

**REPORT TO: LICENSING COMMITTEE - 28 JANUARY 2008
CITY COUNCIL - 29 JANUARY 2008**

REPORT BY: LICENSING MANAGER

REPORT AUTHOR: MRS NICKII HUMPHREYS

Consultation on Draft Statement of Licensing Policy

1. Purpose of Report

The purpose of this report is to detail the representations received in response to the consultation process undertaken on the draft Statement of Licensing Policy that was carried out between 3 December 2007 and 14 January 2008.

As a result of this consultation process, minor amendments are proposed to the original draft with suggested wording where appropriate. In addition, this report also requests the approval of the Licensing Committee of the proposed final policy for placing before the Council.

RECOMMENDED:

- (1) That the Licensing Committee considers the responses to the draft policy statement and approves the minor amendments as detailed in this report.**
- (2) Recommend to the Council that it adopts the amended Statement of Licensing Policy.**

2. Background

Section 5 of the Licensing Act 2003 ("the Act") requires the Council to determine and publish its Statement of Licensing Policy which will remain in force for 3 years. The original commenced on 7 January 2005.

The Act requires the Council to keep the policy under review throughout each 3-year period and to revise it as necessary. However, prior to making any changes the Council must carry out a consultation process.

On 27 November 2007 the Council adopted the existing Statement of Licensing Policy with effect from 7 January 2008 as an interim measure pending the Council taking a final decision on the outcome of the consultation process on the proposed amendments to the Statement of Licensing Policy for the period 2008 until 2011.

3. Consultation Process

Following consideration by the Licensing Committee on 27 November 2007, the draft Statement of Licensing Policy was circulated for consultation in accordance with the statutory requirements together with other

persons/bodies whom it was thought would have an interest and those who had previously requested sight of the document.

In addition to circulating the document to existing licence holders, a list of those other persons consulted are attached as Appendix A.

The draft policy was also published on the Council's website, a public notice was placed in the Portsmouth Evening News, copies were distributed to public libraries and the City Help Desk and a press release was issued by the Council's Media Unit.

4. Response to Consultation

At the conclusion of the consultation period, a total of 6 responses had been received.

The table at Appendix B summarises the responses that have been received, together with officer advice and recommendations where appropriate.

The full responses are attached as Appendix C.

To assist Members when considering the representations received, a copy of the proposed final Statement of Licensing Policy is attached as Appendix D.



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Licensing Manager
For City Solicitor

APPENDIX A

LIST OF ADDITIONAL CONSULTEES

3D Entertainment Group (CRC) Limited	Circus Arts Forum
A W Gore and Co	City Centre Manager
A3D2 Limited	Clarke Willmott Solicitors
Addison Madden Solicitors	Cobbetts
African Caribbean Cultural Association	Coffin Mew and Clover
Age Concern	D W Solicitors
Anthony Collins Solicitors LLP	Davenport Lyons
Arts Council England	David Wineman Solicitors
Ascott Estates Limited	Davies Wallis Foyster
Ashcroft Arts Centre	DLA Piper UK LLP
Association of Convenience Stores	Dorset Licensing
Association of Licensed Multiple Retailers	DWF Solicitors
Austin Weinberg	Edwards Geldard Solicitors
B S Entertainment Limited	Elm Grove Traders Association
BA Law	Eric Robinson Solicitors
Baden Associates Limited	European Entertainment Corporation, The
Batleys Limited	Evening & Late Night Economy Partnership
Beachcroft LLP	Eversheds LLP
BEDA Association	Federation of Small Businesses
Berwin Leighton Paisner	Flint Bishop and Barnett
Bevan Kidwell	Footners Solicitors
Biscoes Solicitors	Fraser Brown Solicitors
Biscoes, King & Franckeiss	Freeth Cartwright Solicitors
Blake Laphorn Tarlo Lyons	Friends of Old Portsmouth Association
Bolitho Way, Solicitors	Fuller, Smith and Turner plc
Bond Pearce LLP	Garnier Street/Murefield Road Residents' Association
Bramsdon & Childs, Solicitors	GB Solicitors Ltd
British Beer and Pub Association	Glovers
British Institute of Innkeeping	Gordons Solicitors
British Retail Consortium	Gosschalks Solicitors
British Waterways Board	Graham Gover Solicitor
Burges Salmon	Gray Purdue
Burlinghill Ltd	Gunwharf Quays Management Ltd
Business in Sport and Leisure	Gunwharf Quays Residents Association
CAB	Halliwells LLP
CAMRA	Hammonds Solicitors
Caribbean Islands Association	Harris & Co Solicitors
Castle Road Area Association	Hart Reade Solicitors
Cathedral Church of St Thomas of Canterbury	Head of Planning Services
CBA Law	Head of Social Services for Children & Families
Chief Fire Officer	Heritage Projects Ltd
Chief Officer of Police	Historical Buildings and Monuments Commission for England
Chinese Community Service	
Churchers Solicitors	
Cinema Exhibitors Association	

Hooper & Woolen Solicitors
Horseley Lightly Fynn Solicitors
Jarmans Solicitors
Jeffrey Green Russell
Joelson Wilson Solicitors
John Budd & Co
John Gaunt & Partners Solicitors
Kingston Road Traders Association
KSB Law
Kuit Steinart Levy Solicitors
Lamport Bassitt
Larcomes LLP Solicitors
Large and Gibson
Lawcomm Solicitors
Lawrence Graham LLP
Lee & Kan Solicitors
LESG (Licensing) Company Limited
Leung and Co Solicitors
Lockett & Co
Lovegrove & Eliot, Solicitors
M & G Cooley Partnership
Mark Hogarthy, Solicitor
McLellans
Moore Luckhurst
Morgan Cole, Solicitors
Mr Robert Batchelar MBA MBII
Multicultural Link Group
Musicians Union
Nathan Suresh & Amirthan Solicitors
Neighbourhood Forums Officer
Neighbourhood Watch Co-ordinator
Nelson Nichols Solicitors
Newland Solicitors
Oasis Drop in Advice Centre
Osborne Clark
Owen-Kenny Partnership, Solicitors
Paris Smith & Randall LLP
Parrott & Coales LLP Solicitors
Poppleston Allen Solicitors
Portsmouth & SE Hants Chamber of Commerce
Portsmouth City NHS Primary Care Trust
Portsmouth Disability Forum
Portsmouth Foyer
Portsmouth Licensed Victuallers Association
Portsmouth Mediation Service

