NOTICE OF HEARING

To: The Applicant: Home Office Immigration Enforcement

The Licence Holder: Andy Wei Xia

LANCASTER CITY COUNCIL, AS LICENSING AUTHORITY, HEREBY GIVES YOU NOTICE that a hearing before a Sub-Committee of the Licensing Act Committee to consider a request for a review of the licence under Section 51 of the Licensing Act 2003 in respect of premises known as Aroma Chef, 30 Market Street, Lancaster, LA1 1HT will take place on the 18th November 2025 at Morecambe Town Hall, Marine Road East, Morecambe, LA4 5AF, commencing at 10:30am

AND TAKE NOTICE THAT each party as listed above is required to give to the Licensing Authority by no later than five working days before the day of the hearing a notice in writing stating whether that party intends to attend or be represented at the hearing, and whether he or she considers a hearing to be unnecessary.

AND TAKE NOTICE THAT if a party wishes any other person (other than the person he/she intends to represent him at the hearing) to appear at the hearing, the notice given by that party and referred to in the preceding paragraph must contain a request for permission for such other person to appear at the hearing, and must set out details of the name of that person and a brief description of the point or points on which that person may be able to assist in connection with the matter to be considered by the Sub-Committee.

GIVEN this day 28th of October 2025 by Lancaster City Council as the Licensing Authority.

INFORMATION TO ACCOMPANY NOTICE OF HEARING

1. Right of attendance, assistance and representation A party may attend the hearing and may be assisted or be represented by any person, whether or not that person is legally qualified. The hearing will generally take place in public. However, the Sub-Committee may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking part in public. In such circumstances, a party and any person assisting or representing a party may be treated as a member of the public. The Sub-Committee will exclude the public (and the parties and their representatives) during the decision making process. The Sub-Committee may require any person attending the hearing who in its opinion is behaving in a disruptive manner to leave the hearing, and may refuse to permit that person to return, or permit him to return only on such conditions as the SubCommittee may specify. However, such a person may, before the end of the hearing, submit to the Sub-Committee in writing any information which he would have been entitled to give orally had he not been required to leave.

2. Representations and Supporting Information At the hearing a party shall be entitled to:

- (a) Give further information as applicable in response to a point upon which notice has been given to that party that clarification is required. (Note – if such clarification is required from a party this will have been indicated in the Notice of Hearing).
- (b) Question any other party, but only if given permission by the Sub-Committee; and
- (c) Address the Sub-Committee

3. Failure of Parties to attend the Hearing If a party has given notice that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence. If a party who has not so indicated fails to attend or be represented at a hearing, the Sub-Committee may, where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or hold the hearing in the party's absence. If the hearing proceeds in a party's absence, the Sub-Committee will consider and give appropriate weight to the application, representation or notice given by that party in their absence.

4. Representations and Evidence A party who wishes to rely on information or documentary evidence that has not been submitted in advance of the issue of the Notice of Hearing should ensure that such information or evidence, together with sufficient copies for all the parties, is submitted to the Licensing Manager at least 7 days before the day of the hearing. Parties are reminded that documentary or other information submitted on the day of the hearing may only be taken into account with the consent of all the other parties. A party who wishes to produce audio/visual evidence should make such evidence available as soon as practical, and should give a minimum of two clear working days notice to the Licensing Manager to facilitate arrangements for the appropriate equipment to be available at the hearing.

5. Procedure A summary of the procedure that will normally be followed at the hearing is enclosed. It should be noted that this is a general procedure intended to cover matters that will normally be applicable at all hearings. However, depending on the circumstances of each individual case, it is recognised that other issues may need to be considered as preliminary points at the hearing. These may include (but are not limited to): - Whether to proceed in the absence of a party - Whether to admit new documents/information submitted at the hearing - Whether it is in the public interest to exclude members of the public from the hearing or any part of the hearing (other than the decision making process) - Whether any party wished to withdraw representations previously submitted

6. Special Needs Any person who intends to attend a hearing and who has special needs, for example in connection with access, language, hearing or vision, should inform the Licensing Manager as soon as practical prior to the day of the hearing, so that appropriate provision or arrangements may be made.

