



STROUD DISTRICT COUNCIL

Council Offices • Ebley Mill • Ebley Wharf • Stroud • GL5 4UB

Tel: (01453) 754 351/754 321

www.stroud.gov.uk

Email: democratic.services@stroud.gov.uk

15 June 2020

COMMUNITY SERVICES AND LICENSING COMMITTEE

A remote meeting of the Community Services and Licensing Committee will be held on **THURSDAY 25 JUNE 2020** at **7.00pm.**

Kathy O'Leary
Chief Executive

Please Note: This meeting will be held remotely by using Zoom and a separate invitation with the link to the meeting will be sent to Members, relevant officers and members of the public who have submitted a question.

The meeting will be streamed via Stroud District Council's [YouTube channel](#).

A recording of the meeting will be published onto the Council's website (www.stroud.gov.uk). The whole of the meeting will be recorded except where there are confidential or exempt items, which may need to be considered in the absence of press and public.

AGENDA

1 APOLOGIES

To receive apologies for absence.

2 DECLARATIONS OF INTEREST

To receive declarations of interest.

3 MINUTES

To approve the Minutes of the meeting held on 23 January 2020.

4 PUBLIC QUESTION TIME

The Chair of the Committee will answer any questions from members of the public, submitted in accordance with the Council's procedures.

DEADLINE FOR RECEIPT OF QUESTIONS

Noon on MONDAY 22 JUNE 2020

Questions must be submitted to the Chief Executive, Democratic Services, Ebley Mill, Ebley Wharf, Stroud, and can be sent by Email to

democratic.services@stroud.gov.uk

- 5 **ADOPTION OF NEW STREET TRADING RESOLUTION AND REVISED POLICY**
Final adoption of a new Street Trading Resolution following statutory public notice of intention to adopt. Also adoption of a revised street trading policy.
- 6 **STROUD DISTRICT COUNCIL'S STATEMENT OF LICENSING POLICY UNDER THE LICENSING ACT 2003**
To provide information that will allow Committee to consider a Draft Statement of Licensing Policy prior to formal consultation. The Statement will outline the principles Stroud District Council will apply when exercising its functions under the Licensing Act 2003 from January 2021 when the current Statement expires.
- 7 **APPOINTMENT TO OUTSIDE BODIES**
To approve appointments to the Committees outside bodies in addition to appointing a Member to the Citizens Advice Bureau.
- 8 **APPOINTMENT OF PERFORMANCE MONITORS**
To appoint two performance monitors.
- 9 **WORK PROGRAMME**
To consider the work programme.
- 10 **MEMBERS' QUESTIONS**
See Agenda Item 4 for deadline for submission.

Community Services and Licensing Committee 2020/21

Councillor Mattie Ross (Chair)
Councillor Jonathan Edmunds (Vice-Chair)
Councillor Gordon Craig
Councillor Jim Dewey
Councillor John Jones
Councillor Darren Loftus

Councillor Gill Oxley
Councillor Nigel Prenter
Councillor Sue Reed
Councillor Steve Robinson
Councillor Brian Tipper
Councillor Ken Tucker

COMMUNITY SERVICES AND LICENSING COMMITTEE

23 January 2020

7.00 pm – 8.51 pm

Council Chamber, Ebley Mill, Stroud

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Minutes

Membership

Councillor Mattie Ross (Chair)	P	Councillor Gill Oxley	P
Councillor Jonathan Edmunds (Vice-Chair)	P	Councillor Nigel Prenter	P
Councillor Gordon Craig	P	Councillor Sue Reed	P
Councillor John Jones	P	Councillor Steve Robinson	P
Councillor Norman Kay	P	Councillor Brian Tipper	P
Councillor Darren Loftus	A	Councillor Ken Tucker	P

P = Present A = Absent

Other Member(s) in Attendance

Councillor Pickering

Officers in Attendance

Head of Community Services	Revenue and Benefits Manager
Principal Licensing Officer	Director of Public Health
Democratic Services & Elections Officer	

Others in Attendance

Strategic Director of Resources & S51 Officer
 Senior Community Services Officer
 Senior Youth Officer

The Chair on behalf of the Committee congratulated and presented an award to Youth Council who had won a National award.

CSLC.034

APOLOGIES

Apologies for absence were received from Councillor Loftus.

The Chair of Committee advised that Councillors Cornell and Lydon were unable to attend the meeting.

CSLC.035

DECLARATIONS OF INTEREST

There were none.

CSLC.036 **MINUTES – 28 NOVEMBER 2019**

RESOLVED **That the Minutes of the Meeting held on 28 November 2019 are confirmed and signed as a correct record.**

CSLC.037 **PUBLIC QUESTION TIME**

There were none.

CSLC.038 **DIRECTOR OF PUBLIC HEALTH ANNUAL UPDATE**

Members received an annual update from the Director of Public Health who also answered member's questions. The Director of Public Health is required to produce an annual report on the health and wellbeing of the County population which was timely for the production of their Local Industrial Strategy and providing the opportunity to influence the most significant document in providing health and wellbeing.

Key points raised were health inequalities and social mobility. Statistics showed that in Stroud a man who lives in the least deprived area will live 6.7 years longer than in the most deprived and for women it is 4.5 years, however generally Gloucestershire is a healthy County.

The Director of Public Health suggested that another way to deliver economic growth is to drive social mobility and the annual report it outlines 3 domains that can be considered towards this. Stroud came out at the top in the County regarding social mobility which means Stroud's social economic and family background is not a barrier for achieving economic prosperity for residents. As a result of Stroud's statistic, t work will be done to assess why Stroud is so significantly different.

RESOLVED **To note the presentation.**

CSLC.039 **PROPOSAL TO CHANGE STROUD DISTRICT COUNCIL'S STREET TRADING POLICY**

The Principal Licensing Officer presented the report to Committee explaining last year the Council's legal team gave advice that some exemptions and waivers in Stroud District Council's current street trading policy are longer legitimate and should be removed. The Principal Licensing Officer continued and advised that last year it was proposed to revise the policy and replace the waiver for markets with a market street trading consent and replace the exemption for charitable and community events with a 'light touch' approach consent.

In 2019 there was a consultation on this proposal and some Town and Parish Councils expressed concern about the impact on local events. To resolve this and reduce the impact on charitable and community events, it is now proposed to change the Council's resolution. The resolution designates the streets and areas in Stroud District where street trading is prohibited unless the trader holds street trading consent issued by the Council. The proposed new resolution is to designate all of the district apart from land owned by Councils (with the exception of highways) or a registered charity.

Questions were asked regarding use of playing fields and village greens for events. The Principal Licensing Officer advised that in these instances it would be treated on an individual basis because it depends on who the land belongs to and if consent is needed.

- RESOLVED**
- a. To approve an intention to adopt a new street trading resolution as set out in Appendix C.
 - b. To resolve to authorise Licensing Officers to public formal notice of the Council's intention to adopt the resolution and to undertake a 28-day formal consultation.
 - c. To resolve to approve for formal consultation the draft amended street trading policy as set out in Appendix D.

CSLC.040 **NATIONAL REGISTER OF TAXI AND PRIVATE REVOCATIONS AND REFUSALS**

The Principal Licensing Officer outlined the report to Committee and explained that the Local Government Association (LGA) have commissioned a new register which allows those Local Authorities who have signed up to input details of taxi and private hire driver licences that have been refused or revoked. They can also search the register when processing new or renewal applications. Use of the register has a number of data protection implications which Local Authorities must comply with to be able to use the register, to which the LGA have issued extensive guidance.

- RESOLVED**
- a. To adopt use of the National Register of Taxi and Private Hire Revocations and Refusals (NR3) from 1 April 2020.
 - b. To adopt a Policy on how the Council will share, receive and use information on the Register as set out in Appendix A.
 - c. To adopt additional wording for Stroud District Council's Taxi and Private Hire Policy as set out in Appendix B.

CSLC.041 **THE FUTURE OF LEISURE PROVISION IN STROUD DISTRICT AND THE PROPOSED EXTENSION OF THE STRATFORD PARK LEISURE CONTRACT**

The Head of Community Services introduced the report explaining that the Leisure Centre is approaching fifty years old and a decision on whether all or parts of the centre needed to be replaced. Under the Council's Corporate Delivery Plan is an agreement for a long term investment plan for Stratford Park to which will be undertaken by the new Strategic Director of Communities once in post in March 2020 and would undertake a review of all aspects of Stratford Park and the future of the Sports Leisure Management (SLM).

From April 2020 the pay policy will change and adopt the Council's pay policy which in turn will ensure staff are paid the 'real living wage'. The extra cost associated with the increase in pay policies will be covered by the Council's budgets and have been taken into account and included in the Medium Term Financial Plan.

Councillors raised the question as to why the extent and provision of the review didn't include the whole of the district and not just SLM. Officers and the Chair of the Committee confirmed that the review would be conducted in liaison with the Chair of the Community Services and Licensing Committee to have input on how far spread in the district the review would be undertaken.

- RESOLVED**
- a. Subject to the approval of the Strategy and Resources Committee on previous recommendation of this Committee to ring fence the Culture and Leisure reserve, to approve the use of this reserve to commission studies from leisure industry experts to:

- Advise on the future provision of community leisure centre facilities in the district;
 - Create an overarching vision and plan for the future of the leisure, recreation, cultural, health and wellbeing uses in Stratford Park; and
 - Advise on options for the future of the current Stratford Park Leisure Centre;
- b. To delegate authority to the Strategic Director of Communities and/or Head of Community Services, in consultation with the Chair of Community Services and Licensing, to oversee the preparation of a brief for the above studies and bring it to Committee for approval;
 - c. To allow time for the above studies to be completed and action plans formulated, in accordance with the extension option in the current Stratford Park Leisure Centre contract, to approve an extension to Sports and Leisure Management (SLM) to continue running Stratford Park Leisure Centre for the specified additional period of 3 years up to 31 October 2024; and
 - d. To delegate authority to the Strategic director of Communities and/or Head of Community Services and the Strategic Director of Resources and S151 Officer, in consultation with the Chairs of the Community Services and Licensing Strategy and Resources Committees, to negotiate and agree the terms of the contract extension.

CSLC.042 WORK PROGRAMME

The Chair recommended that Youth Service Annual Update is removed from the next Committee as Councillors had received a workshop with the Youth Service preceding the Community Services and Licensing Committee. There were no objections to this recommendation.

Councillor Edmunds also advised that as part of the Health and Wellbeing update at the next Committee, if Committee could receive an update on Mental Health Champions and to receive some information on the Forest Green Project.

Councillor Kay also advised that a potential future report on the Arts and Culture Strategy could be towards the end of the year.

CSLC.043 MEMBER REPORTS

(a) Gloucestershire Health Overview Scrutiny Committee

Councillor Lydon was unable to attend Committee, therefore Councillor Robinson presented the report. The member report had been circulated prior to Committee. Councillor Robinson raised one of the key points in the report is that a Task and Finish Group will be set up after the next Scrutiny Committee to address the issues regarding waiting times for Cancer Care in the County.

(b) Museum in the Park

The member report had been circulated prior to Committee.

(c) Police and Crime Panel

The Panel had met for a budget meeting and the Chair advised that the Panel had not received the money from the Treasury and expected payment on the 23 January 2020.

Councillor Robinson advised Committee that the Home Secretary has accommodated more resources that are being put into the police force in the hope to increase recruitment. From the 1 April there will only be two methods of recruitment, the first as a 2-year graduate and the second as a 3-year apprenticeship.

(d) Gfirst LEP – Visitor Economy/Tourism Business Group

Councillor Craig advised that the group had not met since prior to Christmas however were due to meet at the beginning of March and a report would be provided to the next Committee meeting.

Councillor Craig however provided an update that Berkeley Vale Tourism Group, as part of the £2,000 received from Stroud District Council for Tourism Information were about to launch a new website (www.berkeleyvaletourism.co.uk) and Facebook page (www.facebook.com/BerkeleyValeTourism) go live within the month. They were also improving sign posts by incorporating a QR code that will advise people of tourist information.

(e) Citizens Advice

Councillor Craig advised that there had not been a meeting since prior to Christmas and were due to meet next week, therefore a report would be provided at the next Committee Meeting.

Councillor Craig was able to advise that January is Double D month which stands for Debt and Divorce and that Stroud District Council was doing a lot of work around rent and the impacts on Council Tax.

(f) Performance Monitoring

Councillor Jones presented the report that had been circulated prior to Committee. Councillor Jones raised that The Pulse still had ongoing issues with Combined Heat and Power (CHP) and that they hope to have the issue resolved next month or there could be possible legal action.

CSLC.044**MEMBERS' QUESTIONS**

One question was submitted by Councillor John Jones and was answered by the Chair of Committee. (Refer to the Council's [webcast](#) and item 11).

The meeting closed at 8:51 pm.

