

APPENDIX 1-DRAFT STATEMENT OF LICENSING POLICY 2025

PUBLIC CONSULTATION RESPONSES

Response Number	Person(s) Making Response	Para-graph	Comments	B&NES Officer Response	Recommendation
1	Direct e-mail to Licencing. Poppleston Allen	N/A	Many thanks for the email. I note the CIA lapsed in 2022; however, the draft policy references the previous CIA and provides the map at Annex 1. Please could you confirm if you are reviewing the CIA and looking to reintroduce it? I look forward to hearing from you.	In reply to your enquiry the answer is yes to consulting on reintroducing the CIA. The Police have produced some evidence as to the requirement for the CIA to be reintroduced and more evidence is expected. Once all the information has been received a public consultation will commence to gather views on reintroducing the CIA.	No changes to proposed policy.
2	Direct e-mail to Licencing. Licensee.	N/A	Hi Good afternoon Dear Aled Williams MCIEH I do sale only fast food takeaway. not sales alcohol or tobacco. Do I need to feel this form ? Many thanks have a nice week	In reply to your question, this is a Public Consultation so you may, if you wish make comments on any part of the published document.	No changes to proposed policy.

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
3	Direct e-mail to Licencing. Licensee.	N/A	The only issue I had with the process was that when I tried to pay online my reference was not recognised and therefore failed to pay on several attempts. This also happened last year. Otherwise, I have no other comments.	Thank you for your comment below. This appears to be a clerical error and if you have problems in the future, please contact licensing@bathnes.gov.uk as soon as you encounter any difficulties.	No changes to proposed policy.
4	Direct e-mail to Licencing TLT	N/A	Good afternoon and happy New Year all. Can I ask if there is a word document we might be sent to understand the changes? Or a summary of changes document is one exists, from the existing policy?	In reply to your questions below, please find link to present Statement of Licencing Policy: - https://www.bathnes.gov.uk/statement-licensing-policy/legislation-policies-and-strategies as neither of the documents you request / refer to are available.	No changes to proposed policy.
5	363086	N/A	think that all night clubs should have random checks on how many people are in the club and do random ID checks in the clubs as well as I know one of baths night clubs let in underage people and are always over compassity	Thank you for these comments which are noted with thanks. Night clubs are regularly checked for overcrowding if a condition is on the licence that limits the number of people who can be present.	No changes to proposed policy.

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
				Outside of this it would be a matter for Avon & Somerset Rescue to deal with. Under their fire legislation / regulations. In relation to underage persons present in night clubs, this would depend on the conditions on the Licence as well as the activities, those underage persons are undertaking. Licencing Enforcement Group (LEG) visits are carried out monthly with Police and Fire Officers.	
6	363127		It supports the work of the Council eg: Community Safety, Safer Streets, ASB etc	Thank you for this comment.	No changes to proposed policy.
7	363158		It seems fine though once again represents a further explosion of roles and regulations - when will this end?	Thank you for this comment.	No changes to proposed policy.

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
8	363185		I agree with the proposal, and think it would be a great help in making Bath better place to live, and will attract even more visitors in to help sustain retail business in town, also more lively town will help manage crime rate.	These comments are noted with thanks.	No changes to proposed policy.
9	363091		Nothing wrong with allowing more to people in area	Thank you for this comment.	No changes to proposed policy.
10	363262		This Statement of Licencing Policy appears to cover everything	Thank you for this comment.	No changes to proposed policy.
11	363284		Covers all aspects of the industry	Thank you for this comment.	No changes to proposed policy.
12	363331		It's Window Dressing	Thank you for this comment	No changes to proposed policy.
13	363364		No point changing it	Thank you for this comment In regard to your comment, under the 2003 legislation the Policy must be reviewed every 5 years, Hence the inclusion of Ask for	No changes to proposed policy.

