



Statement of Licensing Policy 2026-2031

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Contents

Statement of Licensing Policy 2026-2031.....	1
Introduction.....	3
1. Background.....	3
2. Purpose and scope of the licensing policy	3
3. Development of this policy.....	5
4. Authority profile.....	6
5. General matters	9
6. General approach to licensing	11
7. Avoidance of duplication	13
8. The licensing process	14
9. Conditions	19
10. Variation applications	22
11. Temporary Event Notices (TENS)	25
12. The Licensing Objectives.....	27
13. Regulated entertainment	42
14. Personal licences.....	43
15. Designated Premises Supervisor (DPS)	45
16. Cumulative Impact Policy	46
17. Enforcement.....	49
18. Reviews	51
19. Late Night Levies (LNL) and Early Morning Restriction Orders (EMRO's).....	54
APPENDIX 1 - Table of Delegated Functions.....	56
APPENDIX 2 – Responsible Authorities – Consultee contact details ..	58
APPENDIX 3 – Regulated entertainment exemptions.....	61

Introduction

The Council aims to ensure that Wyre offers a wide choice of high quality and well managed entertainment and cultural venues within a safe, orderly and attractive environment.

Venues granted licences under the Licensing Act 2003 are expected to operate responsibly and safely to ensure that residents and visitors alike can benefit from a diverse range of businesses but not to the detriment of their quality of life or health.

This Policy is intended to complement commitments to four key areas outlined in the current Council Plan. For further information please see [Council plan – Wyre Council](#).

1. Background

- 1.1 Wyre Council (“the Council”) is the Licensing Authority for the purposes of the Licensing Act 2003 (“the Act”). In exercising its functions under the Act, the Council is empowered to administer and determine matters relating to the sale or supply of alcohol, the provision of regulated entertainment and the provision of late-night refreshment within the borough. These functions include, without limitation, the following:
- Premises licences, including provisional statements, full and minor variations, transfers, interim authorities and reviews
 - Club premises certificates
 - Temporary Event Notices
 - Personal licences

2. Purpose and scope of the licensing policy

- 2.1 Section 5 of the Licensing Act 2003 requires every Licensing Authority to prepare, consult on, adopt and publish a Statement of Licensing Policy at least once every five years. The Policy must be published before the Licensing Authority exercises any function in respect of individual licence applications. The Licensing Authority must also keep the Policy under review and make any revisions it considers appropriate.
- 2.2 The Council, as the Licensing Authority, is responsible for authorising the following licensable activities under the Licensing Act 2003:

- The retail sale of alcohol for consumption on or off the premises
- The supply of alcohol by or on behalf of a club to a member or guest
- The provision of regulated entertainment in the circumstances defined by the Act
- The provision of late-night refreshment (the supply of hot food or drink between 23:00 and 05:00)

2.3 The Licensing Authority recognises that some individuals may engage in unlawful or anti-social behaviour once they are away from licensed premises. While licence holders cannot reasonably be held responsible for behaviour beyond their control, they are expected to take all reasonable steps to minimise the risk of such behaviour resulting from their operation.

2.4 The Licensing Act 2003 forms part of a wider framework of controls available to manage crime, disorder and public nuisance. Other relevant mechanisms include, but are not limited to:

- Planning controls
- Powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly
- Powers of Police and Local Authorities under relevant Anti-Social behaviour legislation
- Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices
- Prosecution of a personal licence holder or member of staff selling alcohol to people who are drunk
- Confiscation of alcohol from adults and children in areas protected by Public Space Protection Orders, formerly Designated Areas and dispersal powers
- Police powers to immediately close any licensed premises or temporary event on grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises for up to 24 hours.
- The power of the Police, other responsible authorities or other person to seek a review of the licence or certificate
- Promotion of positive activities

2.5 The Licensing Authority will carry out its functions with a view to promoting the four licensing objectives:

- The prevention of crime and disorder
- Public safety

- The prevention of public nuisance
- The protection of children from harm

The Licensing Authority will have regard to this Policy, Revised guidance issued under section 182 of Licensing Act 2003 and National Licensing Policy Framework for the hospitality and leisure sectors¹. However, where the circumstances of an individual case justify doing so, the Authority may depart from the Policy or guidance, provided clear reasons are given.

2.6 References to “applicants” in this Policy include those applying for:

- New premises licences
- Variations to existing premises
- Club premises certificates
- Temporary Event Notices
- Licence reviews

The principles and expectations in this Policy apply consistently across all application types.

2.7 This Policy provides applicants, responsible authorities and residents with a clear framework for how the Licensing Authority will exercise its functions, ensuring:

- Consistent, transparent and proportionate decision-making
- Clear expectations regarding the content of operating schedules
- Promotion of a safe, diverse and responsibly managed licensed sector

2.8 Applicants are expected to demonstrate an understanding of the local area and the potential risks associated with their premises, including nearby residential accommodation, public spaces, transport links and any localised issues such as street drinking or noise sensitivity. Operating schedules should include proportionate measures tailored to the premises, its operation and its locality.

3. Development of this policy

3.1 This policy takes effect on 2 July 2026 and will remain in force for a period of no more than five years, unless reviewed and revised earlier.

3.2 In accordance with Section 5 of the Licensing Act 2003, the Licensing Authority has undertaken consultation prior to determining and

¹ National Licensing Policy Framework for the hospitality and leisure sectors

publishing this Policy. The consultation process was carried out in line with statutory requirements and relevant government guidance.

3.3 Although not an exhaustive list, the Licensing Authority consulted with:

- Elected Members of Wyre Council
- Responsible Authorities as defined by the Licensing Act 2003
- Representatives of the licensed trade
- Organisations representing residents and community groups
- Existing licence holders
- Organisations and agencies involved in alcohol harm reduction
- Members of the public via publication of the draft Policy on the Council's website

4. Authority profile

4.1 Wyre Borough covers almost 283 km² across coastal, urban and rural areas. West of the River Wyre is the urban belt encompassing Poulton-le-Fylde, Thornton - Cleveleys and Fleetwood; east of the river is "Over Wyre", including Garstang and the villages of Hambleton, Knott End, Preesall, Pilling and Stalmine. This geographic mix produces distinct licensing contexts: higher footfall and late-evening activity in the main town centres, and quieter, more residential sensitivity in rural settlements.

4.2 There are more than 400 premises in Wyre licensed under the Licensing Act 2003 and approximately 80% are licensed to sell alcohol. Premises licensed to sell alcohol include pubs, clubs, restaurants, cafes, holiday complexes, theatres, cinemas, shops and supermarkets. Other premises that are not licensed to serve alcohol include village halls, schools, public places and takeaways.

In addition, around 300 Temporary Event Notices are given to the Licensing Authority each calendar year to authorise licensable activities where they are not covered by existing premises licences or club premises certificates.

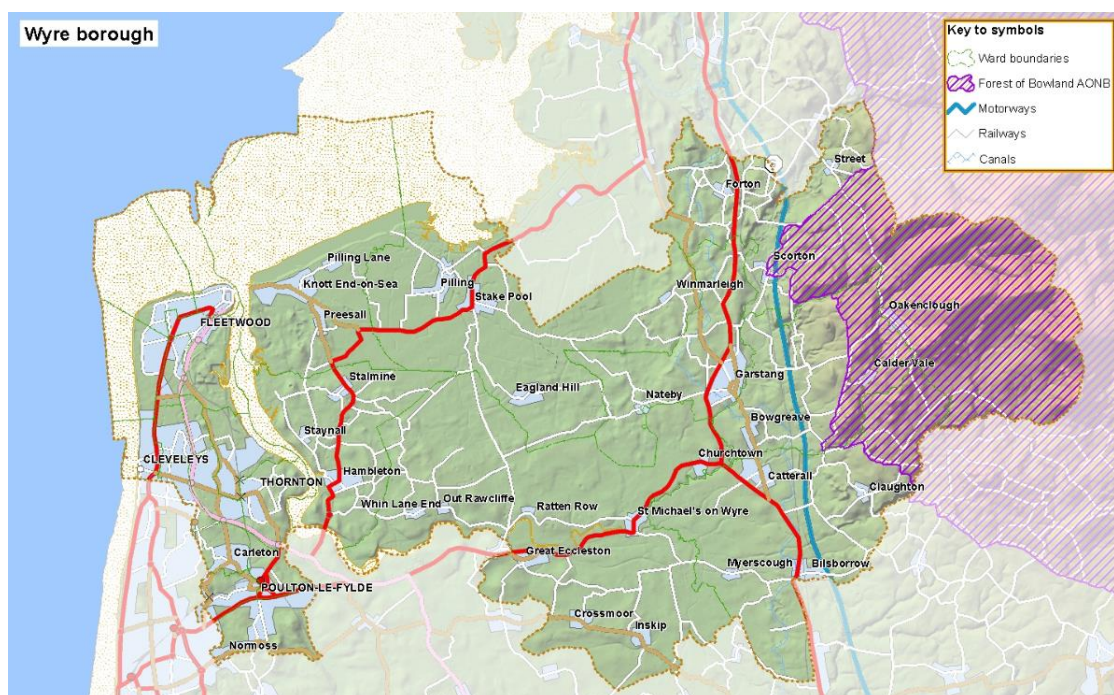
4.3 Licensed premises are present borough-wide, with concentrations in Poulton-le-Fylde, Fleetwood, Thornton-Cleveleys and Garstang. Poulton-le-Fylde has a more evening-to-late nighttime economy (NTE) profile;. Fleetwood has a higher proportion of off-sales outlets, with associated community health considerations; Cleveleys and Garstang continue to grow their mix of hospitality.

- 4.4 All the main towns have a good provision of late night refreshment premises, catering for the patrons of nighttime businesses.

Large and small brewery companies have invested in the area with an increasing number of premises being food led, providing a wide range of food to accompany their alcohol and soft drinks offer. The licensed sector brings revenue, jobs and choice to the area.

- 4.5 The Council has licensed several public open spaces for entertainment purposes, and a wide range of community events are held at these locations each year for the benefit of residents and visitors

- 4.6 **Figure 1:** Map of Wyre Borough.