Portsmouth Minority Communities Forum
Portsmouth Minority Support Group
Portsmouth Naval Base Property Trust
Portsmouth Pensioners Association
Positive Business Consultancy & Training
Public Protection Service - Commercial Division
Public Protection Service - Environmental Protection
Public Protection Service - Trading Standards
Pubwatch
Queen Alexandra Hospital Sports & Social Club
Ramsbottom & Co
Residents Association of Port Solent
Restaurant Association
Ricksons Solicitors
Ridgeway Licensing Services Ltd
Robert Batchelar (MBA, MBII)
Safer Portsmouth Partnership
Saulet & Co Solicitors
Soloman Reed, Solicitors
Southsea Town Centre Manager
Southsea Town Council
Spice Island Association
Staffurth & Bray Solicitors
Steele Raymond LLP Solicitors
Stokes Solicitors
Talbot Walker LLP
Tanner & Taylor Solicitors
Thackray Williams Solicitors
The Chapman Group Limited
The Owen-Kenny Partnership Solicitors
Theatrical Management Association
Thomas Eggar
Tim Winchester
TLT Solicitors
Trethowans Solicitors
Trowers and Hamlins
Turbervilles Solicitors
Warner Goodman & Street
Wilsons
Winckworth Sherwood

SUMMARY OF CONSULTATION RESPONSES TO DRAFT STATEMENT OF LICENSING POLICY

No:	Policy Ref :	Name:	Comments:
1	Protection of children from harm. (Chapter 15)	Public Protection Service – Trading Standards	<p>Have requested additional reference within the statement of licensing policy that the responsibilities of premises licence holders to take appropriate steps to prevent underage drinking or proxy sales of alcohol to children relates not only to the licensed premises itself but also to the vicinity of the premises concerned</p> <p>Officer Advice: Compliant with the statutory guidance and reiterates earlier reference in the policy as regards matters under the direct control of licence holders. (See paragraphs 4.6 and 26.14 of the proposed final statement).</p> <p>Recommendation 1: Add paragraph 15.13:</p> <p>The Licensing Authority will expect applicants and premises licence holders to take reasonable steps as may be necessary to prevent underage drinking and proxy sales of alcohol to children both within the licensed premises itself and in the vicinity, where and to the extent that these matters are within their control.</p>
2	General comments	Association of Convenience Stores (ACS)	<p>ACS represents the convenience retail sector consisting of some 33,000 local shops.</p> <p>Letter appears to be generic in nature and does not refer specifically to any particular part of PCC's proposed policy.</p> <p>Reference is made in the letter to the following matters:</p> <p>Responsible Retailing</p> <p>ACS recognise that an alcohol retailer's primary responsibility is to ensure that alcohol is only sold to those who can legally purchase it. ACS, working with other industry stakeholders has helped develop numerous schemes to help retailers to sell responsibly and they believe that it would be good practice for local authorities to support these in their licensing policies.</p>

No:	Policy Ref :	Name:	Comments:
			<p>However, though they encourage support for such schemes (ie Challenge 21) they do not believe that it should be used as a condition on alcohol licences as failure to comply with any condition would constitute a criminal offence. Having Challenge 21 as a condition would mean that technically a retailer would be committing an offence if they did not challenge all customers, even if they knew they were over 21.</p> <p>ACS also support the No ID, No Sale campaign, and is a founding member of the CitizenCard proof of age scheme. ACS urges all local authorities to support No ID, No Sale campaign and support the use of CitizenCard as a valid form of ID.</p> <p>Officer advice:</p> <p>Paragraph 8.4 of the proposed policy identifies that the Authority will maintain close links with the police, trading standards and other relevant organisations concerning the extent of unlawful sales and consumption of alcohol by minors and will seek to be involved in the development of any strategies to control or prevent unlawful activities.</p> <p>This stance allows all relevant authorities to work together to recognise best practice models and schemes for responsible retailing. Trading standards officers retain close links with the police, licensing staff and retailers and have the professional expertise to advise the Licensing Authority as regards current initiatives and schemes on an ongoing basis.</p> <p>There is a potential problem with identifying individual named schemes in the licensing policy as they may be superseded by new initiatives and as a consequence, recognition of some schemes but not others in the policy could cause confusion and fetter the discretion of the Licensing Authority when taking advice from the police and/or trading standards.</p> <p>Additionally, the issue of the imposition of conditions in relation to proof of age schemes will only be considered where relevant representations have been received and where it is considered reasonable and proportionate for conditions to be imposed in order to promote the licensing objectives.</p> <p>Recommendation 2:</p> <p>No changes needed to the proposed policy.</p>

No:	Policy Ref :	Name:	Comments:
			<p>Anti-Social Behaviour:</p> <p>ACS recognise that underage drinking is also a community problem and this needs to be reflected in the licensing policy. ACS consider it vital that any licensing policy reflects that the blame is not wholly the retailers and encourages retailers and local agencies to work in partnership. Recommend that the policy should demonstrate a commitment to support retailers and communities in the areas of availability and awareness of proof of age.</p> <p>Officer advice:</p> <p>See comments above and also Chapter 8 on enforcement. Would be inappropriate for the Licensing Authority to make any statement in its licensing policy that could fetter its discretion in terms of enforcement and legal proceedings.</p> <p>Recommendation 3:</p> <p>No changes needed to the proposed policy.</p> <p>Designated Premises Supervisor:</p> <p>Refers to the revised statutory Guidance which came into force in June 2007, particularly the role of the Designated Premises Supervisor (DPS). ACS hope that this amendment is adequately reflected in the proposed policy.</p> <p>Officer advice:</p> <p>Section 182 of the Licensing Act 2003 ("the Act") provides that the Secretary of State must issue, and from time to time, may revise guidance to licensing authorities on the discharge of their functions under the Act. The Guidance is provided for licensing authorities carrying out their statutory function. It is a key mechanism for promoting best practice, ensuring consistent application of licensing powers across the country and for promoting fairness, equal treatment and proportionality.</p> <p>The Guidance itself is a lengthy document which offers guidance to the Licensing Authority as regards applications under the Act. It</p>

