

CONSULTATION COMMENTS AND AUTHORITIES RESPONSES

COMMENT	RESPONSE
Mandatory requirement ensuring trade waste collection contracts are in place, with evidence of this to be provided	Comment Noted. There is primary legislation under duty of care to dispose waste through approved waste contracts. The Licensing Authority will be looking to work in partnership with Environmental Health Teams to inform and resolve such matters through primary legislation.
Remove the requirement for planning permission to be resolved prior to licence as this does not reflect what we currently do	Planning Authority is a Responsible Authority. Representations made by a Responsible Authority must be considered by the Panel. Panels not adhering to this statement allow some businesses to operate out side the planning controls, thus creating unfair practice by the Licensing Authority. Requiring the applicant to provide the special circumstances allows applications which are provisional and or simply testing the lay of the land.
Why is smoking covered by licensing. It should be handled entirely separately. Does not support the objectives.	Due to the ban in smoking in enclosed areas, there is a risk of public nuisance by people using the garden and front forecourt areas. This part is to provide advice and awareness so that when an application is made, the applicant can address the matters regarding control of patrons.
Insert "When determining unresolved representations the Licensing Authority will primarily focus on the impact of the activities taking place at licensed premises on persons living, working or engaged in normal activity in the area concerned".	Inserted
Insert" The power of the Police, other responsible authority or a local resident or business to seek a review of the licence or certificate"	inserted
Insert" Premises with a known association with or likely to give rise to heavy or binge drinking"	Subjective comment, deleted
Insert" The Licensing Authority will impose a mandatory condition requiring licensees of cinemas and places where films are shown to restrict children from viewing age-restricted films classified according to the recommendations of the BBFC or the requirements of the Licensing Authority"	Deleted as the same condition is imposed by mandatory conditions.

<p>Relevant representations might be more likely if little information is provided, this itself does not make an application invalid</p>	<p>The Statutory Guidance is very clear in its statement regarding the value of an operating schedule and detail expected in it. Inadequate statements not only indicate that the applicant has not properly assessed the impact under the licensing objectives but also increase the administration costs to the Licensing Authority in coordinating representations and unnecessary hearings.</p>