- 4.7 There is a thriving tourism trade within Lancashire with 68.6 million tourism visits, and day visits generated £5.7 billion for the local economy in 2024². Of this, 6.4% of the visitors were to Wyre (over 4.4 million) generating £433 million within the local economy through visitor and tourism business expenditure.³
- 4.8 The total population of Wyre was estimated at 116,994 mid-2023.⁴
- 4.9 Figures provided by the Office for National Statistics show the average (median) age of Wyre has increased by 3 years from 47 to 50 years of age. This is the second-highest median age in the Northwest (alongside Fylde and behind the South Lakeland portion of

² The STEAM Report Of Annual Tourism Figures | Marketing Lancashire

³ Wyre Tourism Drives £433 Million Economy Boost – Wyre Council

⁴ Wyre district - Lancashire County Council

Westmorland and Furness) and a higher average (median) age than England (40 years).⁵

- 4.10 There are around 53,300 dwellings in Wyre of which 92.5% are owner occupied or privately rented. On the whole larger proportions of Wyre's housing stock fall within the higher council tax bands compared to the County average, with a lower proportion in band A than other Lancashire districts.
- 4.11 Wyre is ranked as the 147th most deprived authority out of 317 district and unitary authorities in England, when measured by the average rank of its Lower Super Output Areas (LSOAs). There is a recognised disparity between the urban and rural parts of the borough, with the most deprived areas located exclusively within the urban localities. Much of Wyre falls within the least deprived areas of England, with communities such as Garstang and parts of Poulton-le-Fylde, Thornton and Cleveleys ranking within the least deprived 10%. However, several LSOAs in Fleetwood are among the most deprived 10% nationally.
- 4.12 Wyre has the seventh lowest percentage of children on child protection plans in the Lancashire-12 (L-12) (52.2 per 10,000). The highest number of plans are in the Fleetwood wards of Rossall, Pharos, Park and Mount followed by Carleton and Bourne ward.
- 4.13 Wyre has the 6th lowest overall crime rate in the Northwest. The recorded crime article reveals that the area has a crime rate well below average for the Lancashire-14 (L-14) region. Alcohol is known to contribute to offending behaviour, particularly violence, anti-social behaviour and criminal damage. Residents in the authority are significantly worse than the national average for all but one of alcohol related indicators, according to the Local Area Profiles for England (LAPE).⁶
- 4.14 UK adults typically drink less often in 2025 than they did in previous years, with 14% drinking four or more times per week in 2025 compared to 18% in 2018.⁷ Alongside this there is a greater emphasis on consuming alcohol at home, often purchased more affordably from off-licences or supermarkets.⁸
- 4.15 Despite this, excessive alcohol consumption remains England's

⁵ How life has changed in Wyre: Census 2021 (ons.gov.uk)

⁶ Crime and disorder in Wyre, 2024 Q1 (12 months ending) | LG Inform (local.gov.uk)

⁷ Drinkaware Monitor 2025 | Drinkaware

⁸ [drinkaware_monitor_2025_full_report.pdf](#)

second biggest cause of premature mortality behind tobacco use. Regular over consumption of alcohol behaviours are associated with a whole range of issues including anti-social behaviour, and an increased risk of physical and mental health problems. Long-term alcohol misuse is linked to a range of cancers, cardiovascular diseases, chronic liver disease and diabetes as well as having an impact on the social wellbeing of a person, their family, and friends. Long-term alcohol misuse can lead to social problems such as unemployment, domestic abuse and homelessness.⁹ It must also be noted that licensing objectives do not include public health.

- 4.16 Statistics show that the rate of hospital admissions for alcohol specific conditions for all persons in 2023/24 was significantly higher in Lancashire-12 (692 per 100,000) than observed for England (612) but significantly lower than the Northwest average (796) – the county had a total of 8,766 admissions in the period. At the same time the data also shows that the rate of admissions is declining in Lancashire-12.
- 4.17 In Lancashire, Wyre has amongst the worst rates for hospital admissions linked to alcohol-related conditions (specifically amongst persons aged 40–64 and over 65). It also has amongst the worst rates in Lancashire for alcohol related deaths, potential years loss of life (PYLL) due to alcohol related conditions and potential working years of life lost due to alcohol related conditions (PWYLL rate).¹⁰
- 4.18 This statement of licensing policy is only one document by which promoting the licensing objectives helps to impact on alcohol in Wyre Borough.

5. General matters

- 5.1 All references to the “the Act” in this document shall be deemed to mean “Licensing Act 2003” unless otherwise stipulated.
- 5.2 Wyre Council is the Licensing Authority for this district under the terms of the Act and are responsible for determining all applications for licensable activities, as defined in Section 1 of the Act. This includes premises licences, club premises certificates, personal licences, Temporary Event Notices and associated variations.
- 5.3 The Licensing Authority also acts as a Responsible Authority, alongside other internal departments such as Environmental Health, Planning, and Health & Safety. Representations submitted by these internal

⁹ Alcohol - Lancashire County Council

¹⁰ Alcohol - Lancashire County Council

services will be considered in the same way as representations from external Responsible Authorities, in accordance with Revised guidance issued under section 182 of the Licensing Act 2003.

5.4 Privacy and Personal Data

In accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018, the Council acts as the Data Controller for personal information provided in connection with licensing applications. Personal data is processed and retained only where necessary for the Council to discharge its statutory duties, including those relating to licensing administration, enforcement functions, and the maintenance of the public register.

- 5.5 Where applicable, the Council may share information relating to licensed premises – such as licence status, premises details, and licence holder information – with other Council services including Planning, Environmental Health and Public Protection.
- 5.6 The Council may also share information with external bodies including Government departments, Lancashire Constabulary, Lancashire Fire and Rescue Service and the Health and Safety Executive, where necessary to assess applications, prevent crime, or comply with legal requirements.
- 5.7 Personal information associated with premises licences, club premises certificates, personal licences and temporary event notices will be retained in line with the licensing service privacy notice on the Council's website. Non-personal elements are retained on the public register permanently.
- 5.8 Full details on how the Licensing Authority collects, uses and stores personal data, including how to contact the Data Protection Officer, can be found in the Council's Privacy Notice published on its website.

5.9 Immigration Act 2016

The Immigration Act 2016 introduced safeguards to prevent illegal working in premises licensed to sell alcohol or provide late-night refreshment. Licensing Authorities must not issue licences to individuals who do not have permission to work in the UK, or who are prohibited from undertaking work connected to licensable activities.

- 5.10 The statutory objective of preventing crime and disorder includes preventing immigration offences and illegal working within licensed premises. The Licensing Authority will therefore work closely with the

Home Office (Immigration Enforcement) and Lancashire Constabulary where concerns arise.

5.11 Section 36 of and Schedule 4 of to the Immigration Act 2016 (the 2016 Act) amended the 2003 Act to provide that in England and Wales:

- Premises licences to sell alcohol or provide late night refreshment and personal licences cannot be issued to an individual who does not have permission to be in the UK, or is not entitled to undertake work relating to the carrying on of a licensable activity
- Licences issued to those with limited permission to be in the UK will lapse when their permission to be in the UK and work in a licensable activity comes to an end
- Immigration offences, including civil penalties, are 'relevant offences' as defined by the 2003 Act.

5.12 The Home Secretary (in practice Home Office (Immigration Enforcement)) was added to the list of responsible authorities in the licensing regime, which requires Home Office (Immigration Enforcement) to receive premises licence applications (except regulated entertainment only licences) and applications to transfer premises licences, and in some limited circumstances personal licence applications. The Home Office (Immigration Enforcement) is permitted to make appropriate representations and objections to the grant of a licence.

5.13 The Licensing Authority will have regard to any relevant Home Office guidance relating to the immigration-related provisions contained within the Licensing Act 2003.

5.14 **Links to other policies and strategies**

This Statement of Licensing Policy does not operate in isolation. The Licensing Authority will consider other relevant local policies and strategies — such as those relating to crime reduction, anti-social behaviour, community safety, planning, tourism and cultural development — where they support or inform the promotion of the licensing objectives. These policies may not directly relate to the Licensing Act 2003 but may provide useful contextual evidence or guidance.

6. General approach to licensing

6.1 This Statement of Licensing Policy aims to regulate licensable activities in a way that protects residents, visitors, businesses and

workers, while supporting a vibrant, diverse and family-friendly leisure and hospitality sector. Licensed premises make a significant contribution to Wyre's cultural life and local economy through employment, investment and thriving town centres.

6.2 In exercising functions under the Licensing Act 2003, the Licensing Authority seeks a balanced, safe and inclusive night-time economy that provides opportunities for all parts of the community and is not dominated solely by alcohol-led premises. Applicants and licence holders are expected to identify risks and implement proportionate measures that promote the four licensing objectives:

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

The Licensing Authority will determine applications having regard to the latest Revised guidance issued under section 182 of the Licensing Act 2003, including the emphasis on proportionate conditions, spiking prevention where justified, and consideration of economic growth alongside, but not in place of, the four licensing objectives.

6.3 Applicants and licence holders are expected to identify local risks associated with their premises and operation, and to implement effective, proportionate measures to promote the licensing objectives—recognising that appropriate conditions and controls will vary by venue type, location, hours and operating style.

6.4 Where relevant representations are received, the Authority may, where appropriate, refuse an application, restrict hours or activities, or impose tailored conditions to promote the licensing objectives. Where issues arise after the grant of license, the Licensing Authority will work in partnership with Responsible Authorities and operators to resolve them and, where necessary, use the full range of statutory tools.

6.5 This Statement of Licensing Policy cannot address every instance of anti-social behaviour or matters that fall outside the scope of the Licensing Act 2003. The Licensing Authority and its Committee will act only to promote the licensing objectives. Where a premises undermines those objectives, the Authority will not compromise them to support a failing business.

6.6 **Wyre Key Messages**

Key messages in this Policy set out the Authority's expectations of applicants and licence holders. They neither replace nor add to the licensing objectives, but applications that reflect these messages are:

- less likely to attract representations
- more likely to demonstrate that risks have been properly assessed and addressed.

Every application will be judged on its own merits.

7. Avoidance of duplication

7.1 It is not the intention of this Policy to duplicate other regulatory regimes. The Licensing Authority will avoid imposing conditions that replicate statutory duties under other legislation (e.g. health and safety, fire safety and environmental protection), and will ensure that any licence conditions are appropriate, precise, enforceable, proportionate and tailored to the individual premises and the specific risks identified.

7.2 Planning and Building Control

The licensing and planning regimes will be properly separated to prevent duplication and inefficiency. Each regime considers different (albeit related) matters, and licensing committees are not bound by planning decisions (and vice versa). Where planning permission imposes earlier closing times than those authorised under a licence, the earlier planning hours must be observed and premises operating in breach remain liable to planning enforcement. Dialogue between licensing and planning officers may assist in achieving mutually acceptable operating hours and scheme designs, but licensing decisions will remain grounded in the four licensing objectives.

Key message 01.

Applications should ordinarily be made for premises where:

- **the proposed licensable activities are lawful under the planning regime**
- **the hours sought do not exceed any planning terminal hour**
- **existing hours and use are compatible with the locality and the licensing objectives.**

Note – Where appropriate planning consent has not been secured and relevant representations are made, applicants will need to

demonstrate that their operation will not undermine the licensing objectives.

7.3 **Public Space Protection Order (PSPO)**

The Licensing Authority supports the use of PSPO's as a tool to help address alcohol related crime and disorder in the streets. The Orders give police and council officers' powers to request someone who is drinking alcohol within an area designated by a PSPO, to stop drinking if their behaviour is, or is likely to, cause nuisance or disorder. Authorised officers may also confiscate any alcohol that the drinker may have on them. If an individual refuses to follow an officer's instruction, then an offence is committed.

Wyre currently has a PSPO that covers the town centre areas in Poulton le Fylde, Fleetwood, Cleveleys and Garstang.¹¹

Key message 02.