No:	Policy Ref :	Name:	Comments:
			<p>also provides advice on what matters should be contained within the statement of licensing policy. Reference to the role of the DPS does not sit within the guidance relating to formulation of licensing policies, however the Licensing Authority is aware of the revised guidance referred to by ACS and has regard to that advice when performing its statutory function.</p> <p>Recommendation 4:</p> <p>No changes needed to the proposed policy.</p> <p>Opening Hours:</p> <p>ACS wish to emphasise the Government's advice that licensing authorities should licence any retail outlet that is currently open for hours beyond current permitted hours for the whole period in which they are usually open.</p> <p>Officer advice:</p> <p>This reference is included at paragraph 14.6 of the proposed policy.</p> <p>Recommendation 5:</p> <p>No changes needed to the proposed policy.</p>
3	General comments	British Beer and Pub Association	<p>The British Beer and Pub Association (BBPA) represents brewing companies and their pub interests and pub owning companies, accounting for 98% of beer production and around two thirds of the 60,000 pubs in the UK. Their response is also supported by the British Institute of Innkeeping (BII), the professional body for the licensed retail sector.</p> <p>BBPA welcomes the positive approach to the licensing of the sale of alcohol and provision of entertainment, and in particular its recognition of the cultural and social contribution that the trade has to make, and also its importance as a local employer. The proposed policy also recognises one of the key principles of the Act namely that each application must be treated on its own merits.</p>

No:	Policy Ref :	Name:	Comments:
	Para 7.5		<p>BBPA are concerned that the Licensing Authority is suggesting that applicants should liaise with responsible authorities when preparing operating schedules. This is not a requirement under the Act and applicants may be misled into believing they should enter into such discussions.</p> <p>Officer advice:</p> <p>It is the view of the Licensing Manager that the wording of the paragraph does not cause confusion nor give an impression that applicants must liaise with responsible authorities prior to submitting an application.</p> <p>Paragraph 8.29 of the Guidance states:</p> <p>"All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Applicants are not required to seek the views of the key responsible authorities before formally submitting applications, but may find them a useful source of expert advice. Licensing authorities should encourage co-operation in order to minimise the number of disputes which arise..."</p> <p>However, having regard to the concerns raised by BBPA of the risk of confusion, it is suggested that this paragraph be re-worded as follows:</p> <p>The Licensing Authority wishes to work in partnership with all parties to ensure that the licensing objectives are promoted collectively. To support this aim and to minimise disputes and the necessity for hearings, the Licensing Authority believes it would be sensible for applicants to seek the views of the key responsible authorities before formally submitting applications but wish to point out that there is no legal requirement to do so.</p> <p>Recommendation 6:</p> <p>To re-word Paragraph 7.5 as follows:</p> <p>The Licensing Authority wishes to work in partnership with all parties to ensure that the licensing objectives are promoted collectively. To support this aim and to minimise disputes and the necessity for hearings, the Licensing Authority believes it</p>

No:	Policy Ref :	Name:	Comments:
	Para 26.17		<p>consideration to appropriate levels of staff training as regards age restricted alcohol sales and, if necessary to do so, refer to such matters in their operating schedule. It is not intended to be regarded as a proposed condition as consideration of the imposition of conditions can only be undertaken following representations being made by responsible authorities or interested parties and the Licensing Authority will only give consideration to the imposition of conditions as set out in Chapter 7 of the proposed policy.</p> <p>Recommendation 8:</p> <p>No changes needed to the proposed policy.</p> <p>Prevention of public nuisance:</p> <p>BBPA does not recognise the guidance prepared by the Institute of Acoustics as they believe it was prepared without proper consultation with the industry. BBPA would be grateful if the policy could also refer to the BBPA guidance: Licensed Property: Noise Control – which is available from their website www.beerandpub.com.</p> <p>Officer advice:</p> <p>Notwithstanding the views of BBPA as regards the guidance prepared by the Institute of Acoustics, the Public Protection Service do rely on the document and therefore should remain. However, it is proposed that a sentence be added to this paragraph advising applicants that BBPA have also produced information which they find useful.</p> <p>Recommendation 9:</p> <p>To re-word paragraph 26.17 as follows:</p> <p>Where an application is made in relation to premises where residential or other noise sensitive premises are structurally attached, the Licensing Authority will expect the applicant to demonstrate that all reasonable steps have been taken to ensure that adequate protection against noise nuisance can be achieved. Financial prudence indicates that the potential of noise or other nuisance should be considered at an early stage so that applicants reduce to a minimum the likelihood of failed applications or costly remedial measures in the event of justifiable complaint. Applicants are therefore advised to</p>

No:	Policy Ref :	Name:	Comments:
	Para 26.20		<p>consult the Good Practice Guide on the Control of Noise from Pubs and Clubs (March 2003) published by the Institute of Acoustics and available at www.ioa.org.uk which contains useful advice for applicants and local authorities. The British Beer and Pub Association (BBPA) have also produced guidance which is available from their website at www.beerandpub.com</p> <p>Prevention of public nuisance</p> <p>BBPA comment that there can be no requirement for applicants to supplement their operating schedule with a technical acoustic report. Where there are concerns about noise nuisance relevant representations may be made by responsible authorities or interested parties and, if upheld at a hearing, appropriate conditions may be attached to the licence.</p> <p>Officer advice:</p> <p>It is accepted that the current wording of the paragraph could be misleading and therefore it is proposed to re-word paragraph 26.20 as follows:</p> <p>The complexity and detail of this part of the Operating Schedule will depend upon the significance of any risk of public nuisance being caused. Where there is a high risk of public nuisance and to prevent the possibility of representations being submitted by responsible authorities or interested parties, it is recommended that applicants should give careful consideration to the provision of a technical acoustic report as part of the operating schedule. In particular, where applications are submitted to operate licensed premises between hours that include any part of the hours between 2300 and 0800 applicants will be expected to demonstrate that operating during these hours will not have an adverse effect on the licensing objectives and set out the steps which they propose to take to secure these objectives.</p> <p>Recommendation 10:</p> <p>To re-word paragraph 26.20 as follows:</p> <p>The complexity and detail of this part of the Operating Schedule will depend upon the significance of any risk of public nuisance being caused. Where there is a high risk of public nuisance and to prevent the possibility of representations being</p>