PROCEDURE TO BE FOLLOWED AT HEARINGS TO WHICH THE LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 APPLY

1. The Chairman will introduce the Members and the Legal Adviser and Democratic Support Officer.
2. The Chairman will ask the parties to introduce themselves and any persons with them.
3. The Chairman will confirm that there is no reason why any of the three subcommittee Members should not participate in this matter.
4. The Chairman will confirm that this is a discussion led by the authority that any questions should generally be put through the Chairman, and that cross-examination will only be permitted if the Sub-Committee considers that it is necessary.
5. The Chairman will ask the parties if they have any requests to cross-examine, and such requests will be considered by the Sub-Committee.
6. The Sub-Committee will consider any requests from the parties for permission for another person to appear at the hearing.
7. The Chairman will explain to the parties that the procedure to be followed will be the published one (unless the circumstances of the case require the normal procedures to be varied) – that is, - that the Licensing Manager (or his representative) will introduce the details of the application, the reason for the hearing, and the documentation, - that each party making representations will address the sub-committee in turn and will call other persons where permission has been given - that the applicant/licence holder will present his case and will call other persons where permission has been given - that Members may ask questions of all parties and persons - that questions from the parties must be directed through the Chairman unless cross-examination has been permitted under 4 above - that all parties will have the opportunity to make a closing statement, with the applicant/licence holder having the final word - that the Sub-Committee will withdraw to make its decision and formulate the reasons for the decision in private, and will ask its Legal Adviser and the Democratic Support Officer to join it in order to assist in documenting the decision and the reasons, or to provide clarification on any point. The decision will be announced in public and confirmed in writing. (In certain circumstances, the decision may not be made on the same day as the hearing). In the event that the Legal Adviser has been asked for clarification on any point then the point raised and the advice given will be declared to all parties.
8. The Chairman will indicate the maximum period of time each party will be allowed in which to present their case, and will seek comments from the parties before the Sub-Committee makes its final indication on this point.
9. The hearing will then proceed following the procedure in 7 above. The Chairman will arrange for reasonable comfort breaks throughout the hearing

NOTICE OF AN APPLICATION FOR A REVIEW OF PREMISES LICENCE FOR:

Premises: Aroma Chef, 30 Market Street, Lancaster, LA1
1HT

TAKE NOTICE THAT Home Office Immigration Enforcement has applied to Lancaster City Council (The Licensing Authority), for a **Review of the Premises Licence under Section 51 of the Licensing Act 2003** in respect of the above premises.

The grounds of the application for review as stated by Home Office Immigration Enforcement are offences under the Licensing Act 2003.

The review relates to the following licensing objective:
Prevention of Crime and Disorder

Any interested parties or responsible authorities may make representations on this application to the Licensing Authority, and any such representations should be submitted in writing by the **27th October 2025** to:

The Licensing Manager, Lancaster Town Hall, Dalton Square, Lancaster, LA1 1PJ or by email to licensing@lancaster.gov.uk.

The full application may be viewed at Town Hall Dalton Square Lancaster **or** Morecambe Town Hall Marine Road East Morecambe between 10.00 – 12.00 and 14.00 and 16.00 Monday – Friday.

IT IS AN OFFENCE, to knowingly or recklessly make a false statement in connection with an application, and the maximum fine for which a person is liable on summary conviction for the offence is £5000.