Chair

COMMUNITY SERVICES AND LICENSING COMMITTEE

25 JUNE 2020

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Report Title	ADOPTION OF NEW STREET TRADING RESOLUTION AND REVISED POLICY
Purpose of Report	Final adoption of a new Street Trading Resolution following statutory public notice of intention to adopt. Also adoption of a revised street trading policy.
Decision(s)	<p>The Committee RESOLVES to:</p> <ul style="list-style-type: none"> a. Adopt the new street trading resolution as set out in Appendix A; and b. Adopt the revised street trading policy as set out in Appendix B; and c. Adopt the additional fees as set out in paragraph 4.2 of the report; and d. Authorise Licensing Officers to make statutory public notices that a new resolution has been adopted and to implement the new resolution, policy and fees from 1st August 2020.
Consultation and Feedback	There was full consultation on the proposed new resolution and policy during November and December 2019. There was positive support of the proposal. In accordance with legal requirements public notice was made in February 2020 stating the Council's intention to adopt a new resolution.
Report Author	Rachel Andrew, Principal Licensing Officer Tel: 01453 754401 Email: rachel.andrew@stroud.gov.uk
Options	<ul style="list-style-type: none"> a. Make no change to the Council's street trading policy or resolution. Legal advice is that some aspects of the current policy are no longer considered legitimate so this option puts the Council at the risk of legal challenge. b. Make changes to the street trading policy to take account of legal advice but not change the resolution. We consulted on this option in summer 2019 and the response from Town and Parish councils was that it would have a detrimental impact on community and charitable events. c. Make the changes to the Council's street trading resolution and policy as proposed in this report.
Background Papers	The Committee Report of 23 January 2020 and the responses from the consultations in 2019 are available on this link. https://www.stroud.gov.uk/council-and-democracy/meetings/community-services-and-licensing-committee/community-services-and-licensing-committee-23-january-2020

Appendices	Appendix A – New Street Trading Resolution Appendix B – Revised Street Trading Policy			
Implications (further details at the end of the report)	Financial	Legal	Equality	Environmental
	Yes	Yes	No	No

1. INTRODUCTION / BACKGROUND

- 1.1. This report is deferred from the Community Services and Licensing Committee planned for 26th March 2020 which was cancelled due to the Coronavirus outbreak.
- 1.2. This report follows on from the report considered by Community Services and Licensing Committee on 23 January 2020. At that meeting Committee agreed an ‘intention to adopt’ a new street trading resolution and policy. In accordance with the statutory requirements for adopting a new street trading resolution, a notice of ‘intention’ was then placed in local newspapers in February 2020 giving 28 days for public comment. The final statutory requirement is that the resolution and policy must now be formally adopted by Committee and further ‘notice of adoption’ placed in local newspapers.
- 1.3. The 23 January 2020 report explained the following:
- In 2019 the Licensing Section had been given legal advice that the exemption for community and charitable events, and the waiver for markets, in the Council’s current street trading policy, are no longer permissible under the legislation and cannot continue.
 - Removing the current exemption and waiver from the policy would mean that all events with stalls selling goods, either on the street or on land that the public have free access to, would need street trading consent. This could include village fetes and community markets.
 - A revised policy was consulted on in summer 2019. Town and Parish Council’s told the Council that these changes would be detrimental to the community.
 - A proposed new street trading resolution and revised street trading policy, which should reduce the impact of the changes on community and charitable events, was consulted on in November and December 2019.

2. INTENDED NEW STREET TRADING RESOLUTION

- 2.1. A street trading resolution designates the 'streets' in a local authority’s district where street trading is prohibited unless the trader holds street trading consent. In the legislation 'street' is a broad term and includes streets, pavements, laybys and any land, including private land, that the public have access to without payment (free access).
- 2.2. Stroud District Council's current resolution designates the whole district. This means any person selling goods in any location in the district, within the above definition of ‘street’, will need street trading consent.
- 2.3. The intended new resolution designates all of the district, including public highways, but excluding 'streets' owned and managed by public authorities and registered charities.

- 2.4 This means that streets or land owned by local council's or registered charities, such as trusts, will be outside of the street trading policy and anyone selling goods on these streets or land will not need street trading consent.
- 2.5. Under the intended new resolution community and charitable events and markets, held on town or parish council land or trust owned land, will not need street trading consent.
- 2.6 Selling of goods on the public highway, or on private land that the public have free access to, will continue to need street trading consent.

3. STROUD DISTRICT COUNCIL'S STREET TRADING POLICY

- 3.1. Stroud District Council's Street Trading Policy outlines the Council's approach to licensing of street trading in Stroud district.
- 3.2. The policy has been revised to reflect the legal advice and the intended new resolution. Other amendments have been made following comments made during the two consultations in 2019.

4. MARKET CONSENT AND 'LIGHT TOUCH EVENT' FEES

- 4.1. The revised policy introduces two new consent types. A market consent and a 'light touch' event consent for events held on the highway or on private land the public have free access to. The policy has provision to waive the fee for the 'light touch' consent for community and charitable events.
- 4.2. The Council's current schedule of street trading application fees does not include fees for the two new consent types. A costing exercise has been undertaken and it is proposed to add the following new fees to Stroud District Council's schedule of street trading fees for 2020:
 - Market Consent - Per Annum for 1 day per week £1000
 - Community Event Short Term Consent £15
- 4.3. There is only one existing market which will incur the Market Consent fee. This is Stroud Farmers Market which will need a market consent to cover the stalls located in the street. Other existing markets in the district will not need street trading consent as they are either on land which has a charter, or is owned by a council or a charitable trust. If there is a new application for street trading consent for a market operating less frequently than once a week, the fee will be reduced pro-rata.
- 4.4 There are unlikely to be many community and charity events that will incur a fee. This is because in most cases, if they need consent, they will fit the criteria in the policy for the fee to be waived.

5. FINAL ADOPTION

- 5.1. In accordance with street trading legislation the Council had a statutory duty to give public notice of the intention to adopt the new resolution and to provide a 28-day period for representations. A public notice was placed in Stroud News and Journal on 5 February 2020 and in Dursley Gazette on 6 February 2020. The notice was also placed in the reception of the Council Offices, on the Council's website and sent to Gloucestershire Highways and the Police. Additionally, a link to the Council's webpage was sent to all the

Town and Parish Councils, local market organisers and current consent holders giving them opportunity to make any final comment. www.stroud.gov.uk/street-trading-resolution-2020

- 5.2. The statutory public consultation period ended on 4 March 2020. There were no objections to the intended resolution or the revised policy.
- 5.3. In order for the Council to be able to implement the new resolution and policy the Committee must now formally adopt the resolution and policy. The resolution is Appendix A and the policy is Appendix B.
- 5.4. Following formal adoption of a new resolution there is a statutory duty, prior to it being implemented, to give further public notice in a newspaper for two consecutive weeks. There must be 28 days between the first notice of adoption and implementation.
- 5.5. In order to allow time for the statutory public notice, the implementation date is proposed for 1st August 2020

6 CONCLUSION

- 6.1 Following two in depth consultations in 2019, this Committee agreed an intention to adopt a new street trading resolution on 23 January 2020. The new resolution will mean that any person selling goods on public authority owned land (with the exception of Public Highways) or on registered charity owned land, will not need street trading consent.
- 6.2 There is a statutory process for adopting a new a new resolution. Notices have already been put in a newspaper giving public notice of the Council's intention to adopt a new resolution.
- 6.3 Committee must now formally adopt the new resolution which must be followed by further public notices of the adoption for two consecutive weeks in a newspaper with an implementation date of 1st August 2020.
- 6.4 The Council's street trading policy has been revised to reflect the new resolution and should also be adopted along with additional fees for the new consent types.

7. IMPLICATIONS

7.1. Financial Implications

There are financial implications within this report. A small amount of additional income may be realised through additional fees for the new consent types (P4.2 & 4.3). At the present time there is only one existing market that will attract this fee.

Adele Rudkin, Accountant

Tel: 01453 754109 Email: adele.rudkin@stroud.gov.uk

7.2. Legal Implications

The report above sets out details of the legal considerations in adopting a new street trading resolution. As no representations were received within the statutory notice period (see para 5.4) the Council is in a position to agree the proposed resolutions

Alan Carr, Solicitor

Tel: 01453 754357 Email: alan.carr@stroud.gov.uk

7.3. Equality Implications

There are not any specific changes to service delivery proposed within this decision.

7.4. Environmental Implications

There are no significant implications within this category.

STROUD DISTRICT COUNCIL

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982
SCHEDULE 4 : PARAGRAPH 2

DESIGNATION OF STREETS AS CONSENT STREETS

The Council Resolves

1. That all previous resolutions of the Council made pursuant to paragraph 2 of Schedule 4 to the Local Government Miscellaneous Provisions Act 1982 “the Act”) are hereby revoked.
2. Pursuant to Paragraph 2 of Schedule 4 to the Act that as from the date when this resolution takes effect all areas of land within the District of Stroud which are “streets” within the definition of that term contained in Paragraph 1 of Schedule 4 to the Act shall be designated as consent streets with the exception of any area of land referred to in resolution 3 below.
3. There shall be excluded from the designation in resolution 2 above any area of land which is from time to time in the ownership and control of a Public Authority or a registered charity other than any highway which is included from time to time on the list of streets maintainable at public expense pursuant to section 36(6) of the Highways Act 1980.
4. For the purposes of resolution 3 above “ownership and control” means having a sufficient estate or legal interest in the area of land to enable the relevant Public Authority or registered charity to restrict and regulate the use of that area in the public interest and “Public Authority” means Gloucestershire County Council or Stroud District Council or any Parish or Town Council the whole or part of whose area falls within the boundary of the district of Stroud.
5. Resolutions 1 to 4 (inclusive) shall come into effect on the 1st day of August 2020



Street Trading Policy

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Black Text = current policy

Red Text = new provisions

Blue Text = added guidance

Green Text = changes to reflect change of resolution and comments from first consultation

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Community Services & Licensing Committee
25 June 2020

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Agenda Item 5
Appendix B

CONTENTS

SECTION	Page Number
1	Introduction
2	What is Street Trading
3	Types of Consents
4	Choosing a Trading Pitch
5	Other Matters to Consider Before Making an Application
6	How to Apply for Street Trading Consent
7	Fees and Charges
8	Responsibilities of the Consent Holder
9	Renewal
10	Transfer of Consents
11	Variation of Consents
12	Conditions attached to Consent
13	Refusal, Revocation and Appeals
14	Complaints and Enforcement
Annex A	Standard Conditions
Annex B	Relevant Offences when Considering Suitability of Applicant

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1 INTRODUCTION

1.1 Introduction

Stroud District Council has adopted powers under the Local Government (Miscellaneous Provisions) Act 1982 to regulate street trading in Stroud District through a street trading consent scheme.

This policy sets out the Council's approach for managing street trading in the district and the process for applications and making decisions.

A new resolution and this policy were approved by the Council's Community Services and Licensing Committee on 25th June 2020 and came into effect on 1st August 2020.

Street trading consents are processed and issued by the Council's Licensing Section.

Licensing Section
Stroud District Council
Ebley Mill
Ebley Wharf
Stroud
GL5 4UB
Tel: 01453 754440
Email: licensing@stroud.gov.uk
Web: <https://www.stroud.gov.uk/business/licensing-permits/street-trading>

1.2 Objectives Of This Policy

1.2.1 The objectives of this policy are:

- a. Recognise the important service that is provided by street traders and the contribution they make to the local economy.
- b. Ensure the safety of customers and other persons using the locations where street traders are located.
- c. Balance the needs of the wider community, local community and street traders against the needs of those who may be adversely affected by the street trading activities.
- d. Provide consistency and transparency in the way in which the Council deals with street trading.
- e. Provide applicants and consent holders with advice and guidance on the Council's approach to the administration and enforcement of street trading.

1.3 Review Of The Policy

1.3.1 This policy will be kept under review and where any significant amendments are considered necessary these will be approved by the Committee that deals with licensing matters after appropriate and relevant consultations have taken place. Minor amendments that do not impact on the aims and objectives of the policy or reflect changes in legislation will be made with the approval of the Head of Health and Wellbeing.

2 WHAT IS STREET TRADING?

2.1 Definitions and Resolution

2.1.1 The Local Government (Miscellaneous Provisions) Act 1982 defines street trading as the **selling or exposing or offering for sale any article, including a living thing, in a street.**

2.1.2 The Act states that **a street includes any road, footway, beach, or other area to which the public have access without payment.**

2.1.3 Stroud District Council made a resolution on 25th June 2020. to designate all land within Stroud district that falls within the above definition of “street”, as consent streets. The resolution includes all highways land but excludes any land in the ownership and control of a public authority or a registered charity.

2.1.4 In paragraph 2.1.3 ‘ownership and control’ means having a sufficient estate or legal interest in the area of land to enable the relevant Public Authority or registered charity to restrict and regulate the use of that area in the public interest. “Public Authority” means Gloucestershire County Council or Stroud District Council or any Parish or Town Council.

2.1.5 This resolution means that street trading consent is needed for trading on:

- Streets, laybys, pavements or any land including verges controlled by Gloucestershire Highways unless there is payment for entry
- Streets, laybys, pavements, or any land, including verges which are privately owned and the public can access, unless payment is made for entry. This includes private car parks such as superstore car parks.