No:	Policy Ref :	Name:	Comments:
			submitted by responsible authorities or interested parties, it is recommended that applicants should give careful consideration to the provision of a technical acoustic report as part of the operating schedule. In particular, where applications are submitted to operate licensed premises between hours that include any part of the hours between 2300 and 0800 applicants will be expected to demonstrate that operating during these hours will not have an adverse effect on the licensing objectives and set out the steps which they propose to take to secure these objectives.
4	Special policy area relating to cumulative impact	Councillor Richard Jensen	<p>Has reviewed the draft policy, including the supporting information provided by Hampshire Constabulary. His only comment is that he very much welcomes the extension of the special policy area relating to cumulative impact so that it applies to the roads listed in new paragraph 12.5, including several roads which are within St Thomas Ward.</p> <p>Recommendation 11:</p> <p>No changes needed to the proposed policy.</p>
5	General	Tourism South East	<p>They support the changes to the licensing laws as a means to improve the visitor offer and to provide the opportunity for tourists to enjoy a drink late in the evening. They believe that it is important to have a wide range of licensed premises that are open at hours that are suitable for visitors and help to develop the evening economy of destinations. As such they support late licensing of bars and pubs in appropriate areas.</p> <p>Recognise that Portsmouth has redeveloped its tourist offer in recent years and the developments around Gunwharf Quays and Spinnaker Tower are particularly impressive. The range of bars and restaurants there has helped to create a popular visitor destination that should be supported by the licensing policy for the city.</p> <p>Also support the special policy for the Guildhall area due to the evidence of higher rates of violent crime. Supports all efforts by licensing authorities to change negative perceptions and create a pleasant environment that can be enjoyed by all ages and leisure interests.</p> <p>Support policies that help to create a café-style culture in the region's towns and cities. The existence of outdoor seating at cafes,</p>

No:	Policy Ref :	Name:	Comments:
			<p>restaurants and pubs creates a positive image of an area for visitors even if they are not eating or drinking. A vibrant area where people can be seen socialising and relaxing is a more appealing area than one in which the streets are empty and devoid of activity. Therefore they would encourage policies that promote outdoor seating in areas where it won't affect street accessibility.</p> <p>Other considerations to be taken into account to accommodate and welcome visitors should include later opening hours in areas near to popular hotels and having a mix of entertainments across the destination. This could include an effort to apply "zones" which would identify "visitor areas" as opposed to "resident areas" and to create specific "culture" zones such as a "restaurant zone" or "live music" zone. It is often the case that dissimilar recreations do not complement one another and the existence of a live music venue or nightclub next door to a restaurant could ruin a visitor's evening out.</p> <p>The bad management of one establishment can have negative implications for a whole area in terms of anti-social behaviour; littering and loud music so they believe the issue of appropriate management should always be taken into account.</p> <p>Finally, the design of a licensed premises including interior and exterior art work and lighting will have an affect on the perception of an area and these issues should be taken into consideration by the management and by the licensing authority.</p> <p>Officer advice:</p> <p>The comments submitted by Tourism South East are in general terms and no amendments or additions are considered necessary for the policy. However with reference to applying zones to particular areas please refer to paragraph 11.4 of the proposed policy which relates to the imposition of quotas. Paragraph 11.4 reflects the advice contained within the Statutory Guidance which states:</p> <p>Quotas that indirectly have the effect of pre-determining the outcome of any application should not be used because they have no regard to the individual characteristics of the premises concerned. Public houses, nightclubs, restaurants, hotels, theatres, concert halls and cinemas all sell alcohol, serve food and provide entertainment but with contrasting styles and characteristics. Proper regard should be given to those differences and the differing impact they will have on the promotion of the licensing objectives.</p> <p>Recommendation 12:</p> <p>No changes needed to the proposed policy.</p>

No:	Policy Ref :	Name:	Comments:
6	<p data-bbox="255 355 380 520">Special policy area relating to cumulative impact</p> <p data-bbox="255 560 380 619">Paragraph 12</p>	Punch Taverns	<p data-bbox="642 355 2029 451">Punch Taverns PLC is a pub operator with a portfolio of 8,500 premises within the UK. They have one premise that falls within the special policy area adopted by the Council, with four further premises just outside that area. A modest increase in the designated saturation area could bring this within the policy.</p> <p data-bbox="642 491 1574 520">They refer to paragraph 12.6 of the proposed statement of licensing policy which states:</p> <p data-bbox="642 560 2074 655">The Licensing Authority, therefore, will normally refuse the grant of new premises licences or club premises certificates or variations whenever it receives relevant representations about the cumulative impact on the licensing objectives which it concludes after hearing those representations should lead to refusal."</p> <p data-bbox="642 695 2029 791">They continue by stating that in the absence of evidence from the police as to the success or otherwise of the adoption of a special policy, it is difficult to comment on whether there is a need for such a special policy but on the basis that the special policy is implemented, Punch Taverns would submit as follows:</p> <ol data-bbox="642 831 2074 1302" style="list-style-type: none"> <li data-bbox="642 831 2074 895">1. It is accepted and agreed that there should be a reputable [sic] presumption that applications for new Premises Licences or Club Certificates within the special policy area should be refused if relevant representations are received. <li data-bbox="642 935 2074 1230">2. Material variations should be deemed the [sic] exclude the following: <ol data-bbox="698 999 2074 1230" style="list-style-type: none"> <li data-bbox="698 999 2074 1134">2.1 Applications which seek to vary the hours which existing premises within the special policy area can undertake licensable activities. In this regard it is submitted that the avoidance of fixed and artificially early closing times assist in preventing rapid binge drinking and the possibility of disorder and disturbance when large numbers of customers are required to leave premises simultaneously. <li data-bbox="698 1166 2074 1230">2.2. The Department of Culture, Media and Sport state in the guidance issued under Section 182 of the Licensing Act 2003 (paragraph 6.6) that "Above all, Licensing Authorities should not fix pre-determined closing times for particular areas" <li data-bbox="642 1270 1350 1302">3. Material variations should be deemed to include the following:

No:	Policy Ref :	Name:	Comments:
			<p>3.1 Applications which seek to increase the licensed area of a premises (be this an increase to the licensed area indoors or outdoors) by say 10% or more (to allow for modest variations to premises due to refurbishments, etc.).</p> <p>Officer advice:</p> <p>Punch comment that evidence from the police is absent as to the success or otherwise of the special policy relating to cumulative impact. The proposed special policy relating to clearly makes reference in paragraph 12.2 that:</p> <p>"...This is based upon the police representations that violent crime offences have increased and extended over a wider area since 2005 and therefore there is a need to redefine the boundaries of the Guildhall Walk special policy area."</p> <p>In addition, Appendix B of the Statement of Licensing Policy outlines the extent and nature of violent crime offences recorded within the proposed special policy area.</p> <p>The Statutory Guidance (paragraph 13.28) sets out the steps to be followed in considering whether to adopt a special policy and those steps are replicated in paragraph 10.3 of the licensing policy.</p> <p>It is the view of the Licensing Manager that sufficient evidence has been produced to show that crime and disorder or nuisance is happening and is caused by customers of licensed premises within that defined area and that there is a clear need for the existing special policy area to be extended.</p> <p>In respect of the proposals in paragraph 2.1 and 2.2 of the consultation response, it is considered inappropriate to exclude from the special policy applications for changes to hours where premises in the special policy area are already permitted to provide licensable activities for those same times.</p> <p>The Statutory Guidance (paragraph 13.24) defines "cumulative impact" as the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area".</p> <p>Additionally, paragraph 13.25 of the Guidance provides:</p> <p>"In some areas, where the number, type and density of premises selling alcohol for consumption on the premises are unusual, serious</p>