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
				Angela, Drink Spiking and other changes and safety issues brought in since the last review.	
14	363524		No comments	Thank you for this comment.	No changes to proposed policy.
15	364789		A very clear & rounded policy - agree	Thank you for this comment.	No changes to proposed policy.
16	365038 Keynsham Town Council	32.7	"To the best of Keynsham Town Council's understanding the Policy is now statutorily complainant. There is clarity in the document in respect of enforcement. B&NES Council have made reference to Martyn's Law point 32.7 of the Policy statement."	Thank you for these comments.	No changes to proposed policy.
17	Cllr Toby Simon		I've had a quick look at this and in general I think it's OK. A few minor drafting points • Licencing under the 2003 Act isn't the only form of licencing that the council undertakes so I	Thank you for these comments. Please see responses below.	Minor text changes but no actual change to proposed policy.

Response Number	Person(s) Making Response	Para-graph	Comments	B&NES Officer Response	Recommendation
		1.5 19,1 37.1	think this policy needs to be specifically referred to as alcohol licencing or 2003 Act licencing • Para 1.5 is probably a holdover from earlier versions and can now be removed • Para 19.1 the first sentence feels out of date. • Power 37.1 the cross reference is to page 37"	Title of the Policy document has been changed. Left this in as it forms part of the description of the City Centre. Minor amendment made to wording. Checked and 38.1 refers to page 36 now.	
18	368494 Saltford Parish Council		"DISAGREE Saltford Parish Council raises valid concerns about B&NES Council's current approach to public awareness and participation in the Licensing process and is responding to highlight an important gap in communication. The absence of proactive measures to inform residents and Parish Councils about ongoing Licensing applications limits the opportunities for public engagement, which is crucial for ensuring transparency and accountability in local decision-	Thank you for your comments. The correct amount of public consultation is undertaken as laid out under the Licensing Act 2003 and the s.182 Licensing Guidance is carried out for each Licensing application, variation etc. This is done by Public Notice at the premises and a Notice placed in a Local Paper if required. There is also a consultation period of 28 days carried out with all the relevant Regulatory	No changes to proposed policy.

Response Number	Person(s) Making Response	Para-graph	Comments	B&NES Officer Response	Recommendation
			making, and need to be taken into account when B&NES Council reviews Licensing Policy. Reinstating the ""weekly list"" of Licensing applications by Ward/area, and making it available via email subscription, would allow residents and Parish Councils to stay informed. This would not only empower them to comment on applications but also foster a greater sense of community involvement in the decision-making process, particularly regarding developments that affect the public's daily lives, such as more establishments being able to open during the evening with the appropriate licence. The current reliance on the Licensing Portal and the expectation that individuals and councils to proactively check it weekly creates an unnecessary barrier to participation in Licensing matters. This policy and approach needs to change. Given that other departments, such as B&NES Council's Planning and Highways, have	Authorities. See para 24,2 A link has been provided to all Parish Councils to allow them to carry out checks when they choose to. This is very accessible and there are many filters to allow the search to be targeted. This replaces the weekly list, that was not required the legislation or guidance. The Licensing Section no longer have the resources to undertake this non statutory process. Parish Councils are not a Regulatory Authority or a denoted consultee. Parish Councilors will need to rely on the Notices or News Paper advert, or by being informed by other members of the public / community. Providing access to this weekly list could also have been seen as a potential way of canvassing representations, as the Applicants have already carried out all requirements placed upon them under the	

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
			more accessible communication systems in place, it seems reasonable to suggest that the Licensing Team adopt a similar approach. This could help to ensure that more stakeholders have a chance to make relevant representations on Licensing applications in a timely manner. Saltford Parish Council's concerns, as shared with B&NES Council's Licencing Team directly and with B&NES Association of Local Councils (ALCA), reflect a wider issue in B&NES where public engagement with Licensing matters is limited. With a clear mechanism for communicationâ€”such as a weekly emailed list of applicationsâ€”more individuals and communities would be able to participate meaningfully including those for which the Licencing Consultation is considering. Without such changes, there is a risk that crucial local feedback will be overlooked, impacting the overall quality of decision-making by B&NES Council's Licensing Team.	legislations and guidance, by notifying the Licensing Authority, the RA's, putting up the Notices and placing an advert in a local paper.	