2.2 Exemptions From Needing Street Trading Consent

2.2.1 The following are exempted in the legislation and do not need street trading consent:

- a. A pedlar who holds a pedlars certificate under the Pedlars Act 1871 issued by a police authority.
- b. A market that is granted through a charter or order.
- c. A news vendor selling periodicals or newspapers.
- d. Trading at a petrol station.
- e. Trading at a shop or in a street adjoining a shop as part of the business or shop.
- f. Trading as a roundsman who has defined customers and routes. It has been established in law that mobile ice cream sales are not normally deemed to be roundsmen.

2.3 Exemption For Individual Charity Stalls With A Street Collection Permit

2.3.1 Individual charity stalls in a street can apply for a street collection permit which allows collecting money for a charitable cause (including through the sale of items). If a street collection permit is granted there is no requirement for a street trading consent. Please contact the Licensing Team for further information on applying for street collection permits.

2.4 Indoor Market Areas

- 2.4.1 Indoor market areas do not constitute street trading as they can be classed as shops which are exempt from street trading legislation

2.5 Events with an Entrance Fee

- 2.5.1 Events that have an entry fee do not constitute street trading and do not need street trading consent

2.6 Community and Charitable Events

- 2.6.1 Community and Charitable events on land owned by Gloucestershire County Council, Stroud District Council, a Town or Parish Council or a registered charity do not need street trading consent.
- 2.6.2 Community and charitable events that are held on other land or on public highways (and do not have an entrance fee) will need to apply for a street trading consent. There is provision to apply for a short term community or charitable event consent (see paragraph 3.3.3 and for the fee to be waived if criteria are met (see paragraph 7.1.9).

3 TYPES OF CONSENTS

The Council issues the following four types of street trading consent:

3.1 Static Unit Consent

- 3.1.1 Static street trading consents are issued for a stall or vehicle which returns to one place every day or for regular periods of time. The unit or stall must be removed each day at the end of the trading period.
- 3.1.2 A static street trading consent may be granted for any period not exceeding 12 months.

3.2 Mobile Unit Consent

- 3.2.1 Mobile street trading consents are issued to traders who wish to move from place to place. A mobile consent trader must not remain in one place for more than 30 minutes at a time and not return to the same site within 2 hours. A typical mobile consent would be an ice-cream van.
- 3.2.2 A mobile street trading consent only permits trading within Stroud District Council's area. If the unit goes into areas outside of Stroud District it will also need consent from the relevant authority.
- 3.2.3 A mobile street trading consent may be granted for any period not exceeding 12 months.

3.3 Short Term Consent

- 3.3.1 Short Term Single Traders - Short term consents are issued to traders who only want to trade in a particular location for a few days. The consent will normally only be granted for a period between 1 and 7 days.
- 3.3.2 Short Term Events – Short term consents will cover a number of stalls/traders and may be granted if the following apply:
1. The trading stalls are part of an organised event with an organising group committee/individual and;
 2. The event is no more than 7 days.
- 3.3.3 Short Term Community and Charitable Events - These may be granted if the criteria in 3.3.2 apply and the primary purpose of the event is for the benefit of the community or fundraising for a charitable cause.

3.4 Market Consent

- 3.4.1 Market street trading consents are issued to markets that do not operate under a Market Charter or Order.
- 3.4.2 A market consent will cover a number of stalls.
- 3.4.3 The market must meet the criteria set below.
- It has a nominated organiser.
 - It has the approval of the local town or parish council and the chamber of trade.
 - It adds value to the town's trade through the provision of specialist products.
 - It does not operate in detriment to the local community.

- 3.4.4 If the application is made by an organisation they must nominate a named individual who will be responsible for managing use of the consent.
- 3.4.5 The consent will be issued for a maximum of 12 months and can be renewed.
- 3.4.6 The consent holder will be responsible for ensuring compliance with times and location permitted by the consent and the conditions attached at all times whilst the consent is being used to facilitate street trading as well as any relevant bylaws.
- 3.4.7 The consent holder will be responsible for ensuring that any local residents, businesses or shops are not obstructed by the informal market and that all emergency exits to buildings are kept clear. The consent holder must ensure that stalls can be moved quickly in the event that access is needed for emergency vehicles.
- 3.4.8 The consent holder will be required to keep records of all traders that trade under the consent including date, location, name or company name, address, vehicle registration if relevant and contact details.
- 3.4.9 As part of the application process the Council will consult all businesses in the vicinity of the informal market. If, at any point after the grant of the consent, any existing or new occupiers of businesses or residential properties make objection to stalls being located outside of their premises the consent may be reviewed which could result in it being varied or amended.
- 3.4.10 It should be noted that markets may incur other fees and charges from Stroud District Council if the land used belongs to Stroud District Council. This will be in addition to the street trading consent fees.

4 CHOOSING A TRADING LOCATION/PITCH

4.1.1 Before applying for a street trading consent, applicants must first identify a suitable trading pitch or site. It is for the applicant to identify a suitable pitch having regard to the requirements in this policy and their business needs. The Council does not hold a list of available trading pitches. However, there is a list on Stroud District Council's website of sites that have been refused: <https://www.stroud.gov.uk/business/licensing-permits/street-trading>.

4.1.2 A suitable pitch must meet the following criteria:

- Be safe for other street users including traffic and pedestrians.
- Be safe for customers using the street trading unit.
- Not cause any potential for obstruction, interference, inconvenience or nuisance to other street users including other traders, traffic and pedestrians.
- Not cause any potential for nuisance to residents and other businesses for example noise and/or smell.
- The goods being sold complement and do not conflict with the goods sold by other established retailers within vicinity.

4.1.3 In particular account must be taken of the following:

- Access roads on industrial estates, where heavy lorries manoeuvre, are generally unsuitable places for static units.
- Locations close to residential properties are unlikely to be suitable due to the potential noise and smell nuisance to residents.
- Lay-bys on main roads must have good visibility to ensure the safety for traffic entering and leaving the trading site/lay-by.
- There should be suitable parking spaces for customer and trading vehicles.
- Units should not cause loss of parking spaces to residents or businesses.
- Units in town centres must not impede the movement of pedestrians or delivery vehicles or block the frontage of shops or access to existing premises.

5 OTHER MATTERS TO CONSIDER BEFORE MAKING AN APPLICATION

5.1 Suitability Of The Applicant

5.1.1 Applications cannot be considered from anyone under the age of 17.

5.1.2 When determining an application for the grant or renewal of a street trading consent the council will consider all relevant information relating to the suitability of the applicant to hold such a consent including:

(a) Whether the applicant has any unspent convictions under the Rehabilitation of Offenders Act 1974.

(b) Refusal or neglect in paying fees due to the council for in relation to a street trading consent.

5.1.3 Where the criminal conviction certificate provided by the applicant shows current offences (i.e. those that are unspent under the Rehabilitation of Offenders Act 1974, the Council will consider the following:

- whether the conviction is relevant;
- the seriousness of the offence;
- the length of time since the offence occurred;
- whether there is a pattern of offending behaviour;
- whether that person's circumstances have changed since the offence occurred;
- the circumstances surrounding the offence and the explanation offered by that person.

5.1.4 Annex B is a list of the offences that the Council considers relevant to a street trading consent application.

5.2 Goods For Sale

5.2.1 **Food** - Traders wishing to sell food items must be registered as a food business with the Council in whose area the trading unit is stored when it is not at the trading site. Or, if food is pre-prepared before the unit goes to the trading site, you must be registered with Council in whose area the food preparation is undertaken.

5.2.2 **Vehicles On The Side Of The Road** -This refers to vehicles placed on the highway and advertised for sale and includes any vehicle displaying signs that name an individual or business; or displays notices/signs intended to sell the vehicle. This authority may take enforcement action under street trading legislation against the person who is advertising vehicles for sale on the public highway if a street trading consent is not held. For the purposes of this part of the policy public highway includes footpaths and adjacent verges and public open land as well as the road itself. It does not include private land. Where any vehicle is offered for sale on the highway that is not taxed and insured, the Police may also refer it to the DVLA Enforcement Team. Enforcement also may be taken under the Highways Act 1980 and the Clean Neighbourhoods and Environment Act 2005.

5.2.3 **Alcohol** - If you intend to sell alcohol you will need authorisation under the Licensing Act 2003 in addition to street trading consent. Please contact the Licensing Section for further advice.

5.3 Assistants/Employees

5.3.1 You will be required to check the right to work of any persons you employ to assist you under your street trading consent. Any trader found to allow an illegal worker to work as part of their trading activities is likely to have their street trading consent reviewed and/or revoked.

5.3.2 The Council will require the name, address, date of birth, national insurance number, a basic criminal check (not more than 1 month old) and a photograph of all persons assisting on a regular basis. The basic criminal check must be updated every 3 years. For the purposes of this policy we would consider any person who works on the unit, without the consent holder being present, for more than 14 days a year, as assisting on a regular basis.

5.4 Waste

5.4.1 A street trading consent holder is responsible for disposal of refuse and must not use Council, highway or other public waste bins unless there is a specific arrangement in place. The consent holder has a duty of care to dispose of commercial waste lawfully.

5.4.2 There must be no disposal of liquid waste down the drains or onto the pavement, road or grassland. This includes waste cooking oil.

5.5 Trading Hours

5.5.1 An application should specify what hours the applicant wishes to trade. Evening and night time hours are likely to have more impact on local residents in terms of noise and disturbance. Applications for later times are more likely to raise objections which may lead to those times being refused or conditions imposed.

5.5.2 The consent holder will be permitted 30 minutes preparation time prior to the start of their trading hours in order to set up the trading vehicle and there will be 30 minutes to close down and pack up. Consent holders are not permitted to trade during set up and closing times. Market consent holders will be permitted 90 minutes prior and after trading times to set up and close down the market

5.5.3 Trader's who wish to serve hot food and drink between 23:00 and 05:00 will also need a licence for late night refreshment under the Licensing Act 2003. Please contact the Licensing Team for further information.

5.6 Planning Permission

5.6.1 A street trading consent is given to units where the unit is removed every day at the end of the trading period. If a unit is permanently located at a site it is unlikely to require street trading consent but will require planning permission. Units that are removed every day may also require planning permission in addition to street trading consent. This will be dependant on the amount of time and days that the unit is located at the site. Please contact the Planning Section for further advice.

5.6.2 If a unit that holds street trading consent is not removed every day at the end of the trading period and its is considered that the unit is in fact permanently located in one position, then street trading consent may be revoked.

6 HOW TO APPLY FOR STREET TRADING CONSENT (All consent types)

6.1 Advice for New Applicants

- 6.1.1 On receipt of an application the Council will undertake a consultation exercise in order to seek the views of other agencies and, if relevant, neighbouring businesses and residents. There is a non-refundable fee to cover the cost of administering the consultation. **There is no consultation fee for short term consents.**
- 6.1.2 The consultation process will normally take at least 28 days and a **decision will then be normally made within 14 days**. Short term consents will have a shorter consultation period of 14 days and a **decision will normally be made within 7 days**. **There is normally no consultation for short term community and charitable event consents.**
- 6.1.3 Once a decision is made to grant a street trading consent there is a consent fee. This can be paid in instalments by prior arrangement. However, the first instalment must be paid before trading can commence.

6.2 Submitting an Application

- 6.2.1 The following must be submitted with the initial application:-
- a. Application form.
 - b. Notice of Intention. **(Not required for short term consents)**
 - c. Proof of eligibility of the applicant to work in the UK (where applicable).
 - d. Plan showing the proposed trading location with position of the unit(s) shown in red. **(Not required for mobile units or short term community or charitable event consents).**
 - g. Written permission from a landowner if the street trading activity is to be carried out on any land owned privately.
 - h. Payment of a non-refundable consultation fee to cover initial administration and consultation costs (not required for short term consents).
- 6.2.2 If, following consultation the location is deemed suitable, the following must be submitted before a final decision is made:
- a. Third party public liability insurance up to **£10,000,000**.
 - b. A Basic Criminal Disclosure check that is not more than 1 month old for the applicant **and any person/s that will be assisting on a regular basis**. Basic Criminal Disclosure checks can be obtained from the Disclosure and Barring Service. Information can be found online at: <https://www.gov.uk/request-copy-criminal-record> or by calling 03000 200 190. **(Not applicable to short term consents).**
 - c. One passport sized photograph of the applicant and **any person/s that will be assisting with the trading on a regular basis**. **(Not applicable to market and short term consents).**

6.3 Consultation

Consultation Static Consents And-Market Consents

6.3.1 On receipt of a valid static or market application the Council will consult with the following:-

- Gloucestershire Constabulary.
- Gloucestershire Highways.
- The relevant Town/Parish Council(s).
- The Stroud District Councillor(s) for the Ward(s) concerned.
- Environmental Health Officers at Stroud District Council.
- The Planning Authority.
- Where appropriate local residents and businesses within 100 metres of the proposed site.
- Neighbourhood Wardens.

6.3.2 The application will be advertised on the Council's website.

6.3.3 The Council will allow 28 days from the date that the application is received for people/relevant bodies to make comments in relation to the application.