No:	Policy Ref :	Name:	Comments:
			<p>problems of nuisance and disorder may be arising or have begun to arise outside or some distance from licensed premises..... While more flexible licensing hours may reduce this impact by allowing a more gradual dispersal of customers from the premises, it is possible that the impact on surrounding areas of the behaviour of all the customers of all premises taken together will still be greater in these cases than the impact of customers of individual premises”.</p> <p>Given the nature and density of licensed premises in Guildhall Walk, applications to vary the hours of licensed premises, even if this is not beyond those hours already granted to other premises in the area, may add to the existing cumulative impact and therefore it is strongly recommended that the proposal put forward by Punch is declined.</p> <p>Paragraph 2.2 refers to paragraph 6.6 of the Statutory Guidance and quotes “Licensing authorities should not fix pre-determined closing times for particular areas. This is an inaccurate reference to the latest Guidance approved by the Secretary of State. Paragraph 6.6 of the revised guidance (issued June 2007) relates to club premises certificates.</p> <p>In any respect, the Licensing Authority is not seeking through its policy to fix pre-determined closing times for particular areas so this comment is considered irrelevant.</p> <p>Finally in reference to paragraph 3 of the response, paragraph 11.4 of the proposed policy adequately addresses the issue and it is the opinion of the Licensing Manager that no further modifications to the wording are necessary.</p> <p>In particular, paragraph 11.4 states:</p> <p>“The Licensing Authority will not use special policies:</p> <ul style="list-style-type: none"> • To justify rejection of applications to vary an existing licence or certificate - <p style="padding-left: 40px;">Except where those modifications are directly relevant to the policy (as would be the case with an application to vary a licence with a view to increasing the capacity limits of the premises) and are strictly necessary for the promotion of the licensing objectives;</p> <ul style="list-style-type: none"> • To justify or include provisions for a terminal hour in a particular area –

No:	Policy Ref :	Name:	Comments:
			<p>For example, it would be wrong not to apply the special policy to applications that include provision to open no later than, for example, midnight, but to apply the policy to any other premises that propose opening later. The effect would be to impose a fixed closing time akin to that under the “permitted hours” provisions of the Licensing Act 1964. Terminal hours dictated by the Licensing Act 1964 were abolished to avoid the serious problems that arise when customers exit licensed premises simultaneously. Attempting to fix a terminal hour in any area would therefore directly undermine a key purpose of the 2003 Act.</p> <p>Recommendation 13:</p> <p>No changes needed to the proposed policy.</p>
7	General	Novus Leisure (Operators of Tiger Tiger)	<p>Novus Leisure operates 32 restaurants and late night venues across the UK with around 70% of its business based in London.</p> <p>Novus Leisure is a privately owned company which has been operating since November 2005. Formerly known as Urbium, the company was renamed in November 2005 when it became owned by private equity firm Cognetas.</p> <p>The venue which Novus operates in Portsmouth is Tiger Tiger which is situated in Gunwharf Quays.</p> <p>The response submitted by Novus provides overall comments and specific reference to the following sections within the statement of licensing policy:</p> <ul style="list-style-type: none"> ● Fundamental principles; ● Licensable activities; ● Enforcement; ● Cumulative impact of a concentration of licensed premises; ● Limitations on special policies relating to cumulative impact; ● Other mechanisms for controlling cumulative impact; ● Licensing hours;

No:	Policy Ref :	Name:	Comments:
			<ul style="list-style-type: none"> • Children; • Crime prevention; and • The licensing process and applications. <p>Officer advice:</p> <p>The consultation response does not seek to recommend any changes to the proposed policy but does give an indication to the Licensing Authority as to how the policy directly impacts on their business and its operations.</p> <p>Novus Leisure have indicated that they would like to take the opportunity offered by the consultation process to prompt a discussion about how to achieve a more positive working partnership with the local police force and also seek to work with the local authority to promote the licensing objectives.</p> <p>This information provided by the respondent does not require a change to the proposed policy document but does clearly reflect the willingness by Novus Leisure to contribute to partnership working which can be an extremely effective way of delivering positive outcomes in relation to the promotion of the licensing objectives.</p> <p>To this end, the Licensing Manager will be contacting Novus Leisure to further progress points raised within the response.</p> <p>Recommendation 14:</p> <p>No changes needed to the proposed policy.</p>

COPIES OF RESPONSES TO CONSULTATION

October 2007

Dear Sir/ Madam

Submission to Local Authority Consultation on Alcohol Licensing Policy

Thank you for offering ACS (Association of Convenience Stores- Annex 1) an opportunity to respond to your consultation on licensing policy. ACS is the voice of the convenience retail sector, representing over 33,000 local shops. Alcohol is a major product category for our members and ACS has been closely involved in the development of the new licensing regime. Therefore ACS has developed significant understanding of the implications of licensing reform for small format off licences. Our members deal with a wide variation between different local licensing policies. We have found that the most successful policies invariably involve local authorities and retailers working together in partnership to create a fair and effective licensing policy.

Responsible Retailing

An alcohol retailer's primary responsibility is to ensure that alcohol is only sold to those who can legally purchase it. ACS, working together with other industry stakeholders, has helped develop numerous schemes to help retailers to sell responsibly and we believe that it would be good practice for local authorities to support these in their licensing policies.

- ACS is a member of the Retail Alcohol Standards Group (RASG). RASG created the Challenge 21 campaign and recommends that anyone who appears to be under 21 is challenged for ID. Since RASG represents the vast majority of the alcohol retail industry, this helps create a united message, promoted with the same point of sale material.

That the point of sale material is the same in all stores in all areas is important, since it provides consistency of message for retailers, as well as for customers. ACS has been notified of some examples of local licensing authorities who have wanted to dilute the message, for example conditions on licences asking for Challenge 25. We urge you not to adopt this stance, since it introduces variation between different areas and stores. We believe that the benefit of having a different local approach is counteracted by the negative affect of a lack of coherent messaging.