Dated this 29th day of September 2025

Jennifer Curtis, Licensing Manager, Morecambe Town Hall, Morecambe LA4 5AF

Statement of Licensing Policy 2023-2027



Author: Licensing Manager

Document Name: Statement of Licensing Policy 2023 - 2027

Approved by Full Council: 24th April 2024

Date due for review: January 2028

Responsible for review: Licensing Manager



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. Introduction	4
1.1 Background	4
1.2 Aim	4
1.3 Purpose	4
1.4 Consultation	4
1.5 Fundamental Principles	5
2.0 General Principles	6
2.1 Legislation	6
2.2 Revisions to Policy	6
2.3 Areas of Concern	6
2.4 Children	6
2.5 Licensing Hours	7
2.6 Late Night Levies (LNL) and Early Morning Restriction Orders (EMRO's)	8
2.7 Late Night Refreshment	9
3.0 Licensing Approach	10
3.1 Partnership Working	10
3.2 Cumulative Impact Policy	10
3.3. Local Strategies and Policies	10
3.4 Integrating Strategies	10
3.5 Avoiding Duplication	11
3.6 Representations	11
3.7 Conditions	11
3.8 Enforcement	12
3.9 Complaints Against Licensed Premises	13
3.10 Live Music, Dancing and Theatre	13
4.0 Administrative Issues	14
4.1 Premises Licence	14
4.2 Garages	15
4.3 Mobile Premises	15
4.4 Temporary Event Notices	16
4.5 Personal Licences & Exemption of the Requirement for a Designated Premises Supervisor	16
4.6 Large Scale Events	17
4.7 Sustainable Event Management	18
4.8 Event Safety Advisory Groups (ESAGS)	18
4.9 Reviews of Licence or Club Premises Certificate	18
4.10 Administration, Exercise and Delegation of Functions	19
Contacts	20
Appendices	21
A1 : Responsible Authorities - Consultee Contact Details	22
A2 : Model Conditions	23
A3 : Scheme of Delegation	30

1 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.

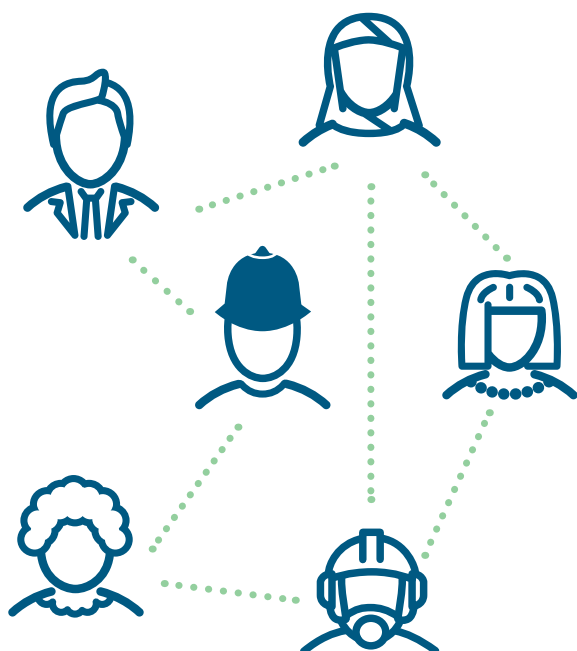
1.3.2 Where revisions are made to the Guidance there may be a period when this Policy is inconsistent with the Guidance. In these circumstances the Licensing Authority shall have regard, and give appropriate weight, to the revised Guidance in conjunction with this Licensing Policy.

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.