Premises operating within PSPO areas are expected to implement practical, proportionate controls—including staff awareness, SIA-supervised dispersal where appropriate, and cooperation with Police and Council officers—to ensure patrons do not breach PSPO requirements (e.g., street drinking linked to nuisance or disorder)

7.4 When relevant representations are made, the Licensing Authority may impose tailored conditions that address the specific concerns raised. Conditions will not duplicate duties under other regimes and will avoid replicating offences in the Licensing Act 2003 or other legislation. Any conditions will be evidence-led and proportionate to the risks identified.

7.5 All applications will be determined on their own merits, with the Licensing Authority having regard to the Section 182 Guidance and applying conditions only where appropriate to promote the licensing objectives in the particular circumstances of the premises.

8. The licensing process

8.1 This Policy sets out the Licensing Authority's expectations of applications. While applicants are not obliged to adopt these expectations, responsible, risk-based applications are less likely to attract representations and more likely to demonstrate promotion of the licensing objectives. Applicants and premises users should have

¹¹ [public-space-protection-order-pspo-for-alcohol-related-anti-social-behaviour-2024](#)

regard to this Policy and to Revised guidance issued under section 182 of the Licensing Act 2003.

Applications should address all four licensing objectives and include measures the operator will take to promote them. The Licensing Authority encourages early engagement with Responsible Authorities and the Licensing Service to support well-designed applications.

Applicants are encouraged to work with the Licensing Authority and all relevant agencies to ensure that the licensing objectives are upheld at licensed premises.

Key message 03.

Applicants are encouraged to seek advice from the Licensing Authority and Responsible Authorities before applying. Failure to comply with statutory requirements may result in an application or notice being invalid or rejected.

8.2 The application

When considering applications, the Licensing Authority will have regard to:

- The Licensing Act 2003 and the licensing objectives
- Revised Guidance issued under section 182 of the Licensing Act 2003
- Any supporting regulations
- This Statement of Licensing Policy

8.3 The operating schedule must include sufficient detail to enable Responsible Authorities and other persons to assess whether the steps to promote the licensing objectives are adequate and appropriate for the premises, its locality and operating style.

The Licensing Authority will normally expect the operating schedule to reflect:

- The nature of the area where the premises are situated
- The type of premises and the licensable activities
- Operational procedures relevant to the premises
- The needs of the local community in terms of the four licensing objectives

Applicants should undertake a premises-specific risk assessment to inform their operating schedule. The risk assessment does not need to be submitted, but it should underpin the controls offered. Sparse or

generic operating schedules increase the likelihood of relevant representations and the need for a hearing.

Operating schedules should avoid vague or unenforceable statements such as “staff will be well-trained” or “CCTV will be installed” unless precise and measurable details are provided.

8.4 Consultation on applications

Applications for new premises licences and club premises certificates, and full variations, are subject to a statutory consultation period (28 days from the day after the application is received by the Licensing Authority). During this period, Responsible Authorities and other persons may make relevant representations.

Applicants are required to ensure that an A4 blue notice is placed on, at or near the premises to advertise the application for 28-days starting with the day after the application is served. Additionally, a newspaper advert serving the same purpose must be placed in a newspaper circulating in the borough of Wyre within 10 working days (Blackpool Gazette). Failure to adhere to these requirements, or the inclusion of inaccurate information in them, will invalidate an application.

8.5 A notice will not ordinarily be deemed invalid solely because it is not displayed in the most convenient position, provided it is clearly visible and legible to the public.

8.6 The Licensing Authority will publish details of all current applications subject to consultation on its website at [Premises licence applications – Wyre Council](#).

8.7 The Licensing Authority will meet its obligations to notify Responsible Authorities. While it will not routinely contact individual residents or resident groups, ward councillors will be notified of applications within their ward.

8.8 Representations

Only relevant representations will be considered. To be relevant, a representation must relate to the likely effect of the grant of the application on the promotion of at least one licensing objective and must not be frivolous, vexatious or repetitious. The Licensing Authority cannot accept anonymous representations.

8.9 Representations may be made by Responsible Authorities, elected members (including on behalf of residents or the applicant, subject to

governance rules), and other persons such as residents, businesses or community groups.

- 8.10 Representations become public documents and must be shared with the applicant. They will be included in the report for any hearing and may be published on the Council's website. In exceptional cases, the Licensing Authority may redact personal details where justified.
- 8.11 The Licensing Authority may choose to withhold some or all of the person's personal details from the applicant, providing instead minimal details, such as the street name. However, withholding such details would only be considered where the circumstances justify such action i.e. where the person has a genuine and well-founded fear of intimidation and might otherwise be deterred from making a representation. Further guidance on submitting representations is available via the Wyre Council website and within Revised guidance issued under section 182 of the Licensing Act 2003 at chapter 9.

8.12 **Decision making process**

Decisions under the Act will be taken by the Licensing Committee, a Sub-Committee, or by officers under delegated authority, in line with this Policy and the Authority's constitutional scheme of delegation. **Appendix 1** sets out how the Licensing Authority intends to delegate its licensing functions.

- 8.13 Each application will be considered on its own merits, with the Authority having regard to the Section 182 Guidance. The Authority will take appropriate and proportionate steps to promote the licensing objectives and will provide reasons for its decisions. The Licensing Authority also recognises it should consider the need to promote growth and deliver economic benefits when making licensing decisions.

The Licensing Authority will not consider matters outside the licensing objectives, including commercial need, competition, or moral objections.

- 8.14 The Licensing Authority is committed to ensuring that licensing decisions are made fairly, transparently and in accordance with the law. Members of the Licensing Committee and Sub-Committees will receive appropriate training before taking part in hearings, in line with the Local Government Association and Institute of Licensing training standards. This includes training on the Licensing Act 2003, Section 182 Guidance, decision-making principles, hearing procedures and the role of responsible authorities and other persons. Members are

expected to attend refresher training at regular intervals and to act impartially, base decisions on the evidence presented, and comply with statutory timescales for hearings.

8.15 Determination of applications

If no relevant representations are received, the application must be granted subject only to mandatory conditions and those consistent with the operating schedule.

8.16 Where relevant representations are made and not withdrawn, the Authority will hold a hearing unless the matter can be resolved by agreement. The Licensing Authority may:

- grant the application
- grant with amendments (e.g., hours/activities/DPS)
- grant with additional tailored conditions
- refuse the application, as appropriate to promote the licensing objectives

8.17 In addition, particular consideration will be given to the following:

- location and impact of licensed activity
- intended use and the numbers likely to attend the premises
- proposed hours of operation
- scope for mitigating any impact
- how often the activity occurs.

Where an application relates to an already licensed premises the Licensing Authority will consider evidence:

- of previous good operation of the premises and
- of past demonstrable adverse impact from licensable activities, especially on residents or businesses.

8.18 Mediation and agreed outcomes

Where relevant representations are received, the Authority encourages discussions between the parties to explore whether concerns can be addressed through revised operating schedules and/or agreed conditions, avoiding the need for a hearing where appropriate.

8.19 Licensing Committee hearings

Where representations remain unresolved, a hearing will be convened in accordance with statutory timescales and local hearing procedures. The Committee or Sub-Committee will consider the evidence and

submissions and determine the application accordingly. A written decision notice with reasons will be issued.

8.20 **Appeals**

A party aggrieved by the decision of the Licensing Authority has the right of appeal to the magistrates' court. Any appeal must be lodged within 21 days of the decision.

In determining an appeal, the court may:

- Dismiss the appeal
- Substitute for the decision any other decision which could have been made by the licensing committee
- Send the case back to the Licensing Committee and ask them to reconsider the application.

8.21 **Minor Variations**

Applications that would not adversely impact the licensing objectives may be suitable for the minor variations process. This involves a truncated consultation and decision process by the Licensing Authority. Applicants should seek advice at an early stage to confirm the appropriate route. (See Chapter 10.)

9. **Conditions**

9.1 **Conditions offered on the application form**

Applicants must demonstrate how their premises will be operated and what measures they propose to promote the licensing objectives. The steps described in the operating schedule will be converted into enforceable conditions on any licence or certificate granted.

9.2 Where no relevant representations are received, the Licensing Authority must grant the application subject only to:

- Mandatory conditions required under the Act
- Conditions consistent with the operating schedule

9.3 **Wording of conditions**

The Licensing Authority will ensure that conditions derived from operating schedules are drafted in clear, precise and enforceable terms. Conditions must be capable of practical implementation, compliance and must not duplicate existing legal requirements under other regimes.

9.4 **Suggested conditions**

To assist applicants, the Licensing Service has produced guidance—developed in conjunction with Responsible Authorities—containing examples of conditions that may help promote the licensing objectives. These are not prescriptive and will not be automatically imposed. Applicants, agents and solicitors should consider appropriate conditions relevant to their specific premises, but must avoid any that:

- Duplicate other legislation
- Are unclear or unenforceable
- Are unnecessary for the style or risk level of the premises

Key message 04.

Applicants are encouraged to offer suitable conditions such as the examples below, when applying for the relevant licensable activity, to promote the licensing objectives

9.5 Applications for the sale or supply of alcohol (on or off the premises)

Where alcohol is supplied or sold, the Licensing Authority expects applicants to consider including measures such as:

- A Challenge 25 proof of age policy shall be implemented and adhered to. Any person who looks or appears to be under the age of 25 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:
 - A recognised proof of age scheme accredited under the British Retail Consortiums Proof of Age Standards Scheme (PASS).
 - Photo driving licence.
 - Passport.
 - Official ID card issued by HM Forces or European Union bearing a photograph and date of birth of the holder.

If no suitable identification is provided the sale of alcohol will be refused.

- Staff training regarding the age-verification policy, with refresher training at least every six months
- Maintenance of training records, available for inspection following reasonable request by an authorised officer

- Measures to prevent customers congregating in public spaces immediately outside the premises with alcohol purchased from the premises
- Arrangements for removing litter and cigarette debris from the vicinity at the end of each trading day
- Prohibiting entry of persons carrying alcohol (sealed or unsealed), except for deliveries

9.6 **Applications for the provision of late night refreshment**

Applicants providing late-night refreshment should consider including:

- Suitable containers for storage and disposal of food waste and refuse, constructed and maintained to prevent access by pests or unauthorised persons
- Provision of adequate waste bins at or near exits to allow customers to dispose of food containers, wrappings and similar items

9.7 **Applications that include regulated entertainment after 23.00**

For premises providing regulated entertainment after 23:00, the following measures may be appropriate:

- Regular noise assessments undertaken by the licence holder or representative, with written records retained and produced following reasonable request by an authorised officer.
- Clear signage at exits requesting customers to leave quietly and respect neighbours
- Ensuring that no noise nuisance is caused by amplified sound or vibration
- Keeping external doors and windows closed during regulated entertainment (except for emergency escape)

9.8 **Mandatory conditions**

Mandatory conditions are nationally set and subject to change. They apply to all premises licences and club premises certificates. They currently relate to matters such as:

- Irresponsible drinks promotions
- Provision of free drinking water
- Age verification policies
- Small measures for alcoholic drinks
- Prohibition of below-cost alcohol sales

Applicants and licence holders must ensure that they are familiar with all applicable mandatory conditions.