However, though we encourage local authorities to support the Challenge 21 message, we do not believe that it should be used as a condition on alcohol licences. The way the act is structured means that failure to comply with a condition is a criminal offence. Having Challenge 21 as a condition would mean that technically a retailer

would be committing an offence if they did not challenge all customers, even if they knew they were over 21.

- ACS is also a keen supporter of the No ID No Sale campaign, and a founding board member of the CitizenCard proof of age scheme. CitizenCard has given out over 1.7 million cards, and offers young people who do not have a passport or drivers licence a valid form of ID. Particularly in society where identity fraud is a growing problem, it is even more important to offer a form of ID that it is not a passport or driving licence since these are often used for ID fraud if lost.

ACS would urge all local authorities to support No ID No Sale campaign, and support the use of CitizenCard as a valid form of ID.

ACS supports the use of test purchasing to root out rogue retailers who do not obey the law and fully agrees these retailers should be punished severely. However, we feel that it is important that test purchasing does not descend into a tool to “catch-out” responsible retailers, who make a genuine mistake. When a retailer does fail a test purchase, it is important that the first recourse is constructive support, rather than overzealous punishment. Punishments are effective only when they are proportionate. We do support tough sanctions against persistent offenders.

We also strongly advise local authorities to recommend that retailers are notified of any test purchases they have passed. This helps stores to recognise if their policy to prevent underage sales is working and facilitates a partnership based relationship.

Anti-Social Behaviour

However, underage drinking is also a community problem, and this needs to be reflected in licensing policy. Retailers often have to face anti-social and intimidating behaviour when refusing a sale. It is paramount that they feel sufficiently supported in their role as enforcers.

ACS believes strongly that current application of the laws surrounding alcohol sale is often disproportionate. Buying alcohol underage is an offence; however in most areas this is not addressed at all. It is absolutely vital that any local licensing policy reflects that the blame is not wholly the retailers, and encourages retailers and local agencies to work in partnership, not at loggerheads. For example, there have been some examples of retailers report thefts from their shop, and then they have been told that this it could affect their alcohol licence. This is totally the wrong sort of relationship to create, since retailer support is vital to the success of any local licensing policy. We recommend where possible that a local licensing authorities policy should demonstrate a commitment to support retailers and communities in the areas of availability and awareness about proof of age.

Designated Premises Supervisor

Since the publication of your last licensing policy, the Department of Culture, Media and Sport have issued renewed Guidance to the Licensing Act 2003. ACS has been closely involved with the formation of the Guidance, and believes it makes several contentious issues much clearer. The most obvious of these is the revised Guidance on the role of a Designated Premises Supervisor (DPS). With the phrase 'over the course of an evening' now removed, the Guidance makes perfectly clear that a DPS does not have to be on the premises at all times while alcohol is served. We hope that this is adequately reflected in your new licensing policy

Opening Hours

Though there is no presumption in favour of longer opening hours, ACS would like to emphasise the Government's strong advice that licensing authorities should licence any retail outlet that is currently open for hours beyond current permitted hours for the whole period in which they are usually open.

If we can be of any further assistance please do contact us on 01252 515001.

Yours sincerely

Shane Brennan
Public Affairs and Communication Manager

Annex 1

THE ASSOCIATION OF CONVENIENCE STORES

ACS is the trade body representing the interests of over 33,000 convenience stores operating in city centres as well as rural and suburban areas. Members include familiar names such as Martin McColl, Spar and Thresher, as well as independent stores operating under their own fascia. Our members operate small grocers, off-licence or petrol forecourt shops with between 500 and 3,000 square feet of selling space.

If you need any more information on this submission please contact Jenny Brown on either jenny.brown@acs.org.uk or 01252 515001.



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From: Dr Martin Rawlings MBE, Director Pub & Leisure
Direct Line: 020 7627 9141
E-mail: mrawlings@beerandpub.com



5th December, 2007

The Licensing Manager
Licensing Section
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
Hants
PO1 2AL

licensing@portsmouthcc.gov.uk

Dear Sirs,

RE: LICENSING ACT 2003 - REVIEW OF LICENSING POLICY

The British Beer & Pub Association (BBPA) represents brewing companies and their pub interests, and pub owning companies, accounting for 98% of beer production and around two thirds of the 60,000 pubs in the UK. Many of our members own and run pubs in the Portsmouth area. The Association promotes the responsible sale of alcohol and management of licensed premises. It has a range of good practice information and guidance for member companies, which includes security in design, drugs, drinks promotions, noise control and health and safety.

The BBPA believes that the implementation of the Licensing Act 2003 has been successful to date and is encouraged by reports of decreased levels of disorder associated with licensed premises. We welcome this opportunity to provide comments as part of this licensing policy review. This response is also supported by BII, the professional body for the licensed retail sector. Our main observations are as follows.

The BBPA welcomes the Council's positive approach to the licensing of the sale of alcohol and the provision of public entertainment and in particular its recognition of the cultural and social contribution that the trade has to make, and also its importance as a local employer. The draft policy has also recognised one of the key principles of the Licensing Act 2003, namely that each application must be treated on its own merits.

Para 7.5 – we are concerned that the Licensing Authority is suggesting that applicants should liaise with responsible authorities when preparing operating schedules. This is not a requirement under the Licensing Act and applicants may be misled into believing they should enter into such discussions. It is for applicants to demonstrate how they intend to promote the licensing objectives and for responsible authorities and interested parties to make any relevant representations.

Enforcement

We welcome the risk based approach to enforcement advocated by the policy and would further recommend the recognition of the Hampton principles of inspection and enforcement in this section, which include the following:

- No inspection should take place without a reason
- Regulators should recognise that a key element of their activity will be to allow or even encourage, economic progress and only to intervene when there is a clear case for protection

Children

Para 15.12 - the expectation that “applicants should demonstrate that frontline staff have received *adequate* training on the law “ is subjective and open to interpretation and would not easily transfer into a condition. It is for the applicant to decide how they will comply with the law given the sanctions that already exist for underage sales of alcohol.

Prevention of Public Nuisance

Para 26.17 - the BBPA does not recognise the guidance prepared by the Institute of Acoustics as we believe this was prepared without proper consultation with the industry. We should therefore be grateful if your policy could also refer to the BBPA guidance: Licensed Property: Noise Control – which is available from our website. www.beerandpub.com

Para 26.21 – there can be no requirement for applicants to supplement their operating schedule with a technical acoustic report. Where there are concerns about noise nuisance relevant representations may be made by responsible authorities or interested parties and, if upheld at a hearing, appropriate conditions may be attached to the licence.

