

**Aberdeenshire Licensing Boards
Central Aberdeenshire Divisional Licensing Board
Supplementary Statement of Licensing Policy
Licence Types and Board Procedures
30th November 2007 – 29th November 2010**

Types of Licence

Personal Licences

Every premises will require at least one personal licence holder.

The personal licence is intended to ensure that anyone managing premises is suitably capable of doing so. Whilst the Act requires every sale to be "authorised" by a personal licence holder, such authorisation can be a general one.

The Board expects the terms of any general authorisation for the sale of alcohol to be in writing, specific to the premises, available for inspection by any LSO, brought to the attention of and signed by all parties involved and enforced by the premises manager.

The Board does not consider that a personal licence holder is required to be on the premises at all times, with the exception of certain late opening premises, where mandatory conditions require a personal licence holder to be on the premises after 1.00 am requires a personal licence holder to be on the premises after 1.00 a.m. However where a personal licence holder is not present they are not removed from all responsibility. This should be addressed in the terms of the authorisation.

Premises Licences

Premises that wish to sell alcohol for consumption on or off the premises will require to have a premises licence. This will govern, amongst others, what activities are allowed on the premises and what hours the premises can be open for business. Each licence will be tailored to the type of premises in question. There must be a description of the premises, an operating plan and a layout plan of the premises.

Applicants must pay particular attention to the operating plan and the layout plan. If a particular activity is not mentioned in the operating plan that activity cannot take place on those premises until further authorisation is sought from the Board by way of seeking a variation of the premises licence.

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The operating plan must set out clearly the applicant's proposals including the activities that would be undertaken on the premises, proposed opening hours and their policy in relation to access for children.

The Board will welcome accessibility for families including children and facilities suitable to cater for children.

The layout plan of the premises must show, amongst other things, the area where alcohol will be sold, seating arrangements and areas suitable for children. The form of the operating plan and layout plan are set out in Regulations made under the Act.

The Board must be able to determine with certainty the kind of operation which would be permitted in terms of the licence, and be assured that the premises will continue to operate on that basis once a licence is granted.

Provisional Premises Licence

A provisional premises licence has to be confirmed within 2 years, otherwise it will automatically be revoked. Upon confirmation the Board may make a variation of the conditions to which the licence is subject.

Temporary Premises Licence

Where a licence holder wishes to carry out alterations etc to the principal licensed premises then the Board can issue a temporary licence for secondary premises to enable the licence holder to continue to trade pending completion of the works.

To issue a Temporary Premises Licence the Board must be satisfied that:

- the temporary premises are suitable for use for the sale of alcohol; and
- that it is necessary to grant the application to enable the applicant to carry on business pending reconstruction or conversion of the principal premises.

The Board may vary the conditions to which the licence is subject, if it considers appropriate to do so.

Application Process

Risk Assessment

The Board requires that applicants applying for premises licences complete a risk assessment in respect of the premises and to provide a copy of this to the Board with the application and operating plan. A risk assessment must be an end-to-end process and Licence holders are reminded that all activity directly

connected to their premises, both inside and out, must be considered. Risk assessment criteria are set out at Appendix 1 to this Supplementary Policy Statement. The purpose of the risk assessment is to help applicants demonstrate compliance with the 5 licensing objectives.

General

Applications can be accepted in electronic format, paper format or a combination of the two.

Operating Plans

Every operating plan must set out clearly the applicant's proposals including the activities that would be undertaken on the premises, proposed opening hours and their policy in relation to access for children.

Operating plans will encourage a flexible licensing regime. They must make clear to the Board how the premises are to be run, including full details of all activities to be undertaken on the premises and the times they will be undertaken. This will include seasonal variations. Operating plans must be provided with each application in a prescribed format and should be particular to each premises and not completed in general terms.

The operating plan must include very detailed information and, in turn, the information provided will enable the Board to make an informed decision and later determine if a breach of the operating plan and/or the licence conditions has occurred.