Consultation - Mobile And Short Term Consents

6.3.4 On receipt of a valid mobile or short term consent application the Council will consult with the following:-

- Gloucestershire Constabulary.
- The relevant Town/Parish Council.
- Relevant Ward Councillor(s).
- Environmental Health Officers at Stroud District Council.
- Neighbourhood Wardens.

6.3.5 The Council will allow 14 days from the date that the application is received for people/relevant bodies to make comments in relation to the application.

6.3.6 There is normally no consultation for short term community and charitable event consents. However, there is discretion to consult with any relevant parties if it is considered appropriate in the public interest.

6.4 Determining Applications

6.4.1 The Head of Health and Wellbeing has delegated powers to issue or refuse an application following the consultation period.

6.4.2 Account will be taken of objections and/or letters of support made during the consultation period. The authority will consider the suitability of the site and the applicant taking account of, but not exclusively, the criteria in this policy.

6.4.3 Each application will be decided on its own merits.

6.5 Street Trading Plates

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6.5.1 On grant of a street trading consent a street trading identification plate (**except for short term consents and informal market consents**) will be issued. The plate must be displayed in the relevant unit/vehicle where it can be clearly seen by the public at all times the unit/vehicle is trading. If the plate is lost or damaged the consent holder must contact the Council as soon as possible. A charge will be made for a replacement plate.

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7 FEES AND CHARGES

- 7.1.1 A list of the current street trading consent fees and charges is available on the website or by contacting the Licensing Team.
- 7.1.2 Initial applications (**apart from short term consents**) must be accompanied by payment of a non-refundable administration fee to cover initial administration and consultation to determine suitability of the site. The consultation exercise will not commence until this payment is made.
- 7.1.3 Once a decision is made to grant a consent the full consent fee or an agreed first instalment of a payment plan must be paid before the consent will be issued.
- 7.1.4 Annual consents will expire on 31st March every year. Where the initial application is made part way through the year the fee for the first year will be pro-rata.
- 7.1.5 Fees for annual consents may be paid either:
- In full by 1st April each year.
 - Monthly by direct debit.
 - Quarterly.
- 7.1.6 Quarterly fees will be due on the following dates:
- 1st January.
 - 1st April.
 - 1st July.
 - 1st October.
- 7.1.7 If agreed payments are not made to the Council by the due date, the consent issued by the Council may be revoked or a renewal refused.
- 7.1.8 The fees will be normally be reviewed on an annual basis and published on the Council's website.
- 7.1.9 **Street trading fees may be waived in relation to community and charitable events at the discretion of the Head of Health and Wellbeing. Each event will be judged on its own merits. However the following criteria will be considered:**
- The street trading is part of an organised event with an organising group/committee/individual.
 - The primary purpose of the event is fundraising is for the benefit of the community or for a charitable cause.
 - ~~The event does not take place any more than once a year.~~
 - Stalls are pre-booked.
 - Whether any consultation is considered necessary on the grounds of public interest..

7.2 Payment Methods

- Cheque - made payable to "**Stroud District Council**".
- Debit or credit card – Can used at the Council Offices or by telephone to the Licensing Section between normal office opening hours. Can be used online for payment of an invoice www.stroud.gov.uk
- Cash - only accepted at the Council Offices
- Invoice - For renewals only, you will be sent an invoice with your renewal reminder.
- Direct debit where a payment plan has been agreed

8 RESPONSIBILITIES OF THE CONSENT HOLDER

- 8.1.1 The consent holder must act in accordance with the conditions attached to the consent.
- 8.1.2 A street trading consent entitles the applicant to trade lawfully in the location(s) specified in the consent. [Please note there are many other users of streets and the consent does not grant exclusive rights of occupation or ownership of a specific location.](#)
- 8.1.3 A street trading consent is not a permit to disregard other laws or usual restrictions. For example:
- Always observe parking restrictions and do not obstruct the highway or entry or exit roads to private property.
 - Other relevant legislation such as the Food Hygiene (England) Regulations 2006, Safety At Work etc Act 1974 and Part II, section 34 of the Environmental Protection Act 1990 (disposing of waste) must be complied with.
 - A consent holder must not cause a nuisance to the occupants of neighbouring properties from noise, litter, disposal of waste or any antisocial activity.

8.2 Changes To The Unit

- 8.2.1 You must contact the Licensing Section if you want to change your unit. You may need to make a new application or a variation application if the change is significant and impacts on the objectives of this policy.

8.3 Changes Of Assistants

- 8.3.1 A consent holder must provide the Licensing Section with a photograph and basic criminal record disclosure that is not more than 1 month old for any new persons that assist on a regular basis. See paragraph 5.3.2 for definition of assisting on a regular basis.

9 RENEWAL

9.1.1 Applications to renew an existing street trading consent must be made at least 14 days prior to the expiry of the existing consent.

9.1.2 A renewal application may be refused if there are street consent fees outstanding or the renewal application is made late.

9.1.3 The following must be submitted with a renewal application

- Renewal Application Form
- Renewal Fee
- Copy of current third party liability insurance up to £10,000,000

9.1.4 **Additional Requirements At Renewal Every 3 Years:**

- A Basic Criminal Disclosure for the consent holder and any persons that assist on a regular basis from the Disclosure and Barring Service that is not more than 1 month old.
- 1 recently taken passport size photograph of the consent holder and any persons that assist on a regular basis. (Not required for Market Consents)
- Up to date photograph of the trading unit. (Not required for Market Consents)

10 TRANSFER OF CONSENTS

10.1.1 Street trading consents are non transferable. If there is an agreement between a current consent holder and a proposed new consent holder to take over an existing unit and location, the original consent holder must surrender their consent and the proposed new consent holder must submit a new application. The proposed new consent holder, who has made the agreement with the existing consent holder, will be given priority in applying for the location provided that the new application is submitted within 5 working days after the current consent holder surrenders their consent. The applicant will need to follow the process for submitting a new application.

11 VARIATION OF CONSENTS

11.1 A street trading consent may be varied to change the conditions attached to the consent. This includes conditions relating to trading times and periods. This does not include a change of consent holder or a change of location. A variation application should be submitted with the following:

- a. Variation Application form.
- b. Notice of Intention.
- c. Written permission for the proposed change from the landowner if the street trading activity is carried out on any land owned privately.
- d. Photograph of the new/changed unit if applicable.
- e. Payment of the non-refundable consultation fee.

11.2 Consultation will be in accordance with the new application process. However if the variation is minor the consultation may be reduced at the discretion of the Licensing Officer.

12 CONDITIONS ATTACHED TO CONSENTS

- 12.1 When granting or renewing a street trading consent the Council may attach such conditions to it as they consider reasonably necessary.
- 12.2 Street trading consents will usually be granted subject to the standard conditions detailed in **Annex A** to this Policy.
- 12.3 Where appropriate, additional conditions may be added to a specific consent.

13 REFUSAL, REVOCATION AND APPEALS

- 13.1 A consent may be revoked at any time by the Council and the Council shall not in any circumstances whatsoever be liable to pay any compensation to the holder in respect of such revocation.
- 13.2 The Act does not provide an applicant or a consent holder with any direct right of appeal against a decision to refuse the grant, variation or renewal of a street trading consent, the revocation of a street trading consent, or against any restrictions or conditions imposed on a street trading consent.
- 13.3 If an applicant or any relevant party wishes to make representations in respect of a decision to grant, refuse or revoke a street trading consent the applicant/consent holder/relevant party should put this in writing with the reasons to the Licensing Section within 28 days of being notified of the decision. **The decision will be reviewed by the Strategic Director of Place. The review of the decision will take account of the reasons for the original decision and the representation or any further evidence put forward by the applicant/consent holder/other party.**

14 COMPLAINTS AND ENFORCEMENT

14.1 General Principles

14.1.1 It is recognised that well-directed enforcement activity by the Council benefits not only the public but also responsible members of the trade.

14.1.2 All decisions and enforcement actions taken by the Licensing Authority will be in accordance with the Council's Corporate Enforcement Policy and the principles of consistency, transparency and proportionality set out in the Regulator's Compliance Code.

14.1.3 Consent Holders must allow access to Authorised Officers of the Council and Police Officers at all reasonable times.

14.2 Offences

14.2.1 The following are offences under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 relevant to the Stroud District area:-

- Engaging in street trading in a consent street without Consent.
- Breaches of a condition in relation to trading location or unit or trading period.
- Breaches of a condition attached to the granted Consent.

14.2.2 A person guilty of the above offences may be liable on conviction to a fine of up to £1000.

14.3 Complaints

14.3.1 Where complaints are received regarding the carrying on of street trading activities, these will be investigated in a prompt and professional manner.

14.3.2 If a complaint is found to be justified then the following actions may be taken by Officers:

- Verbal warning.
- Written warning.
- Simple caution.
- Prosecution.
- Revoke the Consent.

ANNEX A

STANDARD CONDITIONS APPLICABLE TO HOLDERS OF A STREET TRADING CONSENT

THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

It is important that the consent holder should understand and at all times observe these conditions. Any breach of any Condition could result in revocation of the street trading consent.

- 1 Street trading can only take place in accordance with the times and permissions of the consent.
- 2 A consent may be revoked at any time by the Council and the Council shall not in any circumstances whatsoever be liable to pay any compensation the holder in respect of such revocation.
- 3 The consent holder shall return this consent to Stroud District Council immediately on revocation or surrender of the consent.
- 4 Any consent holder found to be employing persons who do not have the right to work in the UK will have their consent immediately revoked.
- 5 A consent cannot be sub-let.
- 6 Consent holders shall permanently and clearly display on the street trading unit, in a conspicuous position readily visible to the public, a valid identification plate that has been issued by the Council. (Static and Mobile Consents only).
- 7 The consent holder and any assistants shall sell/offer for sale only such goods or types of goods as may be specified in the street trading consent granted to the consent holder.
- 8 The consent holder shall at all times maintain a valid Third Party Public Liability Insurance Policy **of at least £10,000,000** to the satisfaction of the Council and shall produce a valid certificate of such insurance at any time upon request by an authorised officer of the Council.
- 9 The consent holder shall keep his trading site and immediate adjacent area in a clean and tidy condition during permitted trading hours and also leave the site in a clean and tidy condition and unobstructed at the end of each period of use under the terms of this consent. For these purposes the term 'immediate adjacent area' refers to all public land within a 50 metres radius from the trading location over which the public have access.
- 10 No waste matter shall be discharged into or allowed to enter any highway drain or water course.
- 11 Every static street trading unit and any vehicles or equipment associated with it shall be removed from the site at the end of the day. **The unit must not be left on site when not in use unless explicit written consent has been given by the Head of Health and Wellbeing.**

- 12 The consent relates only to the unit described in the application or as defined on the certificate of consent.
- 13 The use of awnings; external display stands and the positioning of tables, chairs and sunshades around the unit are also prohibited without the written permission of the Head of Health and Wellbeing.
- 14 The display of advertising signs, other than on the unit itself, is prohibited **without the written permission of the Head of Health and Wellbeing. Signage may also require planning permission.**
- 15 Holders of a mobile street trading consent must not trade in one place for more than 30 minutes at a time and must not return to the same location within 2 hours.
- 16 No street trading unit shall be located and no street trading activity shall be carried on so as to cause obstruction of any street or endanger persons using the street.
- 17 The consent holder shall not trade in such a way as to cause a statutory or public nuisance to persons using the street, public place, or occupiers of premises in the vicinity. Noise from equipment (including amplified audio equipment) used in connection with the consented street trading activity shall also not give rise to a statutory or public nuisance.
- 18 The consent holder shall make adequate arrangements to ensure that all persons connected with the operation of the unit have the means and opportunity to visit suitable toilet facilities when necessary. The consent holder shall ensure that the facilities available are made use of.
- 19 The consent holder shall comply with the requirements of Part II, section 34 of the Environmental Protection Act 1990 with respect to waste resulting from his/her trading. The consent holder will make available the relevant documentation as proof of compliance at the request of an authorised officer of the Council.
- 20 If, and when required, the consent holder shall present the street trading unit to an officer of the Council for inspection.
- 21 The Council reserves the right to refuse to renew a static street trading consent if the applicant has not, without reasonable cause, traded at the site on a regular basis in the previous 6 months. In such circumstances the street trading consent may be granted to another applicant.
- 22 Street trading shall not be carried on at any time unless the appropriate fee for the street trading consent has been duly paid to the Council. The Council reserves the right to revoke or refuse to renew a street trading consent for non payment of fees.
- 23 The consent Holder shall at all times conduct business in a clean, honest, civil and businesslike manner without interfering with the business of other traders and consent holders.
- 24 Nothing contained in these conditions shall relieve the consent holder or their employees or agents from any legal duty or liability and the consent holder shall indemnify the Council in respect of all claims, actions, demands or costs arising from this consent.
- 25 **The Council may vary or make additions to the Conditions applying for any or all street trading consents, at any time.**

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ANNEXE B

RELEVANT OFFENCES WHEN DETERMINING SUITABILITY OF AN APPLICANT FOR A STREET TRADING CONSENT

a. Dishonesty

A street trading consent will not be granted unless ~~3–5~~ 7 years have lapsed since a conviction for an offence that involves dishonesty, for example theft or fraud, or completion of any sentence imposed whichever is the later.

b. Violence

If an applicant has been convicted for an offence for violence which involves loss of life, a street trading consent will not be granted.