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
			In conclusion, it seems essential that B&NES Council takes steps to actively raise awareness of Licensing applications and provides clear, accessible pathways for public comment. This approach would not only increase engagement but also align with broader strategies for local development and governance, ensuring that the Licensing process is inclusive and well-informed. Should B&NES Council choose to implement this, it would likely enhance transparency and create a more informed public dialogue surrounding Licensing applications on the matters the consultation is looking to address.		
19	368747		"Saltford Parrish Council do not appear to engage with residents on this matter but are inward facing. I do not believe they would positively engage, but use this for their own agenda to prevent positive things happen in the		No changes to proposed policy.

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
			local community. Engaging with them may be of benefit but would need strict rules to ensure unbiased results were avoided and that they were only consulted and not given power to veto things. How many residents have raised issues? Would be interesting to see some data as this appears another controlling approach to demonstrate power over the people. The current process from BANES works well and information is available, communication could be improved but I would not feel comfortable with them being actively involved in decision's as they are often seen as blockers with their own agenda and view and they do not consult very well with residents. Would be interesting to see the volume of residents who have raised such concerns or attended a meeting to discuss it.		

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
20	368756		Data protection no you should not get to look in on people's documents	Thank you for your comment.	No changes to proposed policy.
21	368777		"Would it be possible to publish some data in context of licensing issues. As a local resident in Saltford I am not aware of any issues that have caused problems, and I see few appear on the SPC meeting agenda so presume the numbers are very low. That is not to say there are none but it would help to understand if this is indeed an issue. I trust BANES to ensure appropriate communication would be in place but beyond that I am unclear on why this has appeared as an area of concern."	Thank you for your comment. The Licensing Section do not publish data on licensing issues for any of the BANES Wards etc., If an issue were to arise around a certain premises or area. Then the Licensing Section would contact those residents directly, that are being or may become effected if such issues were to arise. Anyone wishing to contact the Licensing Section to enquire, report or check something about a licensed premises. Are more than welcome to contact the Licensing Section via: - licensing@bathnes.gov.uk	No changes to proposed policy.

Response Number	Person(s) Making Response	Para-graph	Comments	B&NES Officer Response	Recommendation
22	368783		"The parish council shouldn't have this information they are not qualified people	Thank you for your comment.	No changes to proposed policy.
23	368786		Why should the parish council have this right they do enough damage now on people's planning applications	Thank you for your comment.	No changes to proposed policy.
24	370189		"As an alcohol licensing officer dealing with new premises licence applications on a frequent basis, I would like the policy to consider the permission of conditions to be placed on licences for premises to join local radio schemes for example, the night marshal scheme run by the Bath BID. an example of a condition may be: The Licensee shall become members of the radio system currently in operation between licensees and the Bath Bid Evening and Night Marshal Scheme and shall agree to abide by any contractual agreements made in connection with this facility. In relation to being a	Thank you for your comments. The licensing regime has always been that of a "Light Touch approach." Issuing a standard condition such as this to all premises would be contrary to that approach. As not all premises would require the need to be in contact with the Marshals whilst the premise is open. Certainly, this could be an added condition if the applicant was to voluntarily offer this as part of their Operating Schedule (Annex 2). This could also become an imposed condition (Annex 3) if after a Review called by the	No changes to proposed policy.

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
			member of the radio system the Licensee shall ensure: The equipment is kept in working order at all times. The equipment is kept on at all times the scheme is in operation and the premises are open to the public during these hours. The equipment shall be monitored by the Designated Premises Supervisor or other responsible member of staff. All instances of crime and disorder shall be reported to the Night Marshalls as soon as it is reasonably possible via the radio link. If the Night Marshall scheme was to cease to exist, the premises would be exempt from this obligation.	Police, or other RA or member of the public, with supporting evidence which proved that there was such a need to join such a scheme. Then the Licensing Sub-Committee could impose such a condition. Conditioning the contractual agreement between the premises and the provider. That would not be a Licensing issue. The maintenance and control of such equipment could be condition as is done with CCTV equipment at present. As above, this would need to be a specifically worded condition on any premises licence whether under Annex 2 or Annex 3. So, as no breach of the applied condition could be the fault of the premises if such schemes should cease to be available.	