The Board recognises that it is not always possible for licence holders to predict customer demand and requirements. However a balance must be struck between vague references to potential activities and definite details of actual activities. Matters that cannot be predicted when formulating an operating plan can be the subject of an occasional licence, an occasional extension or, for regular activities, a variation to the operating plan.

Where a material breach of the operating plan has occurred, the LSO or the Board may initiate a review of the licence. The Act allows anyone to apply to the Board for a review of the licence.

Layout Plan

The layout plan of the premises must show, among other things, the area where alcohol will be sold, seating arrangements and areas suitable for children. Each area should be clearly delineated including any beer gardens, outdoor seating areas and smoking areas. Inclusion of any outside areas will avoid any doubt when considering bye-laws concerning the consumption of alcohol in public places. Where the premises covers more than one floor there must be a layout plan for each floor. Off sales plans should clearly show all areas where alcohol will be displayed for the purpose of sale. This

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should include seasonal variations if additional areas are used at certain times. The plans should also indicate the

position of a lock-fast store for any alcohol stored, but not on display, within the premises.

The Board expects plans to be to scale and of good quality. Inadequate plans may be rejected. Paper plans should be of a size no larger than A3 for ease of conversion to electronic format.

For ease of distribution and security, applicants are requested to note that wherever possible electronic format should be **.pdf**. Other types of specialist application, like **.cad**, or general applications prone to manual alteration should not be used. In addition electronic format files should be under 4 megabytes in size.

Forms and Fees

Forms and details of fees are available on Aberdeenshire Council's website at the following address –

www.aberdeenshire.gov.uk

Objections

Notification of Application

The Board must, within 21 days of receipt of an application for a premises licence, give notice of the application to:

- each person having a notifiable interest in neighbouring land (to be defined by Regulation)
- any community council within whose area the premises are situated
- Aberdeenshire Council
- Chief Constable of Grampian Police
- Grampian Fire and Rescue Service

The Board will also publish notice of each application on Aberdeenshire Council's website and/or a designated public access system available on the internet.

Objections and Representations

Any person may submit an objection or representation to the Board. Any objection must relate to one of the 5 licensing objectives and relate to specific premises.

1. An objector opposes the grant of any licence per se.

Objectors should address the statutory grounds including the licensing objectives. Any person considering lodging an objection should seek independent legal advice before doing so.

2. A person makes a representation not because they object to the issue of a licence in principle, but are concerned about the conditions or suggest possible modifications to the operating plan and/or layout plan. Representations can also be made in support of an application. Any person considering making a representation should seek independent legal advice before doing so.

The Board will reject what it considers to be frivolous or vexatious objections or representations and may seek to recover resultant wasted expenses.

Any objection to a premises licence application on the general basis of opposing the use of alcohol or to Sunday licensed hours will be considered to be frivolous by the Board and will be rejected without being considered in determining the premises licence application subject to the objection relating to the particular premises.

The Board will address each case on its own merits, based on its local knowledge of the area and those that will be directly affected by the granting of a licence.

Types of Premises Applications

New Application

Application in the first instance will be vetted by the Clerk of the Licensing Board. It is therefore essential that applicants complete all questions on the relevant application form and provide as much detail as possible.

Application to Vary

Premises licence holders can apply for variations to the terms and conditions of the premises licence. All such applications must be accompanied by the original premises licence or a written explanation as to its loss. Each variation application will be considered on its own merits.

Application to Transfer

A premises license holder may apply to the Board to transfer the licence. They must transfer the licence to a legal personality and in accordance with the conditions sets out in ss.33-34 of the Act.

Occasional Extension

An Occasional Extension of permitted hours can be granted to a licence holder in connection with any occasion/function taking place on his/her licensed premises and lasting not more than one month.

Other Licences

Occasional Licences

An occasional licence may be granted to the holder of a licence for premises authorising them to sell alcohol at an occasion/function for a period of not more than 14 days where the event is taking place outwith their licensed premises. It is noted that holders of a personal licence and a representative of any voluntary organisation or registered club may also apply for an occasional licence.

Conditions

General

Applicants must refer to the Board's Supplementary Policy Statement on Conditions and Management of Licensed Premises (Appendix 9) for information on conditions.

