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1. INTRODUCTION

- 1.1 The Licensing Act 2003 (the Act) and statutory guidance provide the legal framework under which licensing is regulated in England and Wales. This document is produced to explain the criteria under which Rossendale Borough Council, a Licensing Authority within the meaning of the Act, will discharge our functions under the law.

2. LICENSING OBJECTIVES

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

- 2.1 The licensing objectives are of equal importance and are the only matters which may be taken into account by the licensing authority.
- 2.2 In executing our functions, we will consider the Licensing Act against a backdrop of other legislation, which may impact on the promotion of the licensing objectives.

This will include the,

- Crime and Disorder Act 1998 as amended by the Police Reform Act 2002
- Human Rights Act 1998
- Health & Safety at Work Act 1974
- Environmental Protection Act 1990
- Anti-Social Behaviour Act 2003
- Race Relations Act 1976
- Race Relations (Amendment) Act 2000

- 2.3 We desire to create an environment where local people and visitors to our areas will have better opportunities to enjoy their leisure time in safety without fear of violence, intimidation or disorder whilst on or in the vicinity of licensed premises.
- 2.4 We recognise that the leisure industry is a significant contributor to the economy, cultural development, jobs and tourism within the licensing authority area. We seek to create a licensing policy which does not drive a wedge between the industry and enforcement authorities. We intend that co-operation and partnership remain the best method of promoting the licensing objectives.
- 2.5 Subject to the promotion of the licensing objectives, we will encourage facilities to allow people to lawfully enjoy their leisure time in the manner and at the time they wish to. We wish to encourage licensees to provide a wide range of

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entertainment activities, promote live music, dance, theatrical activity etc., for the wider cultural benefit of the community.

- 2.6 The Licensing Authority will actively encourage and promote a broad range of entertainment, recognising the wider cultural benefits for local communities.
- 2.7 The Licensing Authority will, subject to the licensing objectives, also encourage the Council through it's officers and members, to seek premises licences in Council's departments own names for public spaces in the community such as open spaces, town centre squares, community halls and appropriate public spaces.
- 2.8 This will result in performers and entertainers seeking permission from the relevant Council Department or Leisure Trust as the licence holder. Such persons will then be given consent to use such places by the relevant department of the Council, as opposed to obtaining individual premises licences or temporary event notices in respect of events in their own . This will encourage circus and street arts.
- 2.9 The Guidance requires that a Licensing Authority considers such applications from a neutral standpoint. If relevant representations are made, for example by local residents or the Police, they will be considered fairly. Those making representations genuinely aggrieved by a positive decision in favour of the Local Authority will generally be entitled to appeal to the Magistrates' Court and thereby receive an independent review of any decision.
- 2.10 We will endeavor to carry out our licensing functions in a way that
 - o ensures public safety
 - o supports well managed premises where licence holders actively promote the licensing objectives and display sensitivity to the potential impact of licensable activities on local residents and other businesses
 - o protects residents' quality of life
- 2.11 We will have regard of how littering and fouling, noise, street crime and the capacity of the Council's infrastructure, resources and police resources impact on the licensing objectives.
- 2.12 We will discharge our functions with integrity and objectivity. We will work in partnership with the leisure industry, responsible authorities, residents and local businesses to promote the licensing objectives.
- 2.13 We will take account of the statement of policy of neighbouring licensing authorities where common boundaries exist.

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- 2.14 We will seek to give protection to local residents, whose lives can be blighted by disturbance and antisocial activity associated with the behaviour of some people visiting places of entertainment.
- 2.15 We desire to strike a balance between allowing people to enjoy their leisure, at the times and in the manner they wish to, and ensuring the licensing objectives are not undermined.
- 2.16 Licensing is about regulating licensable activities on licensed premises, in qualifying clubs and at temporary events within the definitions of the Act, and the conditions attached to the various authorisations will be focused on matters which are in the control of applicants and licence holders. Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises. Licensing law will however be a key aspect of a holistic approach to the management of the evening and night time economy in town centres.
- 2.17 We will therefore focus upon the direct impact of the activities taking place at or in the vicinity of licensed premises on members of the public living, working or engaged in normal activities in the vicinity of those places.

3. LICENSABLE ACTIVITY

3.1 This policy relates to licensable activities. They are:

- The sale of alcohol by retail anywhere
- The supply of alcohol by or on behalf of a club to members of the club and their bona fide guests
- The provision of regulated entertainment, namely,
 - The performance of a play
 - The exhibition of a film
 - An indoor sporting event
 - boxing or wrestling entertainment outdoors
 - The performance of live music
 - The playing of recorded music (excluding incidental background music)
 - The performance of dance
 - Entertainment of a similar description to live music, recorded music or dance

where the entertainment takes place in the presence of the public or a section of the public.

- The provision of hot food or hot drink at any time between 11 pm and 5 am for consumption on or off the premises.