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
25	Direct e-mail to Licencing Pulteney Estate Residents' Association		Information relating to large events (referred to in Contents and on page 38 of the draft Policy) Public Protection Service Enforcement Policy (referred to in Section 18) Community Safety Plan (referred to in Section 30.1 of the draft Policy) As the consultation is about to close, I do need to receive these asap. I haven't been able to find documents that clearly correspond to these on the B&NES website - but if any of them are available on the website please do feel free to send me the links instead. Many thanks,	Thank you for your comment. In reply to your e-mail please see the inserted links below: - 1) Information relating to large events (referred to in Contents and on page 38 of the draft Policy) https://www.bathnes.gov.uk/sage-and-safety-outdoor-events This is the link to the SAGE Team and all of the details that they deal with in regard to large events 2) Public Protection Service Enforcement Policy (referred to in Section 18) https://www.bathnes.gov.uk/document-and-policy-library/public-protection-enforcement-policy 3) Community Safety Plan (referred to in Section 30.1 of the draft Policy) Please scroll down and click	Proposed Policy Updated with the following actions listed below: - All requested links to guidance's and policies have been added in to the Draft Policy on Page 38 & page 39.

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
				on link. https://www.bathnes.gov.uk/for m/contact-the-community-safety-coh The contact details for the Community Safety Plan Team if the above link is a problem.	
26	371153		"I agree with the majority of the licensing proposal I think the current licensing agreements are fit for purpose However, I do not think that requirement of amplified music should be licensed - larger events are already covered by TENS and making any amplified music is not necessary and will be nearly impossible to enforce leading to confusion and potential abuse "	Thank you for your comments. Amplified music is deregulated between the hours of 0800Hrs and 2300Hrs. The legislation again lays out that only the Police and Environmental Protection, are the consultees in the application of TENS. All complaints and concerns arising during or after an event covered by a TEN are referred back to the Police and the Environmental Protection Team. In case they may wish to make representation when any further TENS are received	No changes to proposed policy.

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
				for future events.	
27	371221		"Monkton Combe Parish Council are in broad agreement with the Statement of Licensing Policy, save for the process for Representations. Whilst you have included â€4. All Ward Councillors and Town and Parish Councils.â€™ As Consultees on this Policy Statement, they are not included in the list of Responsible Authorities to whom â€the applicant must also send copies of the application toâ€™. Nor are they included in the list of Responsible Authority from whom Representations can be made. There seems no mechanism described in this Policy Statement for consulting with, or receiving Representations from Ward Councillors and Town and Parish Councils.	Thank you for your comments. It has always been the case that Ward, Town and Parish Councilors have been part of the consultation process as are any licence holders or members of the public. Along with the RA's that are identified in the Legislation and 182 Guidance. It should be noted that you do not have to be an RA to make a representation. Anyone may make a representation in relation to any application. A member of the public may make a representation if they wish to do so during the 28-day consultation period.	No changes to proposed policy.

Response Number	Person(s) Making Response	Para-graph	Comments	B&NES Officer Response	Recommendation
			Since “The Licensing Authority may not impose conditions on or refuse to grant/vary a Premises Licence or Club Premises Certificate unless it has received a relevant representation in respect of the application.”TM This would appear to be a significant oversight as it seemingly excludes any local insight and would grant a Licence which was potentially counter to the objectives:- “^a The prevention of crime and disorder. “^a Public safety. “^a The prevention of public nuisance. We suggest that the Policy Statement needs to include provision for Ward Councillors and Town and Parish Councils, to be notified of an application, and to be able to make representations if they think it appropriate. We have also noted that:-	On receipt of the applications the other RAs are notified and as an RA the Police. May request that the applicant agrees to voluntarily add some conditions to negate concerns they may have. As can Avon Fire and Rescue and Licensing (as they also are an RA). This is applicable to all of the RA’s. Anyone can make a representation against an application. Which will remove any significant oversights at a local level. Ward Councilors are informed of applications that are taking place in their Wards. Thus, allowing them to make a representation if they wish to do so. Town and Parish Councilors as stated above can also make	