9.9 **Conditions imposed at a hearing**

If, after receiving relevant representations, the Licensing Authority believes it appropriate to do so, it will consider attaching conditions to licences. However, only those which relate specifically to the representations received and are considered appropriate to promote the licensing objectives will be imposed. The authority will not impose disproportionate and over burdensome conditions where there is no need for them. Any conditions considered appropriate will be tailored to the individual style and characteristics of the premises or event.

9.10 In addition, licence conditions will not seek to replicate offences which are set out in the Licensing Act 2003. For example, a condition that states that a licence holder shall not permit drunkenness and disorderly behaviour or serve alcohol to under 18s is unnecessary as this is already a criminal offence under the Act

9.11 It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.

9.12 **Proportionality**

The Licensing Authority recognises that all applications should be considered on an individual basis and any condition attached to such a licence will be tailored to each individual premises, to avoid the imposition of disproportionate and other burdensome conditions on those premises. Standard conditions, other than mandatory conditions, will, therefore, be avoided and no condition will be imposed that cannot be shown to be necessary for promotion of the licensing objective.

10. **Variation applications**

There are two types of variation that can be applied for with regard to a premises licence or a club premises certificate where an applicant seeks to alter the hours of operation, licensable activities, conditions or the layout of a premises.

10.1 **Full variation**

The Licensing Authority requires variation applications to be made in accordance with the statutory requirements and any guidance issued from time to time by the Council. Applications must be accompanied

by the appropriate fee, advertised, and notified to the responsible authorities.

- 10.2 An application to vary an existing premises licence or club premises certificate should be made where the proposed variation is in respect of changes to the types of licensable activities that are to be undertaken and/or the hours that those activities are to take place, or where structural changes are made to the premises.
- 10.3 Where the proposed variation to a premises licence or club premises certificate is in respect of structural alterations, the application must always be accompanied by a plan of the proposed alterations in addition to the existing premises licence or club premises certificate.
- 10.4 Requirements relating to advertising an application or submitting a representation in relation to one are the same as those outlined in chapter 8 of this Policy Statement.

10.5 **Minor variation**

Variations that would not adversely impact the licensing objectives may be suitable for the minor variations process. This simplified procedure involves:

- No requirement to advertise the application in a newspaper
- No requirement to copy the application to Responsible Authorities
- Display of a white notice for 10 working days (distinguishing it from the blue notice required for full variations)

The Licensing Authority will consult relevant Responsible Authorities where appropriate and will consider their views when determining whether the proposed variation may undermine the licensing objectives. In straightforward cases, the Licensing Authority may determine the application without consultation.

- 10.6 The minor variation process may be used for changes such as:
- Minor changes to the structure or layout of a premises
 - Small adjustments to the licensing hours
 - Remove of out of date, irrelevant or unenforceable conditions
 - Addition of certain licensable activities and
 - Addition of volunteered conditions
- 10.7 Examples of where the minor variation process cannot be used include:

- Extend the period for which the licence or certificate has effect
- Specify, in a premises licence, an individual as the premises supervisor
- Add the sale by retail or supply of alcohol as an activity authorised by a licence or certificate
- Authorise the sale by retail or supply of alcohol at any time between 23:00 hours and 07:00 hours
- Authorise an increase in the amount of time on any day during which alcohol may be sold by retail or supplied
- Vary a licence for community premises to apply the condition that every supply of alcohol under that licence must be made or authorised by the management committee
- Substantially vary the premises to which the licence or club premises certificate relates
- Increase the capacity for drinking on the premises
- Affecting access between the public part of the premises and the rest of the premises or the street or public way, for instance, block emergency exits or routes to emergency exits
- Impeding the effective operation of a noise reduction measure such as an acoustic lobby.

10.8 The Licensing Authority will consider any relevant representations received within the time limit and take these into account in arriving at a decision.

10.9 If the Licensing Authority fails to determine the application within 15 working days, the application will be treated as being refused and the fee returned. However, in such cases the Licensing Authority and applicant may agree instead that the undetermined application should be treated as a new application and that the fee originally submitted may be treated as payment towards the new application fee.

10.10 Where an application is refused and is then re-submitted through the full variation process, the full 28 day notification period will apply from the date the new application is received, and applicants should advertise the application and copy it to all responsible authorities (in accordance with the regulations applicable to full variations).

Key message 05.

Applicants should contact the Licensing Authority at an early stage to determine if the proposed changes proposed in the minor variation application are appropriate and acceptable, or if they

warrant a full variation.

11. Temporary Event Notices (TENs)

11.1 The Licensing Act 2003 sets out the legal requirements relating to Temporary Event Notices (TENs). A TEN is a notification given by an individual to the Licensing Authority where it is proposed to use premises for one or more licensable activities for a period not exceeding **168 hours** (seven days). TENs are intended for relatively small-scale, ad hoc events involving **no more than 499 people** at any one time, including staff and performers.

11.2 A TEN is typically used to:

- Authorise a licensable activity at premises not currently licensed (e.g., selling alcohol at a community fete)
- Temporarily extend hours for licensable activities at an existing licensed premises for a specific event
- Permit licensable activities not authorised by an existing premises licence or club premises certificate

11.3 Limitations on TENs

Temporary Event Notices are subject to the following statutory limitations:

All premises users are encouraged to give the earliest possible notice of events to allow for their proper consideration. Larger events such as music festivals will be referred to the Wyre Safety Advisory Group. The Licensing Authority request that notification of a larger event is made at least 3 months in advance of it taking place.

11.4 Standard TENs

A standard TEN must be given no later than ten working days before the event to which it relates (this excludes the day of submission and event day).

Where the Police or Environmental Health object to the TEN, the premises user can agree to modify the TEN. If no agreement is reached, a licensing hearing will be arranged.

11.5 If the premises already has a premises licence or club premises certificate the Licensing Committee (or sub-committee of it) may decide to impose conditions from the existing licence on the TEN, or issue a counter notice to prevent the event going ahead.

11.6 Conditions can only be applied to a TEN in the following circumstances

- If the Police or EH have objected to the TEN
- If that objection has not been withdrawn
- There is a licence or certificate in relation to at least one part of the premises in respect of which the TEN is given and
- The Licensing Authority considers it appropriate for the promotion of the licensing objectives to impose one or more conditions.

If the TEN relates to unlicensed premises, the Licensing Committee (or sub-committee of it) must either endorse the TEN or serve a counter notice after hearing the case.

11.7 **Late TENs**

A 'late TEN' may be given up to five working days but no earlier than nine working days before the event is due to take place.

Where the Police or Environmental Health object to a late TEN there is no provision for a hearing and the authority must serve a counter notice to prevent the event going ahead.

Key message 06.

Temporary event notice givers are encouraged to submit their TEN at least 4 weeks before an event, where an existing premises licence is in operation.

TENs for larger events such as music festivals, or community events which include licensable activities, will be referred to the Wyre Safety Advisory Group and notification of these events should be made at least 3 months in advance to allow for proper engagement with all the regulatory bodies.

11.8 **Large-Scale Events and Wyre Safety Advisory Group (WYSAG)**

Larger or more complex events, or those likely to attract significant public attendance, will be referred to the Wyre Safety Advisory Group (WYSAG). WYSAG provides multi-agency advice to help event organisers discharge their responsibilities in relation to public safety, crowd management, emergency arrangements and other relevant matters. Event organisers are strongly encouraged to engage with WYSAG as early as possible and to provide appropriate event documentation, including:

- Event Management Plan

- Security and stewarding arrangements
- Medical/first-aid plan
- Traffic and transport arrangements
- Site plan and fire safety measures

Where licensable activities are proposed, this information may inform Responsible Authorities' assessment of the event and assist in identifying any necessary conditions or representations.

12. The Licensing Objectives

The Act sets out four licensing objectives which the Licensing Authority has a duty to promote when carrying out its licensing function, namely:

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

These are the only matters that can be considered when determining an application. Where no relevant representations are received, an application must be granted, subject only to mandatory conditions and conditions consistent with the operating schedule. Any conditions offered by the applicant will be attached to the licence.

Where relevant, applicants are expected to include appropriate and proportionate controls within their operating schedules. Examples of suitable controls are included within Section 9 of this Policy.

Key message 07.

If representations are made, appropriate licence conditions may be applied. These may be stricter if the application seeks to allow licensable activities after midnight, depending on the operating style of the premises. The location and nature of the premises will be taken in account, together with the applicant's proposals as to how they will promote the licensing objectives.

12.1 Prevention of crime and disorder

The extent to which conditions should be introduced to control the matters detailed below will be dependent on the individual style and characteristics of the premises, proposed events and activities. In general, more comprehensive measures should be in place at late

night venues or in premises with a history of issues relating to crime and disorder.

12.2 **Women's Safety, Vulnerability and Anti-Harassment**

The Licensing Authority expects all operators, particularly those trading after 22:00, to take proactive steps to safeguard women and other vulnerable people. Measures should include:

- Procedures to prevent harassment, unwanted attention, intimidation and predatory behaviour
- Procedures for identifying and supporting individuals who may be vulnerable due to intoxication, isolation or distress
- Training of staff (including door supervisors) in vulnerability awareness, bystander intervention and safe-exit procedures
- Promotion of recognised schemes such as Ask for Angela, safe spaces or similar initiatives
- Clear and comprehensive reporting processes and for logging of incidents of harassment, spiking or vulnerability and take timely action
- Provide access to free drinking water and ensure staff can contact emergency services promptly

12.3 **Drink Spiking and Customer Welfare**

The Licensing Authority expects all premises, particularly those operating after 22:00, to take proactive and proportionate steps to prevent drink spiking and to safeguard the welfare of customers. Applicants and licence holders should demonstrate how they will:

- Train staff to recognise the signs of spiking, vulnerability and distress
- Maintain clear procedures for responding to suspected spiking incidents, including welfare support and prompt contact with emergency services
- Record incidents of suspected spiking or needle-injection in an incident log and communicate with the Police as appropriate
- Provide access to free drinking water and a safe waiting area for customers requiring assistance
- Ensure CCTV coverage, staff monitoring and glass/ container management support spiking prevention
- Promote awareness of safer-socialising initiatives where appropriate

Key message 08.

Premises operating in the evening and night-time economy should implement clear measures to prevent spiking and safeguard vulnerable patrons, including appropriate staff training, incident reporting and welfare procedures.

12.4 **Underage drinking**

The consumption of alcohol by persons under the age of 18 is recognised as a significant source of potential crime and disorder, as well as a serious risk to the health and wellbeing of young people. Children and young people may obtain alcohol from both on-licensed and off-licensed premises, and therefore all licence holders carry equal responsibility to prevent such sales.

Operating schedules should include specific, practical measures to ensure that the law and good practice relating to age-restricted sales are fully adhered to. This includes ensuring that all staff receive sufficient training and supervision so that no alcohol is served to anyone who is underage.