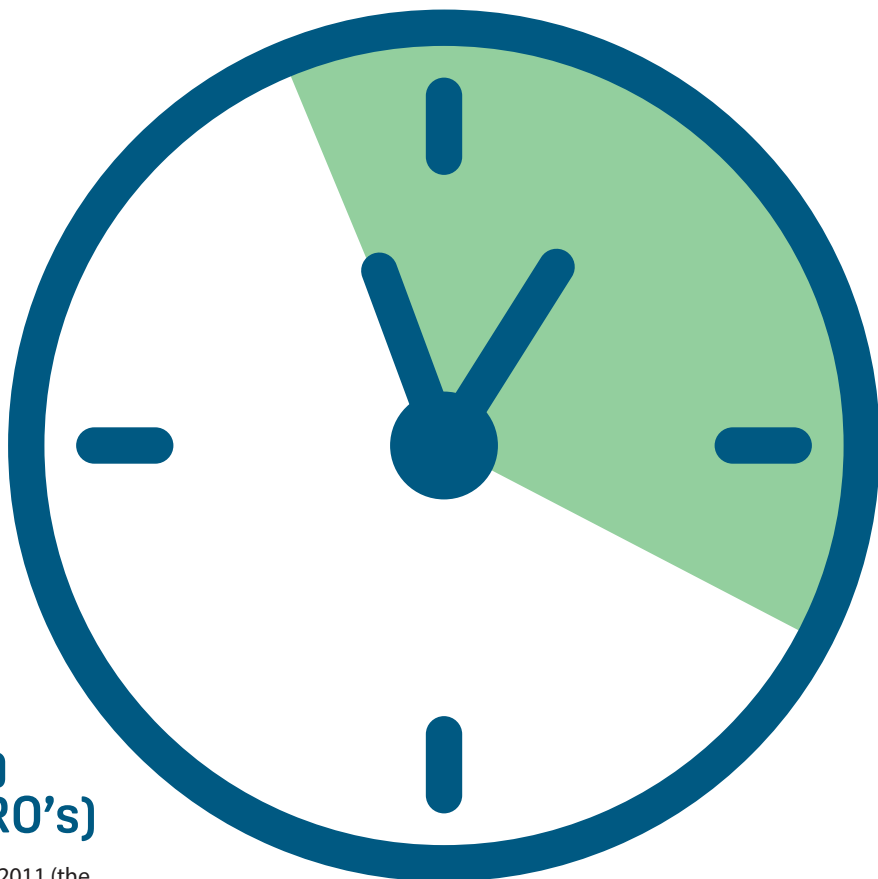
2.5.2 Applications for premises licences with a terminal hour later than 12 midnight where the sale or supply of alcohol for consumption on the premises is the main activity or where the sale or supply of alcohol is accompanied by musical entertainment, will be subject to close scrutiny by the Responsible 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)

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.

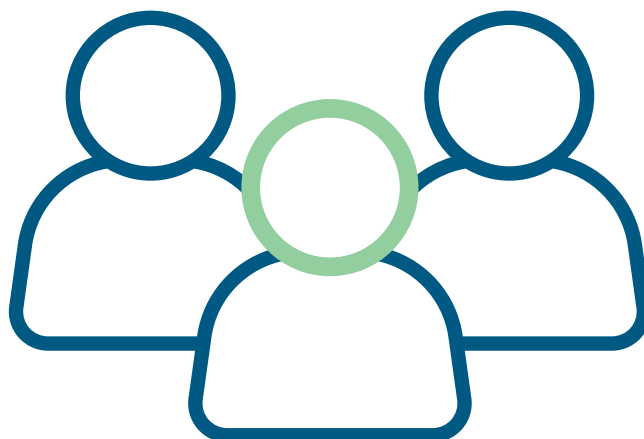
3.2.3 In addition to the review each five years the Licensing Authority may consider a special policy on cumulative impact at any time if circumstances changed and evidence supported this course of action.

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)



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 on 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 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

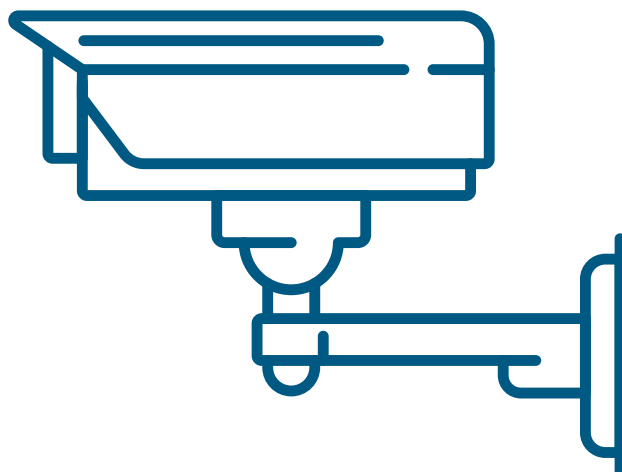
- Drugs policy
- CCTV
- Pub Watch and Radio links with other licensed premises
- Security Industry Authority Door supervisors and Approved Contractor Scheme
- Polycarbonate or shatterproof vessels
- Frequency of glass bottle disposal and provision of secure storage before collection
- An appropriate 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.