Response Number	Person(s) Making Response	Para-graph	Comments	B&NES Officer Response	Recommendation
			~27.1. Temporary Event Notices (TEN) do not involve the Licensing Authority in giving permission for the event to take place. This is a notification procedure in which only the Police and environmental Protection may intervene to prevent such an event, or to modify the arrangements for such an event.™ However, consequent on an event in our Parish which gave rise to significant complaint from nearby residents, we would question whether it is appropriate for a TEN to be used to significantly vary and override the existing Licensing and Planning Consent for a Club Premises.	representations as well. The legislation again lays out that only the Police and Environmental Protection, are the consultees in the application of TENS. All complaints and concerns arising during or after an event covered by a TEN is passed back to the Police and the Environmental Protection Team. In case any further TENS are received for future events.	
28	371490		There is too much stipulation that can be interpreted in too many ways	Thank you for your comment.	No changes to proposed policy.
29	372144		too complicated	Thank you for your comment.	No changes to proposed policy

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
30	372245		"It is not clear how the policy will meet the Council's overriding purpose in our Corporate strategy to improve people's lives. I cannot see where the council motion passed in 2023: Get Me Home Safely"" has been included. This states: 1. work through business and partnership forums to highlight safe travel home concerns and to encourage sharing of best practice, and call on the Licensing Committee to review opportunities to use appropriate licensing processes to include additional criteria when considering late opening applications from licensed premises, such as encouraging venues to provide free transport home for night shift employees; For example, where is it set out that Licensing will include an additional requirement to encourage venues to provide free transport home for night shift employees?	Get Me Home Safely is reference in 32.9 of the policy: 32.9. The Licensing Authority is aware of the "Get me Home Safely," campaign and the importance of getting staff safely home at the end of a late-night shift. The Licensing Authority will therefore encourage venues to consider free transport home for night shift employees.	Proposed Policy Updated with the following actions listed below: - 32.9 Amended

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
			How will organisations be encouraged to support the Women's Night-Time Safety Charter? Further, this is omitted from the Equality Impact Assessment. The Equality Impact Assessment Improvement Plan has not been completed so there does not seem to be any intention to carry out the principles of getting people home safely, as set out above. Surely the plan should, at least, contain monitoring of the take up and effectiveness of the Women's Night-Time Safety Charter? 7.2. Licensing Policy States: The impact of this policy will be monitored through the completion of an Equality Impact Assessment. It is not clear what will be monitored to ensure that the corporate aim of delivering for	Whilst this is a voluntary charter and the Policy does already make reference to all person's safety as in: - "Ask For Angela" (33.6), "VAWG" (31.13), "Get Me Home Safely" (32.9) As well as "Drink Spiking" Licensing Policy monitoring is carried out through communication with the Premises Licence Holder and	Policy has been updated, to direct premises that they may wish to join the voluntary "Women's Night-Time Safety Charter." 32.10 introduced

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
			local residents, while protecting the most vulnerable, is achieved. The information against the protected characteristics does not show evidence of a negative or positive impact. The latter should be a concern as you would expect any actions to have a positive outcome. The following statement is a concern: “We do not anticipate potential negative or adverse impacts from this policy. Should any be identified, they will be responded to accordingly.” Suggests that action will only be taken after something has happened. Rather than putting in measures to ensure that those with protected characteristics are not treated less favourably, have equal access and are safeguarded. There is nothing to show what measures are in place to safeguard people who are vulnerable due to their protected	Staff, members of the Public through concerns and complaints as well as through the Licensing Enforcement Group. Lead by the Police through their engagement with members of the Public and Police Intel resources.	