Attention must be given to:

- Training of new staff so they fully understand their legal responsibilities from the outset
- Regular refresher training to ensure all staff remain up-to-date with legislation and good practice
- Clear written procedures for verifying age and refusing sales
- Robust record-keeping, including refusals logs and training records

The Licensing Authority believes these steps are essential in promoting the licensing objectives and preventing harm to children.

Key message 09.

All premises licensed to sell alcohol are expected to have a policy in place and implement the Challenge 25 standard.

12.5 **Delivery Services and Remote / Online Sales**

Where premises propose to offer delivery services, online alcohol sales or remote ordering, the Licensing Authority expects applicants and licence holders to demonstrate robust and verifiable arrangements to promote the prevention of crime and disorder. Delivery-based alcohol supply can increase risks of underage sales, proxy purchasing, sales to intoxicated persons and poor age-verification at the point of delivery.

Applicants and licence holders should demonstrate how they will:

- Verify age at both point of order and point of delivery
- Ensure that delivery staff understand and comply with challenge policies
- Refuse delivery where the recipient appears intoxicated or under 18 years of age
- Maintain a refusals and delivery incident log
- Ensure third-party delivery contractors operate under the same conditions and standards as the premises licence
- Prevent alcohol being left unattended or delivered to unsecured locations
- Provide clear instructions to delivery staff regarding safe and responsible handing-over of alcohol

12.6 Drugs

The Licensing Authority recognises that drug use is not something that is relevant to all licensed premises. However, applicants should offer appropriate conditions as part of the application to assist in the prevention of drug use in their premises.

Key message 10.

The Licensing Authority expects all licensees to operate a zero tolerance policy in relation to illegal drugs or legal highs.

Management of premises have a duty to inform and co-operate with the Lancashire Police and take all reasonable steps to prevent the entry, use and exchange of illegal drugs on licensed premises. This should include regular checks of toilet areas, recording of incidents and suitable means to store, dispose of or transfer confiscated and found drugs to the police.

Prominent notices stating that the management has adopted a zero tolerance policy towards drugs should be displayed in appropriate areas, including toilet areas.

12.7 Door Supervisors

Where appropriate for the style, location or hours of premises, licensed door supervisors may be required.

Key message 11.

An adequate number of licensed door supervisors must be on duty where appropriate, based on a risk assessment.

12.8 CCTV

CCTV can be an important means of deterring and detecting crime at, and immediately outside licensed premises. Applicants are encouraged to consider the installation of CCTV at licensed premises to assist with the protection of staff and the promotion of the licensing objectives.

Key message 12.

Applicants should clearly specify the CCTV systems and supervision arrangements they will use to promote the licensing objectives.

CCTV systems should always be fully operational when the premises is open and retain recorded footage for at least 30 days. Operators are advised to ensure that a staff member trained in CCTV system operation and footage retrieval is on the premises whenever the business is open.

12.9 Glasses and bottles

Glass-related injuries, whether accidental or deliberate, can cause life-changing harm or even death. The Licensing Authority therefore strongly encourages the use of toughened glassware or polycarbonate alternatives in licensed premises, particularly where risk assessments identify an elevated risk.

Operators must ensure that glasses and bottles are collected frequently so that empty containers do not accumulate in or around the premises. This reduces the risk of injury, misuse, and disorder. Staff must also prevent the removal of bottles or glasses—whether sealed or unsealed—from the curtilage of the premises, to reduce the likelihood of them being used as weapons or contributing to nuisance.

Licensees should remain alert to the possibility of breakages in outside areas. Where external drinking areas are provided, operators should consider the use of polycarbonate or plastic drinking vessels, supported by appropriate management controls, to minimise the risk of broken glass. This is particularly important in gardens or spaces where children may be present.

In addition, for events such as televised sporting fixtures, busy periods, or functions that increase the risk of disorder, the Licensing Authority recommends that operators adopt polycarbonate drinking vessels to

promote public safety and reduce the potential for glass-related incidents.

Key message 13.

Toughened glassware should be used where possible and replaced as standard stock is phased out.

12.10 Open Containers

Alcoholic drinks may only be removed from the premises where the premises licence or club premises certificate expressly authorises off-sales and all associated conditions are complied with. Where a condition requires off-sales to be in sealed containers, alcohol must not be taken from the premises in an unsealed vessel.

No bottles or glasses (whether sealed or unsealed) may be taken from premises that are authorised for on-sales only.

Key message 14.

Where off sales are permitted, applicants should consider including the following condition with their operating schedule: “No drink shall be removed from the licensed premises in an unsealed container.”

12.11 Employment of illegal workers

Employers, managers and premises licence holders must ensure full compliance with UK immigration and employment legislation. All individuals employed at licensed premises must have the legal right to work in the United Kingdom. Operators must have robust procedures in place to verify identity documents at the commencement of employment and to conduct periodic follow-up checks where employees have time-limited permission to work.

Where illegal working is identified at licensed premises, Lancashire Constabulary or Home Office Immigration Enforcement are likely to apply for a review of the premises licence on the basis that the licensing objective of ‘prevention of crime and disorder’ is being undermined. The Licensing Authority will treat such matters with the utmost seriousness.

[Revised guidance issued under section 182 of the Licensing Act 2003](#) identifies the employment of illegal workers is a form of criminal activity that should be regarded particularly seriously. Paragraph 11.27 of the guidance confirms that such criminal activity is of significant

concern, while paragraph 11.28 states that where premises are being used to further crime, revocation of the premises licence should be seriously considered, even in the first instance. The Licensing Authority's duty is to act in the interests of the wider community and to take steps necessary to promote the licensing objectives.

Operators are strongly advised to consult Home Office guidance on right-to-work checks and to contact the Home Office where there is any doubt regarding an individual's employment status.

Key message 15.

All staff employed at licensed premises must have the legal right to work in the UK, and operators must ensure appropriate identity checks are carried out. Where illegal workers are identified, the Licensing Authority will strongly consider revocation of the premises licence as a first-instance option.

12.12 Public safety

Licence holders must be able to demonstrate that they have taken appropriate steps to ensure the safety of customers and staff.

Protective Security and Martyn's Law Readiness

The Licensing Authority expects applicants and licence holders to take reasonable and proportionate steps to ensure the safety of the public in and around their premises. In anticipation of the forthcoming Terrorism (Protection of Premises) Bill ("Martyn's Law"), premises—particularly those operating within the evening and night-time economy or hosting larger events—should be able to demonstrate basic protective security awareness and clear emergency procedures appropriate to their size, capacity and activities. This may include:

- Staff training on emergency response
- Venue-specific procedures for evacuation or shelter
- Effective communication arrangements

Larger or more complex events referred to the Wyre Safety Advisory Group (WYSAG) will be expected to provide event documentation that reflects emerging national requirements.

12.13 Prevention of public nuisance

Licensed premises have a significant potential to impact adversely on communities through public nuisances, which can arise from their operation. The Licensing Authority recognises the need to prevent public nuisance to residents, visitors and other businesses, whilst

balancing the rights of licensed premises to develop their business potential.

In considering what constitutes a public nuisance the Licensing Authority will make a judgement as to whether the effect of the licensable activities on those living or working in the surrounding area is unreasonable. It is accepted that such disturbance could affect small numbers of people and does not need to cause a major disturbance to the whole community.

12.14 **Disturbance by patrons leaving the premises**

The Licensing Authority recognises that public nuisance can arise not only from activities within a premises, but also from the behaviour of customers in the vicinity when leaving. Current statutory guidance emphasises that while operators cannot control behaviour once patrons are beyond their management, they must take all reasonable steps to minimise the risk of nuisance and disorder in the immediate surroundings.

Operators should ensure that:

- Staff and door supervisors actively encourage orderly and quiet dispersal, particularly after 23:00.
- Dispersal procedures include monitoring outside areas, providing clear exit signage and, where appropriate, working with local transport providers.
- Noise from groups gathering outside, smoking or waiting for transport is minimised through practical controls.

Residents can be particularly impacted by late night venues and so those responsible for the day-to-day running of the premises should thoroughly commit to procedures and staff training aimed at minimising nuisance and disorder in the locality.

Where a review is brought due to late-night disturbance or a persistent failure to manage customer dispersal, the Licensing Authority will consider reducing licensable hours to promote the 'prevention of public nuisance' objective — particularly if informal interventions have already proven ineffective.

Key message 16.

Premises should implement clear and proactive dispersal measures, including signage and staff / door supervisor

intervention where appropriate, to minimise disturbance to nearby residents.

12.15 **Takeaways**

Late-night refreshment venues can generate public nuisance through noise, disorder, queues, littering and congregation of intoxicated patrons. The Licensing Authority recognises that current guidance stresses the importance of well-managed external areas and robust controls at times of peak footfall.

Operators should:

- Maintain written policies addressing disorder, queue management and litter.
- Consider trained door supervisors during peak demand where risk assessments indicate.
- Provide and service waste bins outside the premises.
- Ensure staff are trained to manage challenging behaviour linked to intoxicated customers.

Although a personal licence is not required for late-night refreshment, the Licensing Authority strongly encourages enhanced staff training equivalent to alcohol-licensed premises.

12.16 **Noise Nuisance**

Noise from regulated or non-regulated activities—amplified music, customer noise, waste collections, plant equipment, or use of external areas—can amount to public nuisance.

The Licensing Authority expects operators to adopt effective noise-management measures, such as:

- Controlling amplified sound at levels appropriate to the time and locality.
- Keeping doors and windows closed during entertainment (except for emergency escape).
- Locating smoking areas away from noise-sensitive façades.
- Carrying out periodic noise checks with written logs where appropriate.

The most sensitive period for noise impact remains late evening to early morning, particularly after 23:00

Key message 17.

Outdoor areas should be actively monitored throughout the evening — especially after 23:00 — with staff or door supervisors managing capacity, behaviour and noise levels.

12.17 **Outside areas / Beer gardens**

It is important to note that the consumption of alcohol is not itself a licensable activity. However, the consumption of alcohol in areas which are not included in the licence plan (e.g. beer gardens or similar) in any premises licensed for the sale of alcohol 'for consumption ON the premises' only would be unlawful.

It should also be noted that any use of outside areas can cause nuisance to neighbours and operators must make sure that staff regularly check that patrons using any outside area are not causing a nuisance. Staff should be tasked with ensuring that glasses and bottles are collected regularly and not permitted to build up.

Should nuisance issues in an outside area of a premises lead to a review of the licence, members may consider it appropriate to restrict the hours of use of this area.

Key message 18.

Where outside areas are included within the licence boundary, applicants should consider a condition restricting use for alcohol consumption after 22:00, unless they can demonstrate that later use will not cause nuisance.

12.18 **Litter**

The Licensing Authority recognises that litter generated by the operation of licensed premises—including takeaway packaging and smoking-related debris—can contribute to a cumulative negative impact on the local area (including environment) and constitute a public nuisance.

To promote the licensing objectives, the Licensing Authority expects premises licence holders to:

- Regularly monitor and clear all litter and sweepings from the immediate vicinity of the premises
- Ensure the area is cleared of all customer-generated waste at frequent intervals during trading hours and perform a final comprehensive clearance immediately following the close of business.