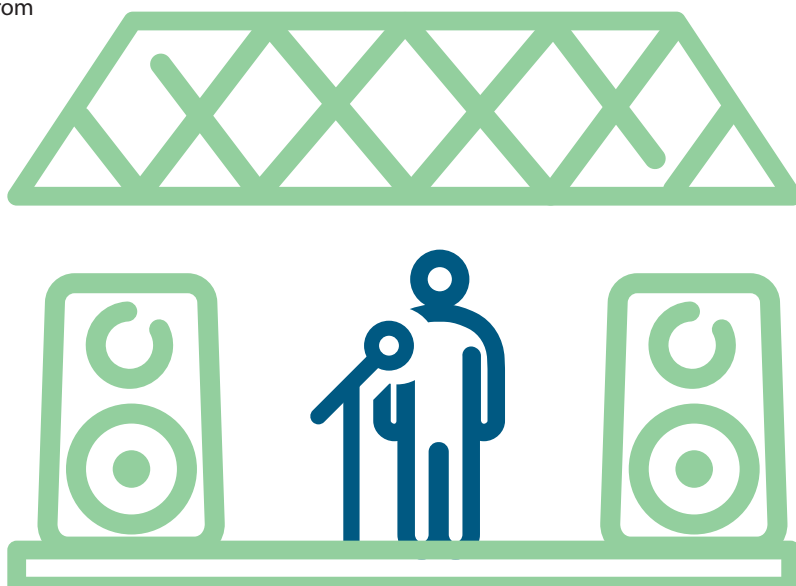
4.6.5 The enforcement policies of the Council may be significantly undermined by the short duration and potentially occasional nature of these events. This is because the Council's graduated response to problems arising may not be as effective in responding to these issues on an occasional and irregular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

Contact



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

T: 01524 582033

E: licensing@lancaster.gov.uk

The Licensing Act 2003 can be viewed at:

www.legislation.gov.uk/ukpga/2003/17/contents

The Statutory Guidance can be found at:

www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003

Lancaster City Council website:

www.lancaster.gov.uk

Event Safety Advisory Group:

www.lancaster.gov.uk/information/event-safety

Events on Council Land, Guidance and Application Procedures: Events on council land - Lancaster City Council

www.lancaster.gov.uk/parks-and-open-spaces/events-on-council-land

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

www.lancaster.gov.uk/sites/business/licences-and-permissions/alcohol-and-entertainment/pavement-licences



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

Appendix 1 :

Responsible Authorities – Consultee Contact Details

Licensing Authority

Licensing
Morecambe Town Hall
Marine Road
Morecambe
LA4 5AF

licensing@lancaster.gov.uk

Public Protection (incl Community Protection and Health and Safety Officers)

Public Protection
Morecambe Town Hall
Marine Road
Morecambe
LA4 5AF

environmentalhealth@lancaster.gov.uk

Lancashire Police

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

westlicensing@lancashire.police.uk

Lancashire Fire and Rescue Service

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

licensing@lancsfireandrescue.org.uk

Home Office

Alcohol Licensing : Home Office
15th Floor Long Corridor
Lunar House
40 Wellesley Road
Croydon
CR9 2BY

alcohol@homeoffice.gov.uk

Lancashire Safeguarding (Children)

PO Box 78
County Hall
Fishergate
Preston
PR1 8XJ

JPBU@lancashire.gov.uk

Planning/Development Control

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

planningenforcement@lancaster.gov.uk

Trading Standards

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

intelligence.management@lancashire.gov.uk

Director of Public Health

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

phlicensing@lancashire.gov.uk

Appendix 2 :

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 vacuance, 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.

Appendix 3 :

Scheme of Delegation

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
Disapplication 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