We trust that you will find these comments helpful and look forward to any response you may have. We would also appreciate being listed as a consultee in any further licensing related consultations.

Yours sincerely,



Martin Rawlings

The Licensing Manager
Licensing Section
City Solicitor
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
Hampshire
PO1 2AL



9th January 2008

To the Licensing Manager

Re: **Consultation on draft Statement of Licensing Policy - 2008 until 2011**

Thank you for asking for our opinions on your licensing policy. Tourism South East are happy to offer the following thoughts.

We supported the changes to the licensing laws in 2005 as a means to improve the visitor offer and to provide the opportunity for tourists to enjoy a drink late in to the evening. We believe that it is important to have a wide range of licensed premises that are open at hours that are suitable for visitors and help to develop the evening economy of destinations. As such we support late licensing of bars and pubs in appropriate areas.

Portsmouth has redeveloped its tourist offer in recent years and the developments around Gunwharf Quays and the Spinnaker Tower are particularly impressive. The range of bars and restaurants there has helped to create a popular visitor destination that should be supported by the licensing policy for the city.

We support the special policy for the Guildhall area due to the evidence of higher rates of violent crime. A significant negative perception of the UK abroad is that it is a country where binge drinking and associated anti-social behaviour is common-place. We support all efforts by licensing authorities to change this perception and create a pleasant environment that can be enjoyed by all ages and leisure interests.

To that end we support policies that help to create a café-style culture in the region's towns and cities. The existence of outdoor seating at cafes, restaurants and pubs creates a positive image of an area for visitors even if they are not eating or drinking. A vibrant area where people can be seen socialising and relaxing is a more appealing area than one in which the streets are empty and devoid of activity. Therefore we would encourage policies that promote outdoor seating in areas where it won't affect street accessibility.

Other considerations to be taken in to account to accommodate and welcome visitors should include later opening hours in areas near to popular hotels and

having a mix of entertainments across the destination. This could include an effort to apply 'zones' which would identify 'visitor areas' as opposed to 'resident areas' and to create specific 'culture' zones such as a 'restaurant zone' or 'live music zone'. It is often the case that dissimilar recreations do not complement one another and the existence of a live music venue or night club next door to a restaurant could ruin a visitor's evening out.

The bad management of one establishment can have negative implications for a whole area in terms of anti-social behaviour; littering and loud music so we believe the issue of appropriate management should always be taken in to account.

The design of a licensed premise including interior and exterior art work and lighting will have an affect on the perception of an area and these issues should be taken in to consideration by the management and by the licensing authority.

We hope you find these comments helpful.

Regards,



Daniel Humphreys
Policy and Planning Officer

-----Original Message-----

From: Hannah Williams [mailto:Hannah.Williams@punchtaverns.com]

Sent: 14 January 2008 11:05

To: Licensing Shared Email

Subject: Statement of Licensing Policy 2008 - Consultation Process

Consultation Response of Punch Taverns PLC to the Licensing Act 2003 Statement of Licensing Policy of the City of Portsmouth Council (Special Policy)

Introduction

Punch Taverns PLC is a Pub Operator with a portfolio of 8,500 premises within the United Kingdom. Punch Taverns PLC currently have one premise that falls within the Special Policy area adopted by the council, with four further premises just outside that area. A modest increase in the designed saturation area could bring this within the policy.

Response to consultation on Special Policy

Section 12 of the Council's Statement of Licensing Policy deals with its Special Policy.

Paragraph 12.6 of the Statement of Licensing Policy states:

"The Licensing Authority, therefore, will normally refuse the grant of new premises licences or club premises certificates or variations whenever it receives relevant representations about the cumulative impact on the licensing objectives which it concludes after hearing those representations should lead to refusal."

In the absence of evidence from the police as to the success or otherwise of the adoption of a Special Policy, it is difficult to comment on whether there is a need for such a special policy.

On the basis that the special policy is implemented, Punch Taverns would submit as follows:

1. It is accepted and agreed that there should be a reputable presumption that applications for new Premises Licences or Club Certificates within the special policy area should be refused if relevant representations are received.
2. Material variations should be deemed to exclude the following

- 2.1. Applications which seek to vary the hours which existing premises within the special policy area can undertake licensable activities. In this regard it is submitted that the avoidance of fixed and artificially early closing times assist in preventing rapid binge drinking and the possibility of disorder and disturbance when large numbers of customers are required to leave premises simultaneously.
 - 2.2. The Department of Culture, Media and Sport state in the guidance issued under Section 182 of the Licensing Act 2003 (paragraph 6.6) that "Above all, Licensing Authorities should not fix pre-determined closing times for particular areas"
3. Material variations should be deemed to include the following:
- 3.1 Applications which seek to increase the licensed area of a premises (be this an increase to the licensed area indoors or outdoors) by say 10% or more (to allow for modest variations to premises due to refurbishments, etc.).

**PUNCH TAVERNS
14 JANUARY 2008**

I trust you will find the above in order, but please do not hesitate to contact me if I can assist you further.

Many Thanks

Hannah Williams

Compliance Analyst

Novus Leisure draft response to Portsmouth City Council revised Licensing Policy

Novus Leisure Limited thanks Portsmouth City Council for the opportunity to respond to its consultation on its revised statement of Licensing Policy.

Introduction to our business

Novus Leisure operates 32 restaurants and late night venues across the UK with around 70% of its business based in London.

It also operates the website www.latenightlondon.co.uk.

Novus Leisure is a privately owned company which has been operating since November 2005. Formerly known as Urbium, the company was renamed in November 2005 when it became owned by private equity firm Cognetas.

The venue which Novus operates in Portsmouth is Tiger Tiger which is situated in Gun Wharf Quay.

In all its venues, Novus Leisure aims to work closely with local authority licensing and environmental officers and the company seeks at all times to create a positive working partnership with local police forces.

Novus Leisure is a member of BEDA (Bar, Entertainment and Dance Association), ALMR (Association of Licensed and Multiple Retailers) and BISL (Business in Sport and Leisure.)

We undertake that all our retailing of alcoholic drinks will comply with the industry standards set out in the Social Responsibility Standards for the Production and Sale of Alcoholic Drinks in the UK', published jointly by the drinks industry and the Government in November 2005.

Responsible retailing is integral to the way in which we do business in all our venues and is a key consideration in a range of operations, from the way we train our teams to the way in which we manage the atmosphere in our venues to help manage mood and atmosphere. We want customers to enjoy their visit to our bars and clubs in a safe and welcoming environment.

