

## Appendix 8 National Policy Considerations

Table listing paragraphs within the Home Office *Amended Guidance Issued Under Section 182 of the Licensing Act 2003* (June 2014) which are considered relevant to the application for a premises licence for Ephesus Takeaway 11A Church Street Tamworth.

Please note that the list is not exhaustive.

Section & Paragraph Number	Pages	Summary of content
<b>1. Introduction</b> 1.9	6	Indicates that one may deviate from S182 guidance.
<b>1 Introduction</b> 1.12	6	Licensing Authority may depart its own licensing policy.
1.16	8	Licence conditions – general principles.
1.17	9	Each application must be considered on its own merits.
1.19	9	Avoiding duplication of other legal requirements.
<b>2 The Licensing Objectives</b> Crime & Disorder 2.1 - 2.7	11-12	Attaching conditions which relate to the crime and disorder licensing objective.
Public Safety 2.8 - 2.17	12-15	Attaching conditions which relate to the public safety licensing objective.
<b>8. Applications for premises licences</b> Steps to promote the licensing objectives 8.33	63	In completing their operating schedule, applicants to have regard to the licensing policy for their area
8.34	64	Applicants to obtain sufficient information to enable them to demonstrate when setting out steps they propose to take to promote the licensing objectives that they understand: <ul style="list-style-type: none"> <li>• Layout of the local area, crime and disorder hotspots, proximity to residential properties</li> <li>• Risk posed to the local area from proposed licensable activities</li> <li>• Local initiatives which may help mitigate potential risks.</li> </ul>
8.36	64	Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known

Section & Paragraph Number	Pages	Summary of content
		concerns, acknowledge this in their application.
8.39	65	Applicants expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area.
8.41	65	For some premises it is possible that no measures will be appropriate for the promotion of the licensing objectives, for example because they are adequately covered by other existing legislation.
<b>9 Determining Applications</b> Representations from the police 9.12	82	The police are an essential source of advice and information on the impact and potential impact of licensable activities.
Hearings 9.28	86	Applicant and responsible authority should try to conclude discussions before the hearing.
9.29	86	Withdrawal of representations before the hearing
9.31	87	No requirement for responsible authorities to attend the hearing.
9.33	87	Licensing authorities should focus on steps to promote particular licensing objectives giving rise to representations.
9.35	88	Licensing authority to give decision within five working days of the conclusion of the hearing (or immediately in certain specified cases). Guidance on attaching conditions.
9.36	88	Refusal of applications.
<b>10 Conditions attached to premises licences &amp; club premises certificates</b> General 10.2 -10.3	90	Introduction to adding conditions
Imposed conditions 10.8-10.13	91-92	Imposed conditions - should not duplicate other legislative provisions -proportionality when applying conditions - hours of trading
<b>12 Appeals</b> 12.1-12.9	113-114	Appeals.

Section & Paragraph Number	Pages	Summary of content
12.10	114	Giving reasons for decision.
<b>13 Statements of Licensing Policy</b>		
The need for licensed premises 13.18	119	The need for licensed premises– not a matter for the Licensing Authority
Licensing Hours 13.42 – 13.43	126-127	<p>Licensing authorities must consider each application and not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.</p> <p>Licensing authorities cannot seek to restrict the activities of licensed premises where it is not appropriate for the promotion of the licensing objectives to do so.</p>

This page is intentionally left blank