In other cases a street trading consent will not be granted unless ~~3–10~~ 10 years have lapsed since a conviction for an offence relating to violence or completion of any sentence imposed whichever is the later.

c. Drugs

A street trading consent will not be granted unless ~~5–10~~ 10 years have lapsed since a conviction relating to the supply or importation of drugs or completion of any sentence imposed whichever is the later.

A Street trading consent will not be granted unless ~~3–5~~ 5 years have lapsed since a conviction for an offence relating to the possession of drugs or completion of any sentence imposed whichever is the later.

d. Sexual and Indecency Offences

A street trading consent will not be granted where there are convictions for rape, indecent assault, any sexual offence involving children and any conviction for an offence under the Sexual Offences Act 2003, or for indecent exposure.

e. Exploitation

A street trading consent will not be granted if there are convictions relation to exploitation of another individual. This will include slavery, child sexual exploitation and grooming.

f. Motoring Convictions

In most cases, motoring offences are unlikely to be relevant when considering a street trading consent application. However, there may be instances where the offences are of a very serious nature or may be relevant to the type of street trading activity. In those cases a street trading consent will not be granted unless ~~3–5~~ 5 years have lapsed since any such convictions or completion of any sentence imposed whichever is the later.

g. Street Trading Legislation

The Council takes a serious view on applicants who have been convicted of street trading offences under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. In particular, a street trading consent will not be granted unless 2 years have lapsed since any offence under the 1982 Act or if there is more than one conviction unless 5 years have lapsed.

h. Formal Cautions and Fixed Penalty Notices

For the purposes of these guidelines, the Council will treat Formal Cautions issued in accordance with Home Office guidance and fixed penalty notices as though they were a conviction before the courts.

i. Existing Consent Holders Convicted Of An Offence

The Council may consider revoking the consent if the consent holder is convicted of an offence and in particular there will be concern if the offence falls into one of the categories detailed above.

COMMUNITY SERVICES AND LICENSING COMMITTEE

25 JUNE 2020

6

Report Title	STROUD DISTRICT COUNCIL'S STATEMENT OF LICENSING POLICY UNDER THE LICENSING ACT 2003			
Purpose of Report	To provide information that will allow Committee to consider a Draft Statement of Licensing Policy prior to formal consultation. The Statement will outline the principles Stroud District Council will apply when exercising its functions under the Licensing Act 2003 from January 2021 when the current Statement expires.			
Decision(s)	The Committee RESOLVES to approve the Draft Statement of Licensing Policy (Appendix A) and authorise officers to undertake the statutory consultation.			
Consultation and Feedback	Consultation has not yet been undertaken			
Report Author	Rachel Andrew, Principal Licensing Officer Tel: 01453 754401 Email: rachel.andrew@stroud.gov.uk			
Options	In accordance with the Licensing Act 2003 the Council must review, consult and readopt its Statement of Licensing Policy every 5 years.			
Background Papers	Not applicable			
Appendices	Appendix A – Draft Statement of Licensing Policy			
Implications (further details at the end of the report)	Financial	Legal	Equality	Environmental
	No	No	No	No

1. INTRODUCTION/BACKGROUND

- 1.1 Section 5 of the Licensing Act 2003 requires a Licensing Authority to determine and publish a Statement of its Licensing Policy at least once every five years. Failure to do so would mean the authority could not continue its licensing functions under the Act.
- 1.2 The purpose of the Licensing Policy is to give guidance to applicants, licence holders, local residents and local businesses on how the Licensing Authority will make its decisions under the Licensing Act 2003. In particular, it lays out the Licensing Authority's policy for decisions by a hearing panel when there has been representation or objection against an application or a request has been made to review an existing licence
- 1.3 Before determining its licensing policy, the licensing authority must consult the persons listed in section 5(3) of the Act. These include the Police and representatives of local licence holders, businesses and residents.

2 STROUD DISTRICT COUNCIL'S STATEMENT OF LICENSING POLICY

- 2.1 Stroud District Council's current Statement of Licensing Policy was published in January 2016 and will expire on 7 January 2021.
- 2.2 The Home Office issues guidance on the Licensing Act 2003. This includes guidance on the development and preparation of Statements of Licensing Policy and recommends general principles and content. Stroud District Council's current Statement takes account of the Home Office guidance.
- 2.3 Stroud District Council's current Statement of Licensing Policy has been reviewed and updated by the Principal Licensing Officer. There have not been any significant changes to the legislation or the Home Office guidance during the past 5 years so only minor changes have been made to reflect current best practice. A draft Statement of Licensing Policy is Appendix A. The updates are shown in the draft Statement highlighted in pink with explanations in comment boxes.
- 2.4 It is the intention that, once the draft Statement of Licensing Policy has been approved by Community Services and Licensing Committee, it will be put out for formal consultation between June and August 2020. Consultation will include the Police and responsible authorities, Town and Parish Councils, Ward Councillors, current licence holders and representatives of the licensed trade.
- 2.5 Any comments received from the consultation will be considered by a working party made up of the Principal Licensing Officer, a Council Solicitor and the Chair of Community Services and Licensing Committee. The working party will agree a final draft Statement of Licensing Policy.
- 2.6 In accordance with the Licensing Act 2003 the Statement of Licensing Policy must be adopted by Full Council. Therefore, it is the intention that the final draft agreed by the working party will be put before Community Services and Licensing Committee at their meeting in September 2020 with a view that the Committee will recommend adoption at a Full council meeting towards the end of the year. This timescale will mean the new policy can, in accordance with the requirements of the legislation, be re-adopted and published before Stroud District Council's current Policy expires.
- 2.7 Proposed Timetable

25 June 2020	Committee approve Draft Statement of Licensing Policy
26 June 2020 to Mid Aug 2020	Formal consultation period
End of Aug 2020	Consideration of consultation comments by working party
Sept 2020	Committee approve Final Draft Statement of Licensing Policy
Oct 2020	Adoption by full council
Dec 2020	Statement of Licensing Policy is published
7 Jan 2021	Statement of Licensing Policy comes into force

3 CONCLUSION

- 3.1 The Licensing Act 2003 requires to Council to review and readopt its Statement of Licensing Policy every 5 years. Stroud District Council's current policy expires in January 2021. Committee should resolve to approve a draft Statement of Licensing Policy that will then be put out for formal consultation in accordance with the requirements of the Act.

4. IMPLICATIONS

4.1 Financial Implications

There are no financial implications associated with this report as it is a proposing a draft Statement of Licensing Policy (Appendix A) prior to formal consultation.

Adele Rudkin, Accountant

Tel: 01453 754109 Email: adele.rudkin@stroud.gov.uk

4.2 Legal Implications

All legal implications are set out in the body of the report.

Patrick Arran, Interim Head of Legal Services & Monitoring Officer

Tel: 01453 754369 Email: patrick.arran@stroud.gov.uk

4.3 Equality Implications

There are not any specific changes to service delivery proposed within this decision.

4.4 Environmental Implications

There are no significant implications within this category.

LICENSING ACT 2003

**STATEMENT OF
LICENSING POLICY**

Draft for Consultation

For Commencement 7 January 2021

¹

Draft for Consultation – For commencement 7th Jan 2021

Foreword

The geographical area administered by Stroud District Council is mainly rural in nature and based around the market towns of Berkeley, Dursley, Nailsworth, Stonehouse, Stroud and Wotton under Edge. The District covers an area of approximately 175 sq miles; it contains 52 separate parishes and has a population of around 119,000. It is one of six district councils within Gloucestershire.

The authority has approximately 431 current premises licences and 47 current club premises certificates. These include 122 public houses, 2 night clubs, 88 off-licences, 17 late night takeaways, 12 premises offering online sales only and 60 village halls with 24 licensed to sell alcohol. The district receives approximately 78 temporary event notifications per month. (These figures are based on pre Covid19 data).

Commented [AR1]: Numbers have been updated

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1 INTRODUCTION

Scope of the Licensing Act 2003

- 1.1 Stroud District Council (the Council) is the Licensing Authority for Stroud district and is responsible under the Licensing Act 2003 (the Act) for the regulation of 'licensable activities' within its area. The licensable activities that are required to be licensed under the Act are as follows:
- The retail sale of alcohol
 - The supply of alcohol by or on behalf of a club, or to the order of a member of the club
 - The provision of regulated entertainment
 - The provision of late Night Refreshment
- 1.2 The licences and permissions that are administered and enforced by the Council under the Act are:
- Premises Licences
 - Club Premises Certificates
 - Personal Licences
 - Temporary Event Notices

Purposes of Statement of Licensing Policy

- 1.3 The Act imposes a duty on the Council to develop, publish and review a Statement of Licensing Policy that sets out the policies that the Council will generally apply when making decisions under the Act.
- 1.4 The main purpose of this policy is to provide guidance to applicants, licence holders, responsible authorities, local residents and businesses
- 1.5 In particular, it gives guidance on how the Council will make decisions in cases where there has been representation or objection against an application or notice or where application has been made to review an existing licence. In these cases, the Council's discretion becomes engaged and a hearing must be held. The Council can grant, refuse, revoke, amend or add conditions.

Licensing Objectives and Key Aims

- 1.6 The Council will actively seek to promote the four statutory licensing objectives that are set out in section 4 of the Act, which are as follows:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 1.7 Each objective is of equal importance and the Council's policy relating to each of them is given in this Licensing Policy.

1.8 Stroud District Council will also actively seek to promote key aims laid out in the Guidance issued by the Secretary of State including:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

Review of Statement of Licensing Policy

1.10 This Statement of Licensing Policy has been prepared in accordance with the provisions of the Act and the Guidance issued by the Secretary of State under Section 182 of the Act. **This Policy was adopted at Full Council on ??? 2020** and takes effect on 7th January 2021 and will remain in force for a period of not more than five years (or in accordance with any amendments to the legislation). The Statement of Licensing Policy is a live document subject to continuous review to meet changing needs of the community, business circumstances and legislation. Any amendments to the Licensing Policy will be made following consultation with parties that have an interest.

1.11 There are a number of groups who have an interest in the licensing of premises under the Act, including, but not limited to the licensed trade, customers, businesses, residents and enforcing agencies. Before publishing the Licensing Policy and any amendments to it, the Council will consult with,

- Gloucestershire Constabulary
- Gloucestershire Fire and Rescue Service
- Gloucestershire Public Health
- Bodies representing local holders of personal licences
- Bodies representing premises licences and club premises certificates
- Bodies representing local businesses and residents

1.12 In addition, the Council may also consult with other local bodies and agencies as appropriate. See Appendix D for list of bodies and agencies consulted with during consultation for this Policy.

1.13 The Council will give appropriate weight to the views of consultees

1.14 In formulating the licensing policy the Licensing Authority has had regard to Stroud District Council's Health and Wellbeing Plan and Gloucestershire Health and Wellbeing strategy and, where they link into the Licensing Act objectives, seeks to complement the aims of those strategies

General Principles

- 1.15 The objective of the licensing process is about regulating licensable activities on licensed premises and at qualifying clubs and temporary events within the Act. More particularly, it is about creating a unified system of regulation to allow the sale and supply of alcohol, and the provision of regulated entertainment and late night refreshment, to be carried out in a way that ensures public safety, is not to the detriment of residents and does not give rise to the loss of amenity. The Council's aim is to facilitate well-run and managed premises with licence holders displaying sensitivity to the impact of the premises on local residents.
- 1.16 The Council recognises that licensing law is not the primary mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned. As such, conditions attached to authorisations will focus on matters which are within the control of individual licence holders and others with relevant authorisations, that is, the premises and its vicinity. However, the Council expects every holder of a licence, certificate or permission to be responsible for minimising the impact of their activities and anti-social behaviour by their patrons within the immediate vicinity of their premises.
- 1.17 The Council will avoid unnecessary duplication of existing legislation and other regulatory regimes e.g. health & safety legislation, environmental protection legislation etc that already place obligations on employers and operators. Conditions in respect of public safety will only be attached to licences by the Council as appropriate for the promotion of the licensing objectives.
- 1.18 ~~When considering applications and those other matters that it is required to undertake in its role as the Licensing Authority the Council will take notice of and apply those definitions contained within the Licensing Act 2003, secondary regulations, schedules, Guidance and this Licensing Policy.~~
- 1.18 The Council will work in partnership with other local authorities, the responsible authorities, statutory bodies and agencies, particularly those located in Gloucestershire, as appropriate, to ensure a consistent approach is taken on licensing matters whilst respecting the differing needs of the individual communities.
- 1.19 Nothing in the Council's Licensing Policy shall undermine any person from applying for any variety of licensable activities under the Act, and every application received will be considered on its own merits.
- 1.20 The Council when acting as the Licensing Authority will seek to balance the needs of both the wider and local communities and commercial premises and activities, against the needs of those who may be adversely affected by the applicant's activities. The views of vocal minorities will not usually predominate over the general interests of the community.
- 1.21 Where it is necessary to depart from the Guidance, either in this policy or at any other time, the council will give clear and sound reasons for doing so.
- 1.22 All representations (excepting those representations that are deemed to be frivolous, vexatious or repetitious) will be given appropriate weighting when being considered by the Council. Nothing in this policy shall override the right of any person to make representations on an application or to seek a review of a certificate where provision has been made for them to do so in the Act.