- Where appropriate, provide suitable and sufficient waste bins (including for recycling) or smoking-related litter bins for customer use outside the premises.
- Maintain a log of all cleaning and monitoring activities at the premises, to be made available for inspection by authorised officers upon request.

Key message 19.

Any area used for smoking by patrons must be supervised and cigarette debris cleared away on a regular basis, including at the end of the trading period.

Key message 20.

Operators of takeaway premises (including mobile units) must have suitable arrangements in place for the containment and disposal of their waste in accordance with the Environmental Protection Act 1990 and subsidiary regulations. Operators of premises where food or drink is provided in disposable containers for consumption elsewhere than on the premises are expected to consider the potential for litter near their premises and take steps to actively reduce the amount of litter generated from their premises. Applicants are also asked to consider the type of packaging container, whether it is always necessary and whether it can be sourced from sustainable materials.

12.19 Protection of children from harm

The Licensing Authority remains committed to protecting children from harm, including exposure to alcohol, disorder, drugs and adult content. Updated national guidance highlights the need for heightened awareness of safeguarding risks including County Lines, exploitation, and vulnerable adolescents.

Operators must ensure:

- Staff receive safeguarding awareness training
- Layout, supervision, and staff deployment reduce the likelihood of harm
- Gaming machines, alcohol, and entertainment are appropriately controlled

12.20 Proof of Age Schemes

It is mandatory for premises which sell or supply alcohol to have an age verification policy in place. The Licensing Authority favours the 'Challenge 25' scheme and such a scheme volunteered as part of an operating schedule will be given the appropriate weight in determining the licence application.

12.21 Sexual exploitation and safeguarding of children

The Licensing Authority is committed to ensuring that children and young people are not exposed to harm in or around licensed premises, including risks of sexual exploitation, county lines activity, grooming and other forms of abuse. Operators must take proactive, reasonable and proportionate steps to identify, prevent and report safeguarding concerns, consistent with the statutory licensing objectives and current Home Office guidance.

12.22 Premises licence holders, designated premises supervisors (DPS), managers and event organisers must be able to demonstrate robust safeguarding arrangements that are proportionate to the style, location and hours of operation of their premises or event. These arrangements should be clearly set out in the operating schedule, staff training materials and house policies and reflected in day-to-day practice.

12.23 Expected minimum safeguarding measures

(a) Staff training and awareness –

- All customer-facing staff and door supervisors must receive induction and regular refresher training (at least annually) on: recognising indicators of sexual exploitation and grooming; county lines risks; vulnerability awareness; bystander intervention; and how and when to contact the police or safeguarding partners
- Training records must be maintained and made available to authorised officers upon request

(b) Incident identification and reporting -

- Premises must have clear internal procedures that allow staff to escalate safeguarding concerns immediately to management or the DPS
- A secure incident log must record dates, times, details of concerns, and actions taken
- CCTV footage should be preserved promptly where relevant to safeguarding incidents

(c) Managing vulnerable individuals -

- Staff must be trained to identify and respond to children and young adults who appear vulnerable due to intoxication, coercion, isolation, distress or other recognised safeguarding triggers
- Measures should include welfare checks, access to a safe waiting area and appropriate handover arrangements to trusted adults or emergency services

(d) Admission and supervision controls -

- Premises must operate an effective Challenge 25 policy and ensure appropriate supervision for under-18s at youth-focused events
- Controls must be in place to prevent children from accessing adult or sexual content
- Layout, lighting and staff deployment should minimise secluded areas and maximise passive surveillance

(e) Partnership working

- Operators should cooperate with police, safeguarding partners and the Licensing Authority, sharing relevant information where appropriate
- Participation in recognised vulnerability-awareness schemes (e.g., Ask for Angela) is encouraged where proportionate to the premises type

12.24 Spiking and predatory behaviour

Revised guidance issued under section 182 of the Licensing Act 2003 explicitly highlights the risk of spiking and indicates that Licensing Authorities may consider additional safeguarding conditions were justified and proportionate. Premises must maintain procedures and staff training to prevent, detect and respond to suspected spiking, including welfare support, timely contact with emergency services and accurate incident recording. (See also sections 12.2 and 12.3.)

12.25 Where relevant representations are received, the Licensing Authority may consider attaching proportionate safeguarding conditions, such as:

- A documented safeguarding policy covering vulnerability management, reporting arrangements and cooperation with police and safeguarding partners
- Mandatory annual safeguarding training (including exploitation and county lines awareness) for all customer-facing staff and door supervisors, with training records retained for a minimum of 12 months.

- Maintenance of an incident and refusals log, including concerns relating to exploitation, grooming, spiking or harassment, reviewed regularly by the DPS and made available upon request.
- Adequate CCTV coverage of key internal and external areas, with suitable retention periods and the ability to retrieve footage promptly.
- Participation in a recognised vulnerability-awareness initiative (e.g., Ask for Angela) and display of information for customers on how to request help

12.26 Failure to implement reasonable safeguarding measures may undermine the licensing objectives. Where evidence indicates risk or harm to children, the Licensing Authority will consider all available tools — including additional conditions, reduction of hours, removal of licensable activities, removal of the DPS, suspension or revocation — taking into account proportionality and the merits of each case. Economic-growth considerations introduced in the 2025 statutory guidance update do not override safeguarding duties and will be balanced appropriately against the objective of protecting children from harm.

12.27 **Modern Slavery, Exploitation and Safeguarding Risks**

The Licensing Authority is committed to ensuring that licensed premises are not used to facilitate modern slavery, human trafficking, forced labour or any form of exploitation. Operators must take proactive, reasonable and proportionate steps to prevent, identify and report concerns related to worker exploitation or illegal working. Steps must be consistent with the crime prevention objective and national safeguarding duties.

12.28 Premises licence holders, designated premises supervisors (DPS) and managers must demonstrate that they have robust recruitment, employment and oversight arrangements in place. Arrangements must be proportionate to the size and nature of the business but sufficiently rigorous to prevent exploitation and illegal working. Responsibilities should typically include the following measures:

- ensuring compliance with right-to-work legislation
- maintaining appropriate employment documentation
- monitoring working conditions and welfare
- developing a culture where staff feel safe to raise concerns

12.29 **Measures expected of licence holders**

(a) Right-to-work and recruitment checks –

- Operators must ensure that all staff have the legal right to work in the UK and that checks are carried out in line with Home Office requirements
- Copies of identity and right-to-work documentation should be securely retained and available for inspection by authorised officers
- Care should be taken when using agency or third-party labour suppliers; operators should ensure such suppliers meet legal employment standards

(b) Prevention of exploitation and trafficking –

- Employers must be alert to indicators of exploitation, including staff who appear fearful, controlled, threatened, indebted, excessively supervised, or living on-site in unsuitable conditions
- Staff should never be required to surrender passports or identity documents as a condition of employment
- Operators must ensure staff have access to rest breaks, are paid appropriately, and work under safe and lawful conditions

(c) Awareness and reporting –

- Operators should ensure that supervisors and managers are trained to recognise signs of modern slavery and exploitation
- Any suspicion of exploitation or trafficking must be reported immediately to the Police, Licensing Authority or other appropriate agencies
- A confidential method should be available for staff to raise concerns safely within the premises

12.30 Operators must ensure that any contractors engaged to provide security, delivery, cleaning or comparable services are able to demonstrate full compliance with right-to-work and lawful employment requirements. Where applicable they must also ensure that SIA (Security Industry Authority) licensed security personnel are deployed in accordance with regulatory standards, and that no contracted workers are subjected to coercion, excessive control or any form of exploitation.

12.31 Where evidence indicates that a premises is linked to worker exploitation, trafficking or illegal working, the Licensing Authority will treat the matter with the utmost seriousness and may impose tailored conditions, remove the DPS, suspend the premises licence or, where proportionate, revoke it entirely. Illegal working and modern slavery are regarded by the Police and Home Office as forms of criminal activity that directly undermine the licensing objectives, and the

Licensing Authority will take decisive action where operators fail to prevent or address such risks.

Key message 21.

Licensed operators must take all reasonable steps to prevent modern slavery, trafficking, exploitation and illegal working within their premises, and failure to do so will be regarded as a serious breach of the licensing objectives that may result in suspension or revocation of the licence.

13. Regulated entertainment

13.1 In determining what constitutes regulated entertainment, the Licensing Authority has regard to the Licensing Act 2003 and the Revised Guidance issued under section 182 of the Act. Regulated entertainment includes, but is not limited to, the performance of a play, the exhibition of a film, indoor sporting events, boxing or wrestling entertainment, live or recorded music, and dance, where the activity is provided at least in part to entertain an audience and takes place on premises made available for that purpose. Such activities are licensable when an audience is present or, if held in private, where a charge is made with a view to profit.

13.2 Several activities do not amount to regulated entertainment and therefore do not require authorisation. These include: acts of worship or activities in places of public religious worship

- educational instruction such as the teaching of music or dance
- product demonstrations
- rehearsals where no charge is made with a view to profit
- Morris dancing and similar traditional activities
- incidental music and incidental film
- spontaneous performances
- garden fetes or similar events not held for private gain

In addition, entertainment facilities themselves are no longer licensable under the Act.

13.3 Deregulatory changes mean that certain entertainment activities no longer require a licence when provided within set limits. Plays and dance performances between 08:00 and 23:00 with audiences up to 500, and indoor sporting events within the same hours with audiences up to 1,000, fall outside the licensing regime. Live music between 08:00 and 23:00 is also generally deregulated: unamplified

music in any premises, and amplified music on alcohol-licensed premises or in workplaces where the audience does not exceed 500. These provisions relate only to entertainment; alcohol sales and late-night refreshment continue to require authorisation.

- 13.4 The exhibition of film remains licensable unless incidental to another activity. Where film exhibition is authorised, operators must comply with age-classification requirements as set by the British Board of Film Classification (BBFC) or the Licensing Authority acting in its capacity as the local film-classification body. Live or recorded music that is ordinarily deregulated may still be subject to review where concerns arise relating to disorder, public nuisance or public safety, and conditions may be reapplied or modified to promote the licensing objectives.
- 13.5 Outdoor events and non-commercial community activities may fall within exemptions where they are not undertaken for private gain. Nevertheless, organisers remain responsible for ensuring that noise, disturbance, crowd management and dispersal are appropriately managed. Entertainment that falls outside deregulation thresholds or that includes the sale of alcohol may require authorisation via a Temporary Event Notice, for which organisers are encouraged to engage with Responsible Authorities at the earliest stage.
- 13.6 Although the Licensing Act provides broad deregulation of entertainment within defined limits, operators must ensure that noise and customer behaviour are managed effectively, particularly after 23:00, to prevent public nuisance. Where evidence demonstrates that entertainment activities are undermining the licensing objectives, the Licensing Authority may consider proportionate action, including amendments to conditions or hours, to protect residents and the wider community.
- 13.7 A table containing regulated entertainment exemptions can be found at **Appendix 3**.