Response Number	Person(s) Making Response	Para-graph	Comments	B&NES Officer Response	Recommendation
			characteristic Monitoring should be set out in the Equality Impact Assessment Improvement Plan which should include intended actions/initiatives. However, there is nothing at all in the plan.		
31	372417		"The consultation fails to explain how the replacement of the Cumulative Impact Area will be replaced by police, B&NES and other ""powers"" of authorities that do not have the capacity or financial resources to police and enforce such powers. The inadequacy of this approach is already demonstrated by the Exclusion Zones that are being used in Bath around Manvers Street Centre and Waitrose. When the MSC exclusion zone was enforced this resulted in displacement of antisocial behaviour out of the City Centre into the residential area of Bathwick (including the riverside path, a route used by many local schoolchildren and tourists).	Thank you for your comments. In reply to your enquiry the answer is yes to consulting on reintroducing the CIA. The Police have produced some evidence as to the requirement for the CIA to be reintroduced and more evidence is expected. Once all the information has been received a public consultation will commence on reintroducing the CIA.	No changes to proposed policy

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
			However, experience as a volunteer at Manvers Street Centre is also sometimes that, when police enforcement is needed, it is unavailable leaving vulnerable individuals in fear. Council officers, on the other hand, are invariably not available to intervene in relation to noise problems outside normal daytime/weekday working hours. The consultation also fails to explain how the relaxation of Licensing Policy is likely to impact on residential areas. If, as appears, this will result in the night-time noise and anti-social behaviour of the City Centre starting to spread from the former CIA into nearby residential areas, it will severely impact liveability in these areas. It will also be contrary to other local policies such as those in the Local Plan on amenity. Noise ingress into homes causes and exacerbates sleep disturbance, mental health conditions, childhood development deficits, childhood	There is no relaxation in the Licensing Policy only the CIA is not present. Which as explained above may return pending evidence from the Police and consultation.	

Response Number	Person(s) Making Response	Para-graph	Comments	B&NES Officer Response	Recommendation
			behavioural problems, and detriment to the life chances of children and young people. Preservation of residential areas from these impacts is paramount. I attempted two weeks before consultation closure to obtain clarification with regard to the legal and other likely impacts of abandonment of the CIA but this was not forthcoming. The consultation also fails to explain how noise nuisance from Licensed Premises will be dealt with. This is becoming a serious threat to Bath's reputation as a centre for classical and literature festivals, destroying the experience of concerts at important venues such as Bath Abbey due to the intrusive uncontained noise from nearby Licensed Premises.		
32	372452		Could we request that guidance for late night venues includes ensuring that if young people/students are leaving the venue intoxicated that they are in the company of others / safely put into taxis / accompanied to a	Thank you for your comment The venues at present have access to the Street Marshalls through radio contact and thus access to the Police and Medics if required to deal with	Proposed Policy Updated with the following actions listed below: - The Policy has been amended by

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
			safe space, eg safe bus.	concerns you are addressing. The Policy will be updated to ensure that all Applicants are informed that Street Marshals and Medics are available to carry out such escort duties.	informing all Applicants about the availability of Night Marshals, Police and Medics, availability if required. Also, recommendations on dealing with intoxicated persons. When they are leaving the premises. 32.11
33	372017		Yes	Thank you for your comment	No changes to proposed policy
34	371125		Yes	Thank you for your comment	No changes to proposed policy
35	368783		No	Thank you for your comment	No changes to proposed policy
36	368755		No	Thank you for your comment	No changes to proposed policy

Response Number	Person(s) Making Response	Paragraph	Comments	B&NES Officer Response	Recommendation
37	368494		No Disagree	Thank you for your comment	No changes to proposed policy
38	367499		No Disagree	Thank you for your comment	No changes to proposed policy
39	364789		A very clear & rounded policy - agree	Thank you for your comment	No changes to proposed policy
40	363524		Yes no comment	Thank you for your comment	No changes to proposed policy
41	363065		Yes	Thank you for your comment	No changes to proposed policy
42	363052		Yes	Thank you for your comment	No changes to proposed policy
43	363043		Yes	Thank you for your comment	No changes to proposed policy