Commented [AR2]: Wording deleted as not necessary

Cultural Events

- 1.23 The performance of live art often associated with cultural events and particularly traditional entertainment such as that performed by street artists as part of street entertainment can be central to the development of cultural diversity and vibrant communities, which if absent could lead to a loss of community awareness. The Council will monitor the impact of licensing on the provision of regulated entertainment and particularly live music and dancing.
- 1.24 The Council will continue to encourage, promote and provide opportunities for such events and entertainment throughout the district by making application for a Premises Licence where appropriate in respect of land and public open spaces that it owns, thereby enabling performers and entertainers who wish to provide regulated entertainment to do so by obtaining the permission of the premises licence holder without needing to either obtain a licence or give a temporary event notice.

Covid19

- 1.26 The Coronavirus Regulations required many licensed premises to be closed for a period of time or to work in different ways such offering a takeaway and/or shop service. Where appropriate the Council will apply some flexibility and creativity in the implementation of application processes to enable businesses to get back running safely and to help the local economy to recover.
- 1.27 During times when the Government is advising that premises must have social distancing measures in place, or there are other similar Government directions, it is expected that new applicants will have undertaken a risk assessment and include in their application the measures they will be implementing.
- 1.28 Where there is evidence that a licence holder is breaching Coronavirus Regulations, or any similar public health direction, in the first instance advice will be given. However, if breaches continue action may be taken under the relevant emergency legislation and/or the licence may be reviewed under the Licensing Act under the prevention of crime and disorder and public safety objectives

Commented [AR3]: New wording to reflect Covid 19 implications

2 PREVENTION OF CRIME AND DISORDER

- 2.1 The Council places considerable importance on the prevention of crime and disorder and will fulfil its duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the District.
- 2.2 Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can if not properly managed sometimes become a source of public nuisance generating crime and disorder problems. The Council expects applicants to develop operating schedules that demonstrate their ability to exercise suitable control over licensable activities.

- 2.3 Where appropriate, applicants are recommended to seek advice from Gloucestershire Constabulary when considering prevention of crime and disorder in their operating schedules

Handling of Drugs found on licensed Premises

- 2.4 Where appropriate, applicants are encouraged to agree a protocol with Gloucestershire Constabulary on the handling of illegal drugs found on their premises.

Stroud Safe Scheme

- 2.5 Where appropriate applicants are encouraged to become members of a local pubwatch scheme such as Stroud Safe and to regularly attend any meetings.

CCTV

- 2.6 Where appropriate applicants are encouraged to install a CCTV system that will be maintained and will record at all times the premises are open to the public. All recordings to be stored chronologically in a secure place for a period of not less than 31 days and to be produced to the Police and authorised officers of the Council on request.

Commented [AR4]: Wording about CCTV to reflect good practice

Door Supervisors

- 2.7 The prevention of crime and disorder may also be promoted by employing registered door supervisors, ensuring all staff have appropriate training, incorporating a search policy into the entry conditions of the premises.

Dispersal / End of Evening Policy

- 2.8 Premises that are close to residential properties are expected to consider dispersal or end of evening policies to minimise the potential for disorder and disturbance as customers leave the premises and evidence of such consideration should be detailed in the application form.

Commented [AR5]: New wording about end of evening policy to reflect good practice

Winding Down Time

- 2.9 Premises serving alcohol after 11pm should consider giving customers the opportunity to remain on the premises after last orders to encourage a 'wind down' period. The Licensing Authority will normally expect the service of alcohol to cease at least 30 minutes before customers are required to leave the premises. Applicants should consider a strategy of how they will implement a 'winding down' period and detail this in the application form. This could include slowing down the pace, volume and type of music played, brighter lighting arrangements and serving hot food, coffee and other soft drinks.

Commented [AR6]: New wording about winding down time to reflect good practice

Use of Glassware

- 3.0 As a measure to reduce alcohol-related injuries, where it is appropriate to the venue or event, consideration should be given to the use of safer alternatives to traditional glassware. Operators of high volume premises and outdoor events are encouraged to consider polycarbonate or plastic drinking vessels subject to Weights and Measures marking requirements. Glass related assaults are more likely to occur in pubs, clubs, as well as public spaces, on Friday and Saturday nights in the late night/early hours of the morning between the hours of 22:00 - 03:00.

Commented [AR7]: New wording about use of glassware to reflect good practice

3 PUBLIC SAFETY

- 3.1 The Act covers a wide range of premises that will present a mixture of risks to public safety, some of which may be common to different premises whilst others will be unique to specific operations.
- 3.2 Where the applicant can demonstrate compliance with statutory requirements (e.g. relating to fire prevention etc), and that suitable and sufficient risk assessments are in place which are relevant to the activities proposed and the Council's discretion has been engaged by the receipt of a relevant representation, the Council will not normally seek to duplicate such controls by the imposition of licensing conditions.

Capacity limits

- 3.3 The Council will not seek to set a capacity limit for premises for fire safety purposes only as this is controlled by the Fire Service under the Regulatory Reform (Fire Safety) Order 2005.
- 3.4 The Council is however committed to ensuring public safety especially in relation to premises providing regulated entertainment and in some cases a capacity limit may be relevant to the Licensing Objectives.
- 3.5 The identification of a safe capacity limit for premises ensures that persons can be evacuated safely from premises in cases of emergency and may be one means of promoting the Act's public safety objective. The design and layout of premises are important factors when determining a safe occupant capacity. Other factors that may influence safe occupancy limits and may need to be considered when assessing the appropriate capacity for premises or events include;
- the nature of the premises or event;
 - the nature of the licensable activities being provided;
 - the provision or removal of such items as temporary structures, such as a stage, or furniture;
 - the number of staff available to supervise customers both ordinarily and in the event of an emergency;
 - the age spectrum of the customers;
 - the level and frequency of attendance by customers with disabilities, or who may be unable to speak or understand English;
 - availability of suitable and sufficient sanitary facilities;
 - nature and provision of facilities for ventilation.
- 3.6 The Council encourages applicants for premises licences that provide regulated entertainment (or any other premises providing a licensable activity where occupant capacity may be a fire safety issue) to seek advice regarding safe occupancy levels from the Fire Safety Section of Gloucestershire Fire and Rescue Service.
- 3.7 Where following receipt of a relevant representation the Council's discretion has been engaged, and it believes it is necessary to impose a condition identifying an occupancy limit on a premises licence, the Council will give due consideration to the guidance on calculating capacity limits for licensed premises on Gloucestershire Fire and Rescue Service's website www.glosfire.gov.uk

4 PREVENTION OF PUBLIC NUISANCE

- 4.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can sometimes cause a range of nuisances impacting on communities and people living, working or sleeping in the vicinity of the premises.
- 4.2 In relation to “the prevention of public nuisance” the Council will seek to minimise the extent to which residents are disturbed late at night and seek to protect the amenity of residents and businesses in the vicinity of licensed premises.
- 4.3 Where appropriate, applicants are recommended to seek advice from the Council’s Environmental Protection Section when considering prevention of public nuisance and developing their operating schedules.
- 4.4 ~~Where appropriate applicants are recommended to provide a noise management plan with their application. Examples where this might be appropriate are outdoor events or late evening venues.~~
- 4.5 Where the Council’s discretion has been engaged following the receipt of a relevant representation the Council will take into account the adequacy of measures proposed to deal with the potential for nuisance and/or anti-social behaviour having regard to all the circumstances of the application. In particular, the Council will consider any action that the applicant has taken or is proposing with regard to the following:
- i) prevention of noise and vibration escaping from the premises, including music, noise from ventilation equipment, and human voices. Such measures may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices;
 - ii) preventing disturbance by customers arriving at or leaving the premises, particularly between the hours of 11.00 pm and 7.00 am;
 - iii) preventing queuing by pedestrians or vehicular traffic, or if some queuing is inevitable then ensuring the queues are diverted away from neighbouring premises, or are otherwise managed, to prevent disturbance or obstruction;
 - iv) the use of gardens and other open-air areas;
 - v) the location of external lighting, including security lighting;
 - vi) other appropriate measures to prevent nuisance, such as the employment of registered door supervisors or the use of CCTV;
 - vii) preventing the consumption or supply of illegal drugs, including search procedures;
 - viii) whether the premises would lead to increased refuse storage or disposal problems, or additional litter (including fly posters and illegal placards) in the vicinity of the premises or that the manner of storage of any other waste materials does not adversely impact on public safety;
 - ix) any history of previous nuisance complaints proved against the premises, particularly where statutory notices have been served on the present licensees. (Similarly cognisance will be taken of any evidence showing good management and no previous nuisance complaint history.)
 - x) to utilise effective means of reducing disorder by communicating with other licensees and the Police in communicating information regarding the potential for anti-social or criminal behaviour. (e.g. radios, pagers, ring rounds, membership of Stroud Safe etc.)

Commented [AR8]: New wording to reflect good practice

5 PROTECTION OF CHILDREN FROM HARM

- 5.1 The Council acknowledges the role that the Gloucestershire Safeguarding Children Board can play in promoting the Act's objective relating to the protection of children from harm. The Council recognises this body to be competent to act as the responsible authority in relation to the protection of children from harm and it is this body to which applicants should forward copies of their applications.
- 5.2 The Council recognises that some licensees may wish to hold functions or provide facilities targeted specifically towards children (under 16 Discos, children's parties, supervised crèche/play areas etc.) and expects organisers of such functions or activities associated with licensed premises to take all reasonable steps to ensure that staff employed will not put children at risk from harm e.g. the organiser could request that potential employees provide sufficient information to allow an enhanced DBS check.
- 5.3 The Council expects personal licence holders to contribute to not serving alcohol to persons under the age of 18, except in limited conditions allowed for by law and recommends that the following are preferred ways to verify a person's proof of age: -
- Passport
 - Photo card driving licence issued in a European Union country;
 - PASS (Proof of Age Standards Scheme) accredited card eg Validate UK.
- 5.4 Where appropriate applicants are encouraged to participate in the Challenge 25 age verification scheme

Commented [AR9]: New wording to reflect good practice

Children and Internet Sales of Alcohol

- 5.5 The Council recognises the potential risk to children from mobile, remote, internet and other delivery sales of alcohol being made to or accepted on the doorstep persons under 18. The Council expects applicants for internet and delivery alcohol sales to explain in their application how they will ensure that sales and deliveries are only made to persons over 18. This could include checks whilst taking bookings and ensuring a signature of a responsible adult on delivery.

Access by Children to Licensed Premises

- 5.6 The Council will not seek to require that access to licensed premises is given to children at all times. Neither will it seek to limit the access of children to licensed premises unless necessary for the promotion of the licensing objectives and especially relating to the prevention of harm to children. This includes physical, moral or psychological harm. The following are examples of premises that may raise concerns:
- where entertainment or services of an adult or sexual nature are commonly provided;
 - where there have been convictions of members of the current staff at the premises for serving alcohol to minors;
 - where there is evidence that underage drinking has gone on at the premises in the past;
 - premises with a known association with drug taking or dealing;
 - where there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines); and

- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

5.7 When following a relevant representation, the Council's discretion has been engaged the Council may in determining whether it is necessary to limit the access of children to licensed premises consult with Gloucestershire Constabulary, Gloucestershire Social Services and other agencies as appropriate. If having considered the application and the representation the Council believes it is necessary to restrict access to the premises by children through the attachment of conditions the options available to the Authority could include (but are not limited to):

- limitations on the hours when children may be present;
- age limitations for persons under 18;
- limitations or exclusion when certain activities are taking place;
- full exclusion of persons under 18 when certain licensable activities are taking place;
- limitation of access to certain parts of the premises for persons under 18;
- requirement for an accompanying adult to be present.

5.8 The Council will not impose any conditions that specifically require the access of children to the premises.

Children and Films

5.9 Films cover a vast range of subjects, some of which deal with adult themes and/or contain, for example scenes of horror or violence that may be considered unsuitable for children of certain age ranges. Where premises are used for film exhibitions and the Council's discretion has been engaged following receipt of a relevant representation, the Council will normally seek to impose conditions restricting access only to persons who meet the required age limit in line with any certificate granted by the British Board of Film Classification (BBFC). The Council expects licence holders to ensure that age restrictions for film exhibitions are properly complied with.

5.10 The Council does not intend to adopt its own system of film classification but reserves the right to amend the classification imposed by the British Board of Film Classification (BBFC). If the Council attaches an age restriction to any film that differs from the BBFC classification or attaches one to an unclassified film, the information about the Council's classification will be published on the Council's website at www.stroud.gov.uk.

6. PLANNING

6.1 As far as is practicably possible, the Council will avoid unnecessary duplication or inefficiencies by properly separating the planning and licensing regimes

6.2 Applicants are encouraged to ensure that the proposed activity will constitute lawful planning use and the hours sought do not exceed those authorised by any planning permission.