14. Personal licences

- 14.1 A personal licence authorises an individual to supply, or authorise the supply of, alcohol in accordance with a premises licence. The Licensing Authority recognises that personal licences promote professional and accountable alcohol management but notes that a licence holder does not need to always be present on the premises.

14.2 The Licensing Authority must grant a personal licence where the applicant meets all statutory requirements:

- The applicant is 18 years or over
- The applicant is permitted to work in the UK
- The applicant possesses an accredited licensing qualification
- The applicant has not had a licence forfeited in the last five years
- The applicant has not been convicted of a relevant offence, a foreign offence or has been required to pay an Immigration Penalty after 6th April 2017.

Applicants must provide documentary evidence of their right to work. Acceptable documents include:

- UK or EEA passport
- Biometric Residence Permit
- Home Office confirmation of immigration status

Where an applicant's permission to work in the UK expires, the personal licence will automatically lapse.

14.3 Applications must be made on the prescribed form and accompanied by:

- The statutory fee
- Evidence of the accredited licensing qualification
- A Disclosure and Barring Service (DBS) certificate dated within one month of application
- Two passport-style photographs
- Proof of right to work in the UK

Applicants must declare any relevant or foreign offences. Failure to provide accurate information may result in refusal or subsequent revocation.

14.4 Where an applicant declares a relevant offence or immigration penalty, the Licensing Authority must notify the Police or Home Office (Immigration Enforcement). If an objection is received, the application will be determined at a hearing. The Licensing Committee will consider:

- The seriousness and relevance of the offence
- The time elapsed since the offence
- Any mitigating circumstances

Refusal will normally be appropriate unless exceptional and compelling circumstances demonstrate that granting the licence would not undermine the crime prevention objective.

- 14.5 Personal licences do not expire but may be revoked or suspended following conviction for a relevant offence or immigration penalty. Where a licence is forfeited, reapplication is permitted after five years.
- 14.6 Although authorisation to sell alcohol may be delegated to non-personal licence holders, the individual holding the personal licence—particularly where named as the Designated Premises Supervisor—remains responsible for ensuring lawful and responsible alcohol sales. Operators are strongly encouraged to have at least one personal licence holder available on the premises during trading hours or otherwise contactable in case of emergency.
- 14.7 The Licensing Authority strongly encourages personal licence holders to undertake regular refresher training and maintain up-to-date knowledge of licensing law and best practice. This supports the promotion of the licensing objectives and reduces the risk of enforcement action.

Key message 22.

Applicants must ensure that criminal record disclosures and right-to-work documentation are current and accurate. Licence holders remain accountable for all alcohol sales made under their authority.

15. Designated Premises Supervisor (DPS)

15.1 Role of the DPS

Every premises licence that authorises the sale of alcohol must specify a Designated Premises Supervisor (DPS). The DPS should normally be the person with day-to-day responsibility for the premises. While the DPS does not need to always be present, they must:

- Maintain effective management control of the premises
- Be contactable and able to attend promptly in an emergency
- Ensure compliance with the Licensing Act 2003 and all licence conditions

Where the DPS is unavailable, a nominated point of contact must hold details of how to reach them.

- 15.2 The DPS remains legally responsible for all alcohol sales made under the premises licence, including those delegated to other staff. Written authorisations should be provided to staff permitted to sell alcohol, and these staff must receive adequate training to ensure the licensing objectives are upheld.

The Licensing Authority strongly encourages DPSs to undertake regular refresher training and maintain up-to-date knowledge of licensing law and best practice. This supports effective management and reduces the risk of enforcement action.

- 15.3 A DPS may supervise more than one premises, provided they can demonstrate effective oversight and compliance at each location. The Licensing Authority will consider geographic proximity and operational arrangements when assessing suitability.
- 15.4 A review of an existing premises licence is likely where issues arise on a licensed premises and the DPS is subsequently found to not have day to day control of it. If a review application is made, the Licensing Committee (or a sub-committee of it) may remove the DPS from the licence and / or add conditions to the licence to address the management failings. In serious cases the licence may be suspended or revoked.
- 15.5 There is no requirement for a DPS on a Club Premises Certificate or where an application has been granted to disapply the DPS requirement for a community premises.

Key message 23.

A DPS supervising multiple premises must ensure that each operates in full compliance with the Licensing Act 2003 and licence conditions. The Licensing Authority expects clear evidence of effective management and accountability.

16. Cumulative Impact Policy

16.1 Need for licensed premises

There can be confusion about the difference between “need” and the “cumulative impact” of premises on the licensing objectives. “Need” concerns the commercial demand for another pub or restaurant or hotel. This is not a matter for a Licensing Authority in discharging its licensing functions or for its Statement of Licensing Policy.

Cumulative Impact of a concentration of licensed premises

“Cumulative Impact” means the potential impact upon the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for a Licensing Authority to consider in developing its Statement of Licensing Policy.

- 16.2 The Licensing Authority acknowledges that a concentration of licensed premises in a particular area can result in an increased number of people walking through or congregating in streets during the night, with the potential to increase crime, anti-social behaviour, noise pollution, littering and other disturbance to residents / local environment. In such cases the amenity of residents can be placed under severe pressure. The Licensing Authority also recognises that the impacts may occur even where individual premises operate responsibly.
- 16.3 A licensing authority may adopt a Cumulative Impact Policy (CIP) for an area in which issues are being experienced by residents, visitors or agencies, due to the number of licensed premises in that area. Evidence must be obtained as to the nature and location of the issues occurring and a thorough consultation must take place, before a licensing authority can decide whether such a policy is appropriate.
- 16.4 In areas where a CIP applies, applications for new licences or variations to existing premises licences will be subject to more stringent review by the relevant authorities. This typically means that the applicant will need to show why the grant of the application will not add to the existing problems within that locality. Very often, when a CIP is adopted, there is a rebuttable presumption that applications for new licences or variations that add to cumulative impact will normally be refused, unless the applicant can demonstrate that their proposal will not exacerbate existing problems. However, Revised guidance issued under section 182 of the Licensing Act 2003 makes clear that a CIP does not mean that no licence will ever be granted in that area. Therefore, operators should not be discouraged from making their application if it is a strong, well thought out proposal.
- 16.5 The Licensing Authority acknowledges that each application must be determined on its own merits having regard to the four Licensing Objectives. Thus, where no relevant representations are received, the application must be granted in line with the statutory framework. However, the Licensing Authority also acknowledges that where relevant representations are received, it will determine the application

on its merits, having regard to any CIP in place, and the rebuttable presumption will be applied where appropriate.

16.6 At the time of preparing this statement there is no CIP in place within Wyre. However, residents and councillors have highlighted three areas of concern. The Licensing Authority acknowledges the concerns and will consider the potential impact of applications in these areas on the licensing objectives, where relevant representations are received.

- The first area, Poulton-le-Fylde town centre, has an established, large concentration of mainly on-licensed premises (pubs, restaurants, bars and late night venues. Whilst these in isolation may not be problematic, large numbers of patrons visiting the area do impact on resources (taxis, public transport, police, street cleaning, and food outlets). Therefore, if an applicant wishes to add to the number of patrons in the area (increase existing premises size or add new premises), or extend their existing opening times, provision should be considered and implemented as to how they can minimise the impact on the area from a proposal.
- The second area, Cleveleys town centre, has a growing number of on-licensed premises (pubs, bars and late night venues). The Licensing Authority is monitoring developments in this area and recognises that increasing numbers of patrons visiting the area have the potential to impact on resources outlined in the previous paragraph. Where an applicant wishes to add to the number of patrons in the area (increase existing premises size or add new premises), or extend their existing opening times, provision should be considered and implemented as to how they can minimise the impact on the area from a proposal.
- The third area of concern is Fleetwood Town Centre, which already has many outlets which provide alcohol for consumption at home. The surrounding area has a high level of social and health problems which have been linked to alcohol misuse. Any operators proposing to add to the number of outlets or increase the availability of alcohol must consider the wider impact on the community and how they may limit any adverse effects of any further off-provision.

Applicants seeking new licences or variations in these areas should provide robust operating schedules and measures to mitigate potential cumulative impact.

16.7 The Licensing Authority will continue to monitor these areas and may introduce a CIP if evidence supports it. Any adoption will follow statutory consultation and be published promptly.

Key message 24.

Operators wishing to submit new premises applications or vary existing ones in Poulton le Fylde / Cleveleys town centres should ensure that their application is robust in its promotion of the licensing objectives and contains appropriate measures aimed at significantly reducing the risk of the premises contributing to disorder or nuisance in this area.

Key message 25.

Operators who wish to submit a new premises licence that provides for off sales of alcohol in Fleetwood town centre should ensure that the application is robust in its promotion of the licensing objectives and contains appropriate measures aimed at significantly reducing the risk of the premises contributing to disorder or nuisance in this area.

17. Enforcement

17.1 General Enforcement

The Licensing Authority is committed to promoting the four licensing objectives through proportionate, transparent, and consistent enforcement. Enforcement will be carried out in accordance with the Regulators' Code, the Licensing Act 2003, Revised guidance issued under section 182 of the Licensing Act 2003 and the Wyre Council Enforcement policy.

The Authority recognises that most licence holders seek to comply with the law. Enforcement will therefore follow a graduated approach, starting with advice and support, and escalating only where necessary.

- 17.2 The Licensing Authority works in partnership with all the Responsible Authorities under the Act on enforcement issues. Partnership working provides the opportunity to focus resources on high-risk premises and activities that require greater attention, while providing a lighter touch in respect of lower-risk premises that are operated well.

Enforcement 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
- Accountable, so that the Licensing Authority and its officers take responsibility for their actions

17.3 The Licensing Authority will undertake:

- Risk-based inspections of licensed premises
- Routine compliance checks in partnership with Responsible Authorities
- Multi-agency operations targeting underage sales, vulnerability, and crime
- Test purchase exercises in collaboration with Trading Standards and Police

17.4 Where issues arise, the Licensing Authority will normally apply the following graduated steps:

- Informal advice and guidance
- Written warning
- Action plan and monitoring
- Licence review application
- Suspension or revocation of licence
- Prosecution or closure powers in serious cases

Immediate enforcement action may be taken where there is evidence of serious crime, disorder, or risk to public safety.

17.5 **Complaints**

Complainants are encouraged to raise concerns directly with the licence holder where possible. Where this is not practical, complaints should be directed to the most appropriate body (e.g., Police for crime-related issues). Noise complaints will usually be investigated by Environmental Protection, while unlicensed activities and breaches of licence conditions will be investigated by the Licensing Team.

17.6 **Anonymous complaints**

Whilst anonymous complaints will not be ignored, the Licensing Authority recognises that they pose substantial procedural challenges to conducting an effective investigation. Where an anonymous complaint is received the Licensing Authority may be unable to verify the information provided to the standard required to initiate formal investigative or enforcement action.

