

Our Ref: MDF/20102016/1

Mr S. Fisher
Principal Licensing Officer
Hambleton District Council
Civic Centre
Stone Cross
Northallerton
DL6 2UU



20 October 2016

Dear Mr Fisher,

Public Consultation – Draft Statement of Licensing Policy (October 2016)

Thank you for providing North Yorkshire Police with the opportunity to pass comment on your draft Statement of Licensing Policy.

The latest version echoes that of previous iterations in respect of its clear, concise and easily digestible format. The policy is extremely easy to navigate, especially for non- practitioners, and the balance between descriptive and legislative content is refreshing to see. It is clear from the content that the author is a specialist in this particular field of work.

From a police and responsible authority perspective I would like to make the following observations:-

1. Paragraph 1.2.6

“The policy will be applied in the majority of cases when considering licence applications, but the licensing authority will consider each application on its individual merits and may, at times, exercise its discretion to depart from the general policy.”

This very broad statement would enable the licensing authority to categorise each and every application it deals with as being ‘an exception’ to the policy. Whilst the police accept and understand the need to be able to depart from the general policy, the reasons for doing so should be recorded so as to avert an unnecessary challenge or appeal. *“Where the authority deviates from the general policy, the reasons for doing so shall be recorded.”*

2. Paragraph 5.11.4

“Reviews allow the Licensing and Appeals Hearing Panel, if necessary, to modify the licence conditions, remove the designated premises supervisor, or in extreme cases, to suspend or revoke all or part of the licence.”

Inserting the words...*“or in extreme cases, to suspend or revoke”*.... sets the evidential threshold higher than that stated within the Act. Use of this term may result in unnecessary challenges or appeals.

Section 52(4) Licensing Act 2003

The steps are-

- (a) to modify the conditions of the licence;
- (b) to exclude a licensable activity from the scope of the licence;
- (c) to remove the designated premises supervisor;
- (d) to suspend the licence for a period not exceeding three months;
- (e) to revoke the licence

Submitted for your consideration.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'M. France', with a stylized flourish above the first name.

Sergeant 905 Matthew France
Alcohol, Gambling, Sex Entertainment and Scrap Metal Licensing Manager
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