

## Appendix 1 Response to Statement of Licensing policy review

Hi Debbie

I have reviewed the draft policy on line and would like to make the following comments;

- 1) 1.10.2 – it is interesting to note that ‘Public Safety’ includes the safety of staff and performers appearing at any premises (FYI this is the same as Sports Ground Safety Certificates and Regulated Stand certificates (e.g. Oakwell/Barnsley FC)).

I would suggest paragraph 4 of this section reads as;

Where appropriate, applicants are advised to seek guidance from the Council’s [Regulatory Services Health and Safety Team](#), the District Fire Safety Officer for the South Yorkshire Fire and Rescue Service and, if

appropriate, a suitably qualified Health and Safety specialist.

**Administrative – amended accordingly.**

- 2) 2.08.1 Reviews by responsible authorities – currently there is uncertainty regarding whether a licence review hearing can hear evidence relating to all 4 licencing objectives or if only evidence relating to the specific licencing objective that the hearing was called under can be given. Can this policy be explicit in terms of which is the case within the policy?

For example if a review hearing is called in relation to crime and disorder, can only evidence relating to crime and disorder be submitted and heard? Or can evidence relating to all 4 objectives be submitted and heard?

Once a decision is made regarding this, can this be conveyed to all responsible authorities and can it be explicit in any consultation documents circulated if any further reviews are called?

**Amended for clarification.**

- 3) 2.10 Temporary Event Notices (TENS) – paragraph 4 could perhaps read as;

No permission is required from the licensing authority for these events. The premises user has to give notice (the TEN) to the licensing authority, informing it of the event taking place. In general, only the Police or the [Council’s Regulatory Services Pollution Control Team](#) may intervene to object to a temporary event, or the Police can modify the arrangements for such an event. The licensing authority will only intervene itself if the limits on the number of notices that may be given is exceeded – in which case the person giving the TEN will be issued with a counternotice as prescribed by the Act.

**Administrative – amended accordingly**

- 4) Paragraph 6;

The Act provides that the Police or [The Councils Regulatory Services](#) may, within the prescribed period, issue an objection notice if they believe the event would undermine one or more of the licensing objectives. The objection must then be considered by the licensing authority in a hearing. If

an objection is made to a late TEN, then, because there will be no time to arrange a hearing, the TEN will be invalid and the event cannot go ahead.

Administrative – amended accordingly.

5) 3.03 Open Air and Large-Scale Events – paragraph 3

The Purple guide is written and produced by the Events forum in consultation with the events industry. HSE was a consultee and support it, but, are not the author so you need to look at re-writing this bit.

Administrative – amended accordingly

6) 3.04 Pavement Licences

Paragraph 4 needs to delete Environmental Health and replace with Regulatory Services

Administrative amended accordingly

7) Appendix 2 appears to be blank

It appears that Appendix 2 and 6 have been duplicated – I have investigated further and I am happy that there is no information missing, rather that appendix 6 should be appendix 2 (if that makes sense).

I hope these comments make sense, but, if you would like any further information or would like to discuss further at all please let me know.