6.3 Where the hours authorised by the relevant planning permission are different to the licensing hours for those premises, the law requires the licence holder to observe the earlier closing time. Premises acting in breach of their planning permission would be liable to enforcement action under the planning legislation.

7 CUMULATIVE IMPACT

- 7.1 The Council recognises that there is a difference between commercial need and the cumulative impact of premises in an area. Commercial need is a matter for the Council's planning committee and for market forces, the cumulative impact of licensed premises on the promotion of the licensing objectives is however a proper matter for the Council acting as the Licensing Authority to consider.
- 7.2 The Council will not take 'need' into account when considering an application for a premises licence or club premises certificate.
- 7.3 However, the Council recognises that the cumulative impact of a significant number of licensed premises concentrated in one area may lead to serious impacts in terms of the licensing objectives and in particular nuisance, crime and disorder.
- 7.4 There is currently insufficient evidence to demonstrate that any particular concentration of licensed premises within the district is causing a cumulative impact on one or more of the licensing objectives requiring the Council to adopt a special policy of refusing new licences or restricting applications to vary the licensable activities of existing licensed premises.
- 7.5 Similarly there is currently insufficient evidence to demonstrate that an Early Morning restriction order is required in this district.
- 7.6 The Council has not adopted a Late Night Levy
- 7.7 The situation will be kept under review throughout the period that the Licensing Policy is in force with a view to collecting suitable evidence and then incorporating a special policy if appropriate.
- 7.8 The Council will encourage the use of other mechanisms for controlling problems caused by customers behaving badly and unlawfully once away from licensed premises. For example:-
- Planning controls.
 - Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the Council.
 - The provision of CCTV surveillance in town centres
 - Stroud and Dursley are subject to Public Spaces Protection Orders under Anti-Social Behaviour, Crime and Policing Act 2014) as being places where alcohol may not be consumed publicly except where there is an authorisation under the Act
 - Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices for relevant offences.
 - The prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk.
 - The confiscation of alcohol from adults and children in designated areas, within the limits of current legislation.
 - Police and Local Authority powers to close down instantly, for up to 24 hours, any licensed premises or temporary event on grounds of disorder, the likelihood of disorder or noise emanating from the premises causing a nuisance.
 - The power of the police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question.

Commented [AR10]: The Local authority also has the power to close a premises on the same grounds as the Police

8 LICENSING HOURS

- 8.1 The Licensing Act 2003 introduced flexible opening hours for premises, with the potential for 24 hour opening, seven days a week. The Council recognises the variety of premises for which licences will be sought and that fixed and artificially early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when people tend to leave licensed premises at the same time. When dealing with licensing hours, each application will be dealt with on its individual merits.
- 8.2 The Council will have a flexible approach to opening hours and will deal with the issue of licensing hours having due regard to the individual merits of each application, taking into account requests for terminal hours in the light of the:
- environmental quality;
 - residential amenity;
 - character or function of a particular area; and
 - nature of the proposed activities to be carried on and provided at the premises.
- 8.3 Generally the Council will consider licensing shops, stores and supermarkets to sell alcohol for consumption off the premises during the normal hours they are open for shopping purposes. There may, however, be instances where it is considered that there are good reasons for restricting those hours, for example, where police representations are made in respect of isolated shops known to be the focus of disorder and public nuisance.
- 8.4 Where following a relevant representation the Council's discretion has been engaged, consideration will be given to imposing stricter controls on noise and disturbance from particular licensed premises, such as those in mainly residential areas.

9 LARGE SCALE OUTDOOR EVENTS

- 9.1 A large scale event is considered to one where the capacity is more than 499
- 9.2 Where there is no premises licence in place, it is recommended that a premises licence application should be submitted to the Licensing Service ideally 6 months before the event, but not less than 3 months.
- 9.3 The primary responsibility for safety of attendees at events rests with the event organisers.
- 9.4 Applicants are expected to have reference to The Event Safety Guide - A Guide to Health, Safety and Welfare at Music and Similar Events, commonly referred to as 'The Purple Guide'.
- 9.5 Applicants for large outdoor events are recommended to provide an Event Management Plan (EMP) with their application for a premises licence. For an ongoing premises licence The EMP should be reviewed, updated and submitted to the Council at least 3 months before the event.
- 9.6 The EMP should cover as a minimum the following area (this list is not exhaustive and will vary by event type):
- Site plan including site management, exits, entrances and the structural integrity of all temporary structures

- Crowd management, stewarding and security plan
- Use of SIA registered door supervisors
- Intended activities and entertainment
- Capacities
- Alcohol management plan
- Production details
- Medical and first aid provision
- Fire safety and control
- Noise Management Plan
- Car-parking arrangements
- Sanitary provisions
- Concessionary activities
- Drug Policy
- Emergency Evacuation Plan?
- Counter terrorism measures
- Welfare provisions
- Traffic management plan
- Refuse and recycling plan
- Where appropriate measures in place to prevent spread of Covid19 or similar

Safety Advisory Group and large outdoor events

- 9.7 In most cases large events will engage the Safety Advisory Group (SAG). The SAG is a group established to provide specialist advice and guidance in relation to safety at, concerts, festivals and other events.
- 9.8 Applicants for a premises licence for a large event are encouraged to submit a SAG notification. Where a premises licence has been granted for on-going events the licence holder is encouraged to submit a SAG notification annually. The notification should be submitted ideally at least 6 months before each event but not less than 3 months.

Commented [AR11]: New section to give advice for large scale outdoor events

10 PROMOTION OF EQUALITY

- 10.1 The Council recognises that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 10.2 Public authorities are required to publish information at least annually to demonstrate their compliance with the equality duty. Stroud District Council is firmly committed to providing and promoting equality for all its employees, service users and the wider community. Further information and data is provided on Stroud District Council's website www.stroud.go.uk

Access And Evacuation For Persons With Disabilities

- 10.3 Disabled people have the right to access services. There are clear legal responsibilities under the Equality Act 2010, requiring all service providers to make reasonable adjustments to enable disabled persons to access the service thereby ensuring that disabled people are not discriminated against.

11 THE LICENSING PROCESS

- 11.1 When dealing with applications made under the Act the Council will take account of and give appropriate consideration to:
- The Act together with regulations made thereunder;
 - Guidance issued under the Act and
 - Its own licensing policy and appendices attached thereto, considering each application on its individual merits.
- 11.2 Each and every application received whether for the issue of a personal or premises licence or club premises certificate will be treated fairly and will be considered on its own merits. If no relevant representations are received, then the licence will be issued automatically with such conditions attached as are;
- Relevant mandatory conditions under the Act, or,
 - Consistent with the operating schedule accompanying the application. (Except where an application is made for a minor variation in which case conditions cannot be imposed)
- 11.3 One of the major principles underlying the Licensing Act 2003 is that the licensing functions contained within the Act should be delegated to an appropriate level so as to ensure speedy, efficient and cost effective service delivery.
- 11.4 Appendix A to this policy is a Table of Delegated Functions setting out the Council's scheme of delegations for the discharge of functions under the Act. However, it should be noted that these delegations will not prevent Officers from referring an application to a Sub-Committee of/or the Committee that deals with licensing if it is considered appropriate to the individual circumstances of the case.
- 11.5 Applications for new premises licences and major variations must be accompanied by a proposed Operating Schedule. The Council expects such applicants to address the licensing objectives in their Operating Schedule by having regard to the type of licensable activities to be provided, the premises, their operational procedures, the nature of the location and the needs of the local community.
- 11.6 The Council encourages all applicants to undertake a thorough and appropriate risk assessment relevant to their business, particularly with regard to how they will promote the licensing objectives relevant to that business. When considering those steps that may be necessary in promoting the licensing objectives applicants should give consideration to the guidance issued under Section 182 of the Licensing Act 2003 and this Statement of Licensing Policy.
- 11.7 Some regulations do not cover the unique circumstances relating to some forms of entertainment. Where the Council's discretion has been engaged and it is necessary to impose conditions to promote the Act's objectives such conditions will be tailored to the individual style and characteristics of the premises and events concerned.

- 11.8 Minor variation applications are restricted to changes that will not undermine the licensing objectives. Other Parties may make representations and the Council is entitled to seek the views of any of the responsible authorities when determining such applications. There is no right to a hearing and officers have delegated powers to determine applications under this process. The overall test for officers will be to decide whether or not the proposed minor variation would impact adversely on any of the four licensing objectives.
- 11.9 An application can be made by a community premises to remove the mandatory condition, with regard to sale of alcohol, requiring a designated premises supervisor to be named on the licence. Instead the management committee itself will authorise the sale of alcohol. The Council must be satisfied that the premises are operating as a community premises and that the management committee can ensure that alcohol sales are properly supervised particularly if hired for a private event. The Council would normally expect to see evidence of the management structure and a hiring agreement.

12 ENFORCEMENT AND COMPLAINTS

- 12.1 The Council recognises the contribution that can be made by developing effective working practices with our partner agencies. The Council will investigate complaints made to it regarding licensed premises of any description and recognises the contribution that can be made by developing effective working practices with our partner agencies. The Authority has established an enforcement protocol with Gloucestershire Constabulary, and will liaise with the Constabulary when appropriate in an effort to avoid duplication of inspection or enforcement visits.
- 12.2 Where appropriate the Licensing Authority may also undertake joint enforcement investigations and/or share information with other services within Stroud District Council such as Planning, Environmental Protection, Health and Safety and Food Safety
- 12.3 Once licensed, it is essential that premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the specific requirements of the Licensing Act 2003. The Council will monitor premises and take any appropriate enforcement action to ensure compliance.
- 12.4 All decisions and enforcement actions taken by the Council will be in accordance with the Council's Enforcement Policy and the principles of consistency, transparency and proportionality.
- 12.5 The Council will continue to work with its partner agencies in enforcing the licensing laws and in the inspection of premises to ensure the licensing objectives and licence conditions are met. In particular, the Council will target its inspection process toward those premises that are considered as 'problematic' and 'high risk' premises requiring greater attention, while providing the 'lighter touch' in respect of low risk premises that are run well.
- 12.6 In undertaking the inspection of licensed premises the Council will promote the 'lighter touch' of enforcement through initially designating the following categories of risk weighting:
- i) Public Houses and Night Clubs in Stroud, Dursley town centres – Medium to High Risk (dependant on capacity of the premises and/or history)
 - ii) Public Houses in all other town centres – Low to Medium Risk (dependant on history)

- iii) All other existing sites, urban or rural within the district – Low Risk (subject to history)
- iv) Any site where the primary purpose is serving food, where the sale or supply of alcohol is ancillary – Low Risk (subject to history)
- v) New sites not in (a) or (b) above – to be assessed dependant on location and style of operation or operators.

Reviews of Licences

- 12.7 The Council recognises that the ability of any other party, the Police and other responsible Authorities to apply for a review of a premises licence is also an incentive to effective self-regulation.
- 12.8 Where the Council's discretion has been engaged following receipt of a relevant request to carry out a review the Council has a range of options available to it under the Act including:
- To reject the representation
 - Consider the representation and require no action to be taken
 - Make modifications to the conditions of the licence including imposing new conditions, altering existing conditions or removing conditions (permanently or temporarily)
 - To exclude a licensable activity from the scope of the licence (permanently or temporarily)
 - To remove the Designated Premises Supervisor
 - To suspend the licence for a period not exceeding three months
 - To revoke the licence
- 12.9 In determining such reviews the Council will seek to establish the cause or causes of concern and any remedial action will be proportionate to and targeted at such causes. In making its determination the Council will only impose conditions that are appropriate and proportionate for the promotion of the Act's licensing objectives.

Matters to be considered

- 12.10 When considering the possibility of enforcement action or a request for review the Council will take into account all relevant circumstances and will view evidence of the following matters particularly seriously:
- Use of the premises for the use or supply of drugs;
 - Use of the premises for laundering the proceeds of crime;
 - Use of the premises for the sale or distribution of illegal firearms;
 - Use of the premises for the sale or supply of stolen or counterfeit goods;
 - Underage purchase and consumption of alcohol;
 - Use of the premises for prostitution or sale/distribution of unlawful pornography;
 - Use of the premises for unlawful gaming;
 - Use of the premises for the organisation of racist, homophobic or sexual abuse or attacks;
 - Nuisance from noise or smell caused by a failure to install any or inadequate equipment and/or failure to maintain such equipment;
 - Failure of the licence holder to implement an effective policy to prevent fly posting and to contain or collect litter from flyers or other advertising materials discarded in the vicinity of the premises;
 - Failure by the licence holder to implement an effective policy to contain or collect litter associated with the premises that is discarded in the vicinity of the premises;

- Failure to promptly respond to a warning properly given by the Fire Authority or other competent authority on a matter of public safety at premises;
- Failure to avoid easily avoidable but critical risks, including any obstruction of an escape route to, and if necessary beyond a fire exit. The locking or fastening of fire exit doors during times that premises are open for trade, will be considered an extremely serious failure;
- Any convictions for licensing offences;
- Immigration Offences such as employment of persons who do not have the right to work in the UK
- Previous failure to comply with licence conditions.