Tiger Tiger Portsmouth

Tiger Tiger attracts around 8,000 customers every week. The venue has a capacity for 1,800 people.

Tiger Tiger is one of two late night entertainment venues in the Gun Wharf Quay area, the other being Jongleurs.

Tiger Tiger's management is an active participant in Portsmouth's Pubwatch scheme and is also an accredited venue with the new Best Bar None Scheme as well as a finalist in the 2007 club category. In other cities such as Glasgow, Croydon, Manchester, Aberdeen and Newcastle, Tiger Tiger has either been a winner of this award or a runner up.

It should be noted that occasional problems associated with the late night economy in many of these cities are, more often than not, due to refusals to entry rather than problems inside these venues. *

*One recent issue has been inaccurately reported in the local press and will be discussed with officials at a forthcoming meeting on [x date]

Your proposed revised policy: overall comments

Below, we respond to various points within your draft policy in detail, although we have not responded to those points which we do not believe to be relevant to our business and its operations. We would also like to take the opportunity offered by this response to prompt a discussion about how to achieve a more positive working partnership with the local police force.

As your policy document states, Portsmouth is 'changing rapidly'. It is a city with a thriving tourist and transient population. This, in turn, creates a vibrant late night economy for the City which, we acknowledge, needs to be carefully managed. However, we believe that whilst some 'high stress' areas of Portsmouth, such as the city's High Street, presents particular challenges for policing, the Gun Wharf Quay area is an area where, we believe, any problems are under control.

However, we would very much like to work *with* the local authority to ensure that policing and security in the Gun Wharf Quay area are fully and mutually understood. In other parts of the country, we work in close co-operation with police forces and this has yielded very positive results such as jointly run taxi schemes, participation in CCTV initiatives and trialling programmes such as ID screening at Tiger Tiger in Haymarket (London.)

In London, we have also organised seminars and workshops for local authority and police officials to not only train our own staff but also create a better understanding of our business amongst those who are regulating us.

We believe that working together in this way creates clear benefits for both our business and for the police. We would be keen to discuss how we can create similar initiatives in Portsmouth.

Specifics of the policy

4.0 Fundamental principles

4.6 We agree with your statement that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour but that it is a key aspect of control and the overall approach to the management of the evening and night-time economy in Portsmouth (and other locations) and we are happy to work with local authorities on this basis.

5.0 Licensable activities

5.2/3 Tiger Tiger in Portsmouth is licensed to sell alcohol. Other relevant activities at this venue include DJs and occasional live music. As many of our venues around the country provide a variety of live entertainment, we are currently exploring the possibility of introducing a wider range of entertainment in Portsmouth.

8.0 Enforcement

8.2 We do not believe that Tiger Tiger in Portsmouth is a 'high risk' premises and we would like to understand better the protocol which you have used. We believe this venue is well-run and, therefore, may require a 'lighter touch' as outlined in your draft policy. As stated above, we would like to work with the licensing authority and police to determine the best way forward.

10.0 The cumulative impact of a concentration of licensed premises

10.2 We do not believe that Gun Wharf Quay is an area where 'the number, type and density of premises selling alcohol for consumption on the premises are unusual' and has given rise to 'serious problems of nuisance and disorder.'

10.3 Limitations on special policies relating to cumulative impact

We agree that, in theory shops, stores and supermarkets selling alcohol for consumption off the premises would not normally need a special policy in relation to alcohol licensing. However, we would encourage Portsmouth City Council to examine any off sales in the city centre which could

encourage heavy drinking in public. Some late night venues have experienced problem drinkers who have purchased alcohol in off-trade premises prior to entering on-trade venues. Because the off-trade (as opposed to the on-trade) does not mediate the consumption of alcohol at point of sale, it can make it difficult to control problem behaviour *inherited* by the on trade.

13. Other mechanisms for controlling cumulative impact

We agree that a small minority of customers from all sorts of venues behave badly and unlawfully. We are happy that the licensing regime has introduced powers to address this and, as mentioned above, Tiger Tiger's management are actively involved in positive measures such as Pubwatch and Best Bar none. We would like to explore what more we can do to work in partnership to address the issues outlined.

14. Licensing hours

In due course, we would like to explore an application for extended time at Tiger Tiger. The hours we are specifically interested in applying for would be for one extra hour on both Friday and Saturday night up to 3am and up to 2am on Sunday night. The activity carried out on Sunday nights would be either specially promoted club nights or for corporate hire.

We believe this application will be justified as another venue, Liquid, already enjoys opening until 3am. Liquid is situated in Stanhope Road and as no other venue in Gun Wharf Quay has opening hours until this time, we believe later hours for Tiger Tiger will not create a risk of any cumulative impact in the area (ie if many venues close at the same time.)

We believe it is important to operate on a level playing field with other similar venues in the City. Moreover, we note that the majority of offences occur between 11pm and 1am in areas outside of Gun Wharf Quay.

15. Children

We agree with the proposed approach.

Most Novus Leisure venues are for over-21s but, on certain nights, this may be reduced to over-18 for the student population. In Portsmouth, we hold student nights early in the week (Mondays and Tuesdays.) We employ a strict door policy and, as in all of our venues, we ask for photographic

proof of age ID from all customers every evening and at the bar as required during the day.

19. Crime prevention

19.1 We do not currently work with the Safer Portsmouth Partnership (SPP) but, in a similar vein to our views expressed above, we would welcome the opportunity to meet with them to discuss effective crime prevention. We will endeavour to make contact with them.

26. The licensing process and applications

26.7 We only work with reputable security firms that are registered with the Security Industry Authority. Our security staff are highly professional and rigorously trained. We spend around £3,500 per week on our security in Portsmouth.

26.8 High Volume Vertical drinking venues: Tiger Tiger in Portsmouth has a high seating to capacity ratio with around 500 seats. It is worth noting that all venues operated by Novus sell a wide variety of food at reasonable prices. Food makes up for 15% of Novus' sales and is of growing importance to our business.

26.14 Steps have been taken to regulate smoking outside all of our venues. In Portsmouth we provide external areas for smoking on a veranda, outside the front door and in an area on our first floor. We believe that providing three areas limits the opportunity for smokers to congregate outside and create disturbance.

26.15 The safety and welfare of our staff and customers in all our venues is paramount. We employ specialist acoustic consultants to advise on the protection of employees and guests in our venues. We are sensitive to local residents and, therefore, we do not allow smoking on the veranda at Tiger Tiger after 1am at weekends.