Applicants must confirm, when submitting their operating plans, the measures put in place to comply with any such conditions, whether mandatory or discretionary.

Complaints and Enforcement

Licensing Standards Officer

The LSO will investigate complaints against licensed premises in relation to matters relating to the licensing objectives. In the first instance, complainers are encouraged to raise the complaint directly with the licensee or business concerned to seek a resolution.

If direct communication with the licence holder proves ineffective then the complaint may be raised with the LSO, perhaps for mediation.

Where an interested party has made valid representations about licensed premises, or a valid application for a license to be reviewed, the LSO may initially recommend a conciliation meeting to address and clarify the issue of concern.

The Board

The Board will follow best practice in enforcement and strive to be - Accountable; Consistent; Transparent and Targeted.

When a matter is submitted to the Board by the LSO it will be anticipated, except in the most serious cases, that attempts have been made through advice and negotiation to address the issues.

The Board will give each party a chance to make written submissions and comments on the other party's submissions before making a decision based on the facts. The Board may also choose to hold a hearing and will give all parties reasonable notice of the same. Each party should provide the Board with copies of documents or evidence upon which they wish to rely no later than 7 days before the hearing. Procedures for Hearings are as set out in the Board's Scheme of Delegation.

It is envisaged that very few such cases will need to be submitted to the Board. However, it should be appreciated that in appropriate cases the Board will not hesitate to use their powers to suspend or revoke a licence notwithstanding that this may have a detrimental impact on the business.

The Board will take particular matters seriously when it comes to active promotion of the licensing objectives. A list of particularly serious matters is detailed at Sub-.2 to this Policy Statement.

BOARD PROCEDURES

Openness and accessibility

The Board will deal with all of its business in an open and transparent way. Information and assistance will be made available to those who wish to apply for a licence, to make representations or to object to an application. The Board is also aware of the need to ensure that the licensing process is accessible to all. Assistance will be available on request for those who require special arrangements to access any part of the process.

The Board will develop a statement of procedure and guidance notes which will be made available to the public.

Decision making

It is the Board's aim to provide an efficient and cost effective service to all those who are involved in the licensing process. Therefore, the Board will adopt a Scheme of Delegation to ensure that decisions can be made in a way which is consistent with this aim. This Scheme will in particular set out the decisions which may be made by the Clerk to the Board or his staff. The Board's Scheme of Delegation is attached as Sub-.3 to this Supplementary Policy Statement.

Consideration of premises licence applications

The Licensing Board will assess each premises licence application on its own merits. For the assistance of applicants the Board will have particular regard to:

- the nature of the premises, the style and type of use, the customers likely to attend the premises
- the proposed hours of operation
- the means of access to the premises including the location of customer entrances and exits
- the provision of toilet facilities
- whether children and/or young persons are to have access to the premises or parts of premises and upon what terms
- the need for door supervisors
- areas or activities which may have potential for crime and disorder or public nuisance and any measures to mitigate those issues

When considering any application for premises which have been previously licensed, or in any review of an existing licence, the Board will take into account any relevant evidence, especially of the impact on local residents and businesses and will also look at the measures proposed by the applicant to mitigate any adverse impact.

Consideration of Personal Licence Applications

The Board will consider applications for personal licences from individuals living in Central Aberdeenshire or from individuals who are not ordinarily resident in the area of any licensing Board. When considering an application for a personal licence, the Board will work closely with the Police to establish whether the applicant has been convicted of any relevant offence (which will be set out in Regulations).

Where the Police have advised that the applicant has an unspent conviction for a relevant offence, the Board will consider whether the application should be refused under the Act. In making a decision the Board will have regard to the seriousness and age of the conviction along with any other circumstances it considers to be relevant.

Suggested Areas to Include in Risk Assessments Relating to Premises Licence and Occasional Licence Applications

Crime and Disorder

Applicants must consider whether door supervisors or other security staff are required in respect of the venue and the licensable activity proposed.