18. Reviews

- 18.1 Where a premises licence or club premises certificate has effect, a Responsible Authority or any other person may apply to the Licensing Authority for a review of that licence. Nothing in this Policy restricts the statutory right to apply for a review or to make relevant representations in accordance with the Licensing Act 2003.
- 18.2 Applications or representations deemed repetitive, frivolous, or vexatious will not be considered by the Licensing Authority. There is no statutory right of appeal against such a decision, other than through Judicial Review.
- 18.3 The Licensing Authority will not normally accept more than one review application from a person other than a Responsible Authority within any 12-month period on substantially similar grounds, unless exceptional and compelling circumstances exist or the review arises from a closure order.
- 18.4 Applicants considering a review application are advised to contact the Licensing Service at the earliest opportunity. This enables officers to assess the issues and, where appropriate, facilitate discussions between relevant parties to explore alternative solutions or clarify the review process.
- 18.5 Any application for review must clearly and concisely set out the grounds for concern and demonstrate how those concerns relate to the failure to uphold one or more of the licensing objectives. The Licensing Authority expects applicants to provide sufficient and relevant evidence specific to the premises under review. This may include a detailed diary of events and statements from potential witnesses. For reviews concerning noise complaints, applicants are strongly encouraged to liaise with the Council's Environmental Protection Service, which may be able to assist and support the review process.
- 18.6 The Licensing Authority will view particularly seriously applications for the review of any premises licence where it involves the use of licensed premises:
 - For the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971
 - 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 the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people
- 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 employing a person who is disqualified from that work by reason of their immigration status in the UK Not operating the premises according to the agreed operating schedule
- For unlawful gambling
- For the sale or storage of smuggled tobacco and alcohol

18.7 Where concerns are identified at licensed premises, authorised persons and responsible authorities will seek to provide early warning and outline the required improvements. Licence holders are expected to engage constructively and work in partnership with responsible authorities to promote the licensing objectives and avoid the need for a formal review.

18.8 **Reviews in connection with underage sales**

The Licensing Authority is particularly concerned about the availability of alcohol to persons under the age of 18 and the associated risks to health, safety, and community well-being. Underage drinking contributes to anti-social behaviour and other harms. To mitigate these risks, licence holders are expected to implement robust preventative measures, including comprehensive staff training on age-restricted sales and regular refresher training to ensure ongoing compliance.

18.9 Applications for review arising from persistent underage sales will be regarded as a matter of significant concern. In accordance with statutory guidance, persistent sales are deemed to occur where two or more sales of alcohol to children take place at the same premises within a three-month period. Such cases may warrant robust enforcement action, including suspension or revocation of the licence.

18.10 **Reviews in connection with crime**

Where reviews are brought in connection with crime not directly related to licensable activities, the Licensing Authority's role is not to determine guilt or innocence. In accordance with the Secretary of State's guidance issued under section 182 of the Licensing Act 2003, the Authority's responsibility is to ensure that the crime prevention objective is promoted. Where a review follows a conviction, the Licensing Authority will not revisit the findings of the court; the conviction will be treated as undisputed evidence. The Licensing Authority's duty is to take steps that promote the licensing objectives in the interests of the wider community, rather than those of the individual premises licence holder.

18.11 Review applications will be determined by the Licensing Committee (or a sub-committee of it), which will consider all evidence and submissions presented at the hearing. The Licensing Authority has a wide range of powers and may, where appropriate to promote the licensing objectives:

- Revoke the licence or certificate
- Suspend the licence or certificate for up to three months
- Remove the Designated Premises Supervisor (DPS)
- Remove one or more licensable activities
- Amend the permitted hours
- Impose additional conditions on the licence
- Amend existing conditions.
- Suspension may be considered appropriate to allow time for improvements to procedures, staffing, and management, and to prevent recurrence of issues. It may also serve as a deterrent against repeated non-compliance

Key message 26.

The licensing authority views any repeat sales of alcohol to children seriously and should an application for a review include such concerns members will consider all appropriate available options, including revocation of the licence.

Where a review follows a graduated approach to enforcement that has failed to resolve matters, the breaches or failures of compliance will be considered seriously.

Key message 27.

Residents, businesses and visitors have an expectation of the authority and its partner agencies to ensure that premises within

their jurisdiction are fulfilling their legal obligations. This authority will use all tools and powers available to it to assist with this.

19. Late Night Levies (LNL) and Early Morning Restriction Orders (EMRO's).

19.1 Late Night Levy (LNL)

Wyre Council does not currently operate a LNL. However, under section 125 of the Police Reform and Social Responsibility Act 2011, the Licensing Authority has the discretionary power to introduce one. A Late Night Levy applies to premises authorised to sell alcohol between midnight and 06:00 and is intended to contribute towards the additional enforcement costs incurred by the Police and the Council because of late-night trading. Legislation requires that at least 70% of any revenue generated by the levy is allocated to the Police, with the remaining 30% retained by the Licensing Authority for eligible night-time economy services. Before introducing, varying, or ceasing a levy, the Licensing Authority must undertake a formal public consultation with Responsible Authorities, all affected licence holders, and other stakeholders. Exemptions and reductions may apply to certain premises types, such as hotels and guest houses, in line with statutory guidance. A number of legislative changes were under section 142 of the Policing and Crime Act 2017 and since July 2023 a levy can be applied to specific localities rather than the whole district and can also include late-night refreshment premises. The government outlines that these changes were intended to provide greater flexibility, proportionality and transparency where such scheme are in place.¹²

19.2 Early Morning Restriction Orders (EMRO)

An EMRO enables a licensing authority to prohibit the sale of alcohol for a specified time 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.

- 19.3 EMRO 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.

¹² [Amended guidance on the late night levy - GOV.UK](#)

- 19.4 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 change and evidence supports this as a course of action. Nowhere in Wyre is covered by an EMRO at present.

APPENDIX 1 - Table of Delegated Functions

Matter to be dealt with	Full Committee / Sub Committee	Officer Delegation
Application for personal licence	If a police or immigration enforcement objection	All other cases
Application for personal licence with unspent convictions	If a police objection	If no objection made
Application for Premises Licence / Club Premises Certificate	If a relevant representation is made	If no representation made
Application for provisional statement	If a relevant representation is made	If no representation made
Application to vary Premises Licence / Club Premises Certificate	If a relevant representation is made	If no representation made
Application to vary Designated Premises Supervisor	If a police objection	All other cases
Determination of application to vary premises licence at community premises to include alternative licence condition	If a police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
Minor Variation Application		All cases
Applications to disapply the mandatory conditions	If a police objection	All other cases

Matter to be dealt with	Full Committee / Sub Committee	Officer Delegation
Request to be removed as Designated Premises Supervisor		All cases
Application for transfer of premises licence	If a police objection	All other cases
Applications for interim authorities	If a police objection	All other cases
Application to review premises licence / club premises certificate	All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of objection to a temporary event notice	All cases	

APPENDIX 2 – Responsible Authorities – Consultee contact details

Home Office (Immigration enforcement)

IE Licensing Compliance Team (IELCT)
2 Ruskin Square (Floor 6)
Dingwall Road
Croydon
CR0 2WF

Email(s): licensing.applications@homeoffice.gov.uk

licensing.reviews@homeoffice.gov.uk

licensing.compliance@homeoffice.gov.uk

Police

Police Licensing Department
Lancashire Constabulary
Bispham Police Station
Red Bank Road
Blackpool
Lancashire
FY2 0HJ

westlicensing@lancashire.pnn.police.uk

Environmental Protection

Wyre Council
Civic Centre
Breck Road
Poulton le Fylde
Lancashire
FY6 7PU

jonathan.faill@wyre.gov.uk

nick.clayton@wyre.gov.uk

Fire Authority

Fire Prevention Officer
Lancashire Fire and Rescue
Fleetwood Fire Station
Radcliffe Road
Fleetwood
Lancashire
FY7 6UJ

licensing@lancsfirerescue.org.uk

Health and Safety Department

Wyre Council
Civic Centre
Breck Road
Poulton le Fylde
Lancashire
FY6 7PU

mailto:commercialsafety@wyre.gov.uk

Protection of Children from Harm

Business Manager
Lancashire Safeguarding Children's Board
Lancashire County Council
Room D39
County Hall
Preston
PR1 0LD
lsbu@lancashire.gov.uk

Trading Standards

Trading Standards Service
Intelligence Management Team
4th Floor, Lancashire Point
County Hall
Preston
Lancashire
PR1 8XB

Intelligence.management@lancashire.gov.uk

Public Health

Director of Public Health and Wellbeing,
LICENSING
Lancashire County Council
County Hall
Preston
Lancashire
PR1 8XB

PHLicensing@lancashire.gov.uk

Planning Department

Wyre Council
Civic Centre
Breck Road
Poulton le Fylde

Lancashire
FY6 7PU

planning@wyre.gov.uk

Wyre Licensing department details

Wyre Council
Civic Centre
Breck Road
Poulton le Fylde
Lancashire
FY6 7PU

Website- www.wyre.gov.uk

licensing@wyre.gov.uk

APPENDIX 3 – Regulated entertainment exemptions

Entertainment	Timings	Days	Audience	Premises	Notes
Live unamplified music	Between 08.00 and 23.00	any	Less than 500 persons	any	
Live amplified music	Between 08.00 and 23.00	any	Less than 500 persons	Alcohol on-licensed premises	Premises must be open for customers under the terms of the licence
Live amplified music	Between 08.00 and 23.00	any	Less than 500 persons	Non-licensed workplace	
Live amplified music	Between 08.00 and 23.00	any	Less than 500 persons	Non-licensed Church hall, village hall, community hall or similar	Consent required from person responsible for premises
Live amplified music	Between 08.00 and 23.00	any	Less than 500 persons	Non-licensed residential premises of a local authority or hospital	Consent required from organisation responsible for premises
Recorded music	Between 08.00 and 23.00	any	Less than 500 persons	Alcohol on-licensed premises	Premises must be open for customers under the terms of the licence
Recorded music	Between 08.00 and 23.00	any	Less than 500 persons	Non-licensed Church hall, village hall, community hall or similar	Consent required from person responsible for premises
Recorded music	Between 08.00 and 23.00	any	Less than 500 persons	Non-licensed residential premises of a local authority or hospital,	Consent required from organisation responsible for premises

Entertainment	Timings	Days	Audience	Premises	Notes
Any entertainment	Between 08.00 and 23.00	any	Less than 500 persons	Local authority premises, hospital or school	Entertainment provided by the local authority, health care provider or school
Plays	Between 08.00 and 23.00	any	Less than 500 persons	Any premises	
Dance	Between 08.00 and 23.00	any	Less than 500 persons	Any premises	
Films	Between 08.00 and 23.00	any	Less than 500 persons	Community premises	Not for profit event Consent required from organisation responsible for premises Screening is suitable for age of attendees
Indoor sporting events	Between 08.00 and 23.00	any	Less than 1000 persons	Any premises	
Greco-Roman wrestling or Freestyle wrestling	Between 08.00 and 23.00	any	Less than 1000 persons	Any premises	
Travelling circuses	Between 08.00 and 23.00	any	No limit	Any moveable structure that the audience is held within	Circus may not be located on same site for more than 28 days