Commented [AR12]: Additional consideration to reflect addition of Immigration Offences into the Licensing Act as a relevant consideration

Underage drinking

12.11 In seeking to encourage efforts to reduce alcohol-induced problematic behaviour by under 18 year olds the Council acknowledges and commends the Portman Group code of practice on the naming, packaging and promotion of alcoholic drinks.

12.12 The Council will support the enforcement of underage purchase of alcohol and drinking laws when appropriate by encouraging partner agencies in the use of their enforcement powers, for example:

- i) Police exercise of powers (Confiscation of Alcohol (Young Persons) Act 1997) to remove alcohol from young people on the street.
- ii) Police and trading standards implementing test purchasing to reduce off licence sales to under 18 year olds and carrying out age challenges to reduce underage drinking in pubs and licensed venues.

FURTHER INFORMATION

Information relating to the licensing process and application forms may be obtained from Stroud District Council's Licensing Section

Address: The Licensing Section, Stroud District Council, Council Offices, Ebley Mill, Ebley Wharf, Stroud, Glos. GL5 4UB

Phone: (01453) 754440

Email: licensing@stroud.gov.uk

Web: www.stroud.gov.uk

APPENDIX A - TABLE OF DELEGATED FUNCTIONS

Matter to be dealt with	Full Committee	Sub Committee of Committee that deals with Licensing matters (Hearing Panel)	Officers
Application for personal licence with no unspent relevant convictions			All cases
Application for personal licence with unspent relevant convictions		If a Police Objection	If no objection
Application for premises licence/club premises certificate		If a relevant representation is made	If no representation is made
Application for provisional statement		If a relevant representation is made	If no representation is made
Application to vary premises licence/club premises certificate		If a relevant representation is made	If no representation is made
Application to vary designated premises supervisor		If a police representation is made	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police representation is made	All other cases
Application for interim authority		If a police representation is made	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint or objection is irrelevant, frivolous, vexatious etc			All cases
Decision to object when Local Authority is a consultee and not the lead authority			All cases
Determination of an objection to a temporary event notice		All cases	
Application for minor variation to premises licence/club premises certificate			All cases including if representation is made
Application by community premises to disapply the mandatory conditions for alcohol on a premises licence		If police objection is made	All other cases

Commented [AR13]: Amended to reflect current practice

Commented [AR14]: Amended to reflect current practice

APPENDIX B - GLOSSARY

Club Premises Certificate	A certificate granted to a qualifying club under the Act. Alcohol must not be supplied other than to members and guests by or on behalf of the club.
Designated Premises Supervisor	A person named on a premises licence who has overall responsibility for sales of a alcohol. This person must be a personal licence holder and is normally the person that has day to day control of the premises
Hearing	A meeting of a panel of three Councillors (Sub Committee) from the Committee that deals with licensing matters who will consider an application where there has been relevant representation, objection or a request for a review
Late Night Refreshment	Provision of hot food or hot drink to members of the public, for consumption on or off the premises, between 11 pm and 5 am
Other Person	Any person, business or organisation. An 'Other Person' can make representation about premises licence and club premises certificate applications and can request a review of a premises licence or club premises certificate
Personal Licence	Licence issued to a person that authorises them to sell alcohol in, or to authorise another person to sell alcohol, in accordance with a premises licence. A personal licence is issued to a individual's home address and has effect indefinitely (has no end date).
Premises	Means any place and includes a building, outdoor area, vehicle, vessel moveable structure
Premises licence	Licence that authorises the premises to be used for one or more licensable activity
Representation	Comment made against, or in support, of an application for a new premises licence or club premises certificate or a variation to a premises licence or club premises certificate or a review of a premises licence or club premises certificate. A representation can be made by a responsible authority or other persons. The representation must be made during the representation period
Temporary Event Notice	A notice given to the Council of intention to hold a temporary event where licensable activities will take place. The person submitting the notice must do so at least 10 clear working days before the event. A late temporary event notice is one given with 5 to 9 clear working days.

APPENDIX C - RESPONSIBLE AUTHORITIES – CONTACT DETAILS

1 Stroud District Council	Licensing Section, Stroud District Council, Ebley Mill, Ebley Wharf, Stroud, GL5 4UB Telephone: 01453 754440 Email: licensing@stroud.gov.uk
2 Gloucestershire Constabulary	Harm Reduction, Police Headquarters, No 1 Waterwells, Quedgeley, Gloucester, GL2 2AN Telephone: 01452 754482 Email: Licensing@Gloucestershire.pnn.police.uk
3 Gloucestershire Fire & Rescue Service	Chief Fire Officer Fire Service HQ, Waterwells Drive, Quedgeley Gloucester GL2 2AX Telephone: 01452/753333 Email; fire@glosfire.gov.uk
4 Local department with responsibility for Planning	Head of Planning Development Services, Stroud District Council, Ebley Mill, Ebley Wharf, Stroud, Glos, GL5 4UB, Telephone: 01453 754518 E-mail: planning.enquiries@stroud.gov.uk
5 Local department with responsibility for Environmental Pollution	Environmental Protection Manager Environmental Health, Stroud District Council, Ebley Mill, Ebley Wharf, Stroud, Glos, GL5 4UB Telephone: 01453 754478 Fax: 01453 754963 E-mail: environmental.health@stroud.gov.uk
6 Local department with responsibility for Health & Safety	Commercial Services Manager Environmental Health, Stroud District Council, Ebley Mill, Ebley Wharf, Stroud, Glos, GL5 4UB Telephone: 01453 754478 Fax: 01453 754963 E-mail: environmental.health@stroud.gov.uk
7 Gloucestershire Safeguarding Children Board	Gloucestershire Safeguarding Children Board Block 4, 1 st Floor, Room 133B, Shire Hall, Westgate Street Gloucester, GL1 2TH Telephone : 01452 583636 E.mail: gscb@gloucestershire.gov.uk
8 Trading Standards	Gloucestershire Trading Standards Service, The Tri-Service Centre, Waterwells Drive, Quedgeley, Gloucester GL2 2AX Telephone: 01452 426201 E-mail: tradstds@gloucestershire.gov.uk
9 Local health body representative	Public Health Department, Block 4, 2nd Floor Gloucestershire County Council Shire Hall, Westgate Street, Gloucester, GL1 2TG Telephone: 01452 328607 E-mail: Publichealth@gloucestershire.gov.uk

APPENDIX D - LIST OF CONSULTEES FOR REVIEW OF STATEMENT OF LICENSING POLICY

This Statement of Policy has been developed by the Council in consultation with the following stakeholder groups, agencies and organisations

Responsible Authorities
Chief Officer of Police
Fire and Rescue
Gloucestershire Safeguarding Children Board
Environmental Health
Gloucestershire Trading Standards
Gloucestershire Public Health
The Local Planning Authority
Licence Holders and Representative of the trade
Email to all Licensed Premises
Stroud Safe
Association of Licensed Multiple Retailers (ALMR)
British Beer and Pub Association (BBPA)
Tesco Stores Ltd Licensing Department
The Midcounties Co-operative Limited
EI Group and Punch Taverns
Winckworth Sherwood LLP (rep Sainsburys)
Melrose Associates
Persons/bodies representative of businesses and residents
Stroud District Council Councillors
Parish Councils/Town Councils
Stroud and District Citizens Advice Bureau
The Wotton-under-Edge and District Chamber of Trade and Commerce
Stroud and District Chamber of Trade and Commerce
Nailsworth Chamber of Trade
Gloucestershire Safeguarding vulnerable adults board
Gloucestershire Health and Wellbeing Board GHWB
Other
Stroud District Council - Heads of Service
Stroud District Council - Legal Section
Other Licensing Authorities – Gloucestershire Licensing Officers Group (GLOG)
Stroud District Council's Web Site
Notice on Notice Board Reception Stroud District Council Offices, Ebley Mill

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STROUD DISTRICT COUNCIL
COMMUNITY SERVICES AND LICENSING COMMITTEE

**AGENDA
ITEM NO**

25 JUNE 2020

7

List of Outside Bodies within the remit of Community Services & Licensing Committee

(a) Appointments to Outside Bodies

Organisation	Representatives 2020/21
Cowle Trust (Museum in the Park)	Councillor Nigel Prenter
Kingshill House Charitable Trust	Councillor Trevor Hall
Stroud & Rodborough Educational Charity*	Cllr Nigel Cooper (4 yearly term)
Stroud Citizens Advice **	Councillor [VACANT SEAT] and substitute Councillor Jonathan Edmunds
Stroud Festival Limited	Councillor Tom Skinner
Stroud Road Safety Liaison Group	Councillors John Jones and Ken Tucker
Woodchester Park Mansion	Shared between Councillors Sue Reed and Steve Robinson
Community Safety Partnership	Councillor Mattie Ross
Older Peoples Forum	Councillor Steve Robinson
Youth Council	Councillor Nigel Prenter
Stroud District Council Health and Wellbeing Partnership	Councillor Sue Reed and substitute Councillor Norman Kay
Homestart	Councillor Sue Reed
Gfirst LEP – Visitor Economy/Tourism Business Group	Councillor Gordon Craig

* Councillor Nigel Cooper term until 2022

**Councillor Craig became a trustee in October 2019 (3 year term ending October 2022) with possible extension thereafter

COMMUNITY SERVICES AND LICENSING COMMITTEE

25 JUNE 2020

9

WORK PROGRAMME

Date of meeting	Matter to be considered (i.e. insert report/project title)	Notes (e.g. lead member & officer)
10.09.2020	Police and Crime Commissioner Annual Update	Police and Crime Commissioner
	Budget monitoring report Q1 2020/2021	Accountant
	Review of Licensing Act 2003 Statement of Principals – Approval of Final statement	Principal Licensing Officer
	Work Programme	Chair/Strategic Director
	Member Reports: Members will be asked to submit written reports which will be circulated prior to the committee. a) Gloucestershire Health and Overview Scrutiny Committee b) Museum in the Park (Cowle Trust) c) Police and Crime Panel d) GFirst LEP – Visitor Economy/Tourism Business Group e) Citizens Advice f) Performance Monitoring	TBC following appointment
26.11.2020 (Budget)	Budget monitoring report Q2 2020/2021	Accountant
	Community Services and Licensing Committee Revenues Estimates Revised 2020/2021 and Original 2021/2022	Accountant
	Work Programme	Chair/Strategic Director
	Member Reports: a) Gloucestershire Health and Overview Scrutiny Committee b) Museum in the Park (Cowle Trust) c) Police and Crime Panel d) GFirst LEP – Visitor Economy/Tourism Business Group e) Citizens Advice f) Performance Monitoring	TBC following appointment
21.01.2021	Director of Public Health Annual Update	Director of Public Health
	Youth Service Update	Senior Youth Officer
	Work Programme	Chair/Strategic Director
	Member Reports: a) Gloucestershire Health and Overview Scrutiny Committee b) Museum in the Park (Cowle Trust)	TBC following appointment

	c) Police and Crime Panel d) GFirst LEP – Visitor Economy/Tourism Business Group e) Citizens Advice f) Performance Monitoring	
25.03.2021	Budget monitoring report Q3 2020/2021	Accountant
	The Pulse, Dursley Update	General Manager
	Neighbourhood Warden & Careline Service Update	Senior Community Service Officers & Senior Neighbourhood Warden
	Museum in the Park Update	Museum Manager
	Health and Wellbeing Plan Update	Community Health and Wellbeing Manager
	Health and Wellbeing Plan 2022 – Draft for Consultation	Community Health and Wellbeing Manager
	Work Programme	Chair/Strategic Director
	Member Reports: a) Gloucestershire Health and Overview Scrutiny Committee b) Museum in the Park (Cowle Trust) c) Police and Crime Panel d) GFirst LEP – Visitor Economy/Tourism Business Group e) Citizens Advice f) Performance Monitoring	TBC following appointment

Date	Topic
TBC – by the end of the year	Arts and Culture Strategy (proposed by Cllr Kay)
TBC	Future of Community Grants Scheme
TBC	Brief on the Culture and Leisure review
TBC	Leisure Provision - Preparations for Easing of Restrictions
TBC	Museum - Preparations for Easing of Restrictions

Future Members' Information Sheets		
	Topic	Notes (eg responsible officer)
	May/June 2020 - Safeguarding - Annual Update on Service Functions, highlights for 2019 and key points for 2020	- Senior Community Services Officer - Strategic Director/Head of Community Services
Annual Members' Information	Aug/Sept 2020 - Abandoned Vehicles	- Senior Community Services Officer

Sheets from Officers	Dec/Jan 2021 - Customer Services - Youth Service	- Customer Services Manager - Senior Youth Officer
	March 2021 - Safeguarding - Museum - Community Services – Careline/Neighbourhood Wardens - Health and Wellbeing	- Senior Community Services Officer - Museum Manager - Senior Community Service Officer - Community Health and Wellbeing Manager

Published Members' Information Sheets		
Date sent (& ref no)	Topic	Notes (eg responsible officer)
C-2019/20-009	Stratford Park Lido	Senior Community Services Officer
C-2019/20-010	Careline	Senior Community Services Officer
C-2019/20-011	Community Safety Partnership	Senior Community Services Officer
C-2019/20-012	Grants Scheme	Director of Resources