In the event that door supervisors are used by the applicants premises:

- such persons must hold the relevant qualifications under the Private Security Industry Act 2001
- must be properly trained and sufficient in number, both inside and outside the premises according to the nature and extent of the licensable activities carried on
- must be required to vet, regulate and control persons entering or leaving the premises and to seek to ensure the prevention of crime and disorder but also to safeguard public safety and internal security at premises.

External duties must include in particular the exclusion of persons who appear to have had too much to drink and/or who appear inclined to disorder. Duties inside the premises must include the monitoring of persons on the premises for excessive consumption of alcohol and/or who exhibit the potential for disorder.

In the event that door supervisors or other security staff are used, applicants must make appropriate arrangements for a daily register and the recording of incidents in an approved incident log.

The daily register and incident log must be open to inspection by authorised officers of the Board, the LSO and Grampian Police on request.

Applicants must consider whether measures should be put in place to prevent the use or supply of illegal drugs or weapons, such as the searching of customers for offensive weapons or drugs on entering the premises.

Where such measures are in place applicants will also be expected to make arrangements to record the search of individuals and the seizure of any property which may be required for evidential purposes. Applicants will be expected to provide a suitable receptacle for the safe retention of illegal substances and to inform the Police so that appropriate disposal can be arranged.

Applicants must, discourage the use of illegal substances or weapons by displaying notices in and at entrances to licensed venues. The notices will clearly define the policy of the venue and should state that criminal offences will be reported to Grampian Police.

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For city centre/large town venues the Board recommends the Safer Clubbing Guide referred to in the Board's Supplementary Policy Statement on Discretionary Conditions and Management of Licensed Premises, as an example of good practice.

Applicants must consider whether a means of communication with other premises and the police is required. This is likely to be particularly relevant in town centres. The Board recommends existing Pub Watch schemes as an example of good practice and expects licence holders to actively participate in such schemes.

Applicants must also note the advantages of consultation with the police particularly where events are of a character that is not usually held in that particular venue. Minimising any risk of disorder in this way is an example of good practice and is likely to lead to fewer requests to review licences.

Applicants must consider the use of exclusions of known troublemakers from their premises to minimise the risk of disorder. In certain cases organisations of licensees may consider the operation of an exclusion or banning scheme so that known troublemakers are refused entry to all licensed premises in a particular vicinity. If such a scheme is in force locally, applicants should consider whether to become part of it. In exceptional cases applicants may seek to refer a particular case to the Board or the police for consideration of an Anti Social Behaviour Order (ASBO) to enforce an exclusion.

Applicants must consider whether to adopt a dispersal policy in respect of the premises. This would set out the steps the venue will take at the end of the trading session to minimise the potential for disorder and disturbance as customers leave the premises.

If such a policy is adopted by the venue it must be agreed with Grampian Police and steps should be taken to ensure that all staff (including door staff) are familiar with the policy.

Proof of Age

It is expected that all applicants will adopt and adhere to a policy on requesting proof of age for all persons who appear under the age of 21.

Proof of age may be a valid passport, a valid EU photocard driver's licence or an approved card with the 'PASS' logo / hologram. Proof of age means requesting proof and checking that the proof is valid, belongs to the person producing it and has no obvious signs of tampering.

It would be good practice for licence holders to include the prominent display of details of any local initiatives for ID cards within their premises.

Glass and Bottles

Glasses and bottles may on occasion be used as weapons in and near licensed premises and can cause serious injury. Applicants should note that glass and bottles can impact upon public safety and cause a public nuisance in addition to the crime and disorder implications.

Applicants must take reasonable steps to prevent the removal of glasses and opened bottles from premises (including authorised pavement seating areas and beer gardens).

Applicants should also consider policies which provide that, on appropriate occasions, all drinks are dispensed into plastic containers and that at certain times during late hours of operation and or when significant numbers of people are on premises there is exclusive use of toughened glassware and plastic bottles.

Byelaws on Alcohol in Designated Places

Where such orders are in force applicants will be expected to take reasonable steps to inform customers of the existence and effect of such an order. These may include the display of a notice to that effect at exit points from the building.

Applicants should consider whether a personal licence holder and/or the premises manager should be a member of a recognised licence holder's association or other representative body such as a pubwatch scheme.

Public Safety

Applicants may provide evidence that such matters have already been addressed within an existing health and safety risk assessment or similar in which case a separate risk assessment for these purposes is not required.

Applicants may have capacity limits imposed on the premises through fire or building standards regulations. However applicants should note that the Board might seek to impose capacity conditions where there are no such limits, following representations on safety grounds.

The Board may also seek to impose capacity figures which are lower than the safety figure on crime and disorder grounds.

Applicants should demonstrate as appropriate for the premises how they intend to control and maintain the agreed occupancy levels within the venue.

Applicants should consider adopting procedures for:

- supervisors/attendants - numbers and locations;
- staff training;
- entry/egress control;

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- evacuation procedures;
- accident/incident reporting;
- routine maintenance of the venue and daily inspections, with a record log, to address in particular the :-
 - checking of all exit routes and signage;
 - removal of obstructions and security devices to exit routes and doors, prior to the occupation of the building;
 - testing of fire alarm, emergency lighting and music cut-out systems and compiling a record log of the tests.

Applicants should consider the installation, testing, maintenance and certification of:

- fire detection systems;
- fire fighting equipment/fire suppression systems;
- alarm system;
- electrical installation for the premises;
- portable electrical appliances;
- emergency lighting system;
- music cut-out systems;
- fire retardant treatments for materials used for drapes, furnishings and decorations, including treatment frequency and certification; and
- taking general fire precautions.

Applicants should consider the regular inspection and maintenance of floors, roof members, beams, mezzanine floors, stairs, lintels, ceilings and any other structural elements.

Applicants should consider adopting written procedures for the inspection and maintenance of:

- furnishings and fabrics;
- guarding to stairs, balconies, landings and ramps;
- general condition of floor surfaces (e.g. trip hazards, non-slip surfaces);
- provision of safety glazing in critical locations;
- suspended decorations, lights, and amplification systems;
- guarding to fires, candles and open flames;
- systems for the collection of glass and bottles.

Applicants should consider safety measures when hot food and drink is prepared in close proximity to the public, to avoid any risk of burns and scalding.

Applicants should provide details of the first aid facilities and the treatment available on the premises, including details of the numbers of trained first aid staff. Consideration should also be given to the treatment of any person who appears unwell, including those affected by drugs or alcohol.

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Applicants should demonstrate the safety measures to be implemented during the use of any special effects (such as strobe lighting or smoke machines) on the premises, including the arrangements for prior notification to customers. The proposed use of pyrotechnics should be advised to the Fire Authority.

The Board expects that there should normally be reasonable facilities and access for people with disabilities. The Board will, therefore, expect the needs of disabled people to be addressed in the risk assessment. The risk assessment should normally include physical and managerial methods for the safe evacuation of disabled persons. This should clearly identify trained members of staff to implement emergency egress plans and clarify whether equipment such as lifts are safe to be used.

Prevention of Public Nuisance

Applicants should determine and implement steps to prevent noise and vibration escaping both from sources within the premises and from external sources under the control of the applicant such as:

- amplified and non-amplified music levels;
- singing and speech;
- disposal to waste and bottle bins;
- plant and machinery (including extraction systems);
- food preparation, the cleaning of premises and equipment.

Steps to be taken may include:

- the installation/adoption of soundproofing;
- air conditioning to allow windows to be kept closed;
- sound limitation devices;
- use of lobby doors;
- cooling down period with reduced music levels at the end of the night;
- adopting hours of operation appropriate to the activities in question and the location;
- adopting a schedule for the disposal and collection of waste at times appropriate for the locality.

In considering applications from pub, clubs and similar premises and activities the Board expects licence holders to have regards to any guidance published such as the Good Practice Guide on the Control of Noise from Pubs and Clubs published by the Institute of Acoustics (available to purchase at:

<http://www.ioa.org.uk/publications.asp>).

and the Code of Practice on Environmental Noise Control at Concerts published by the Noise Council. The Council's Environmental Health Service will also provide a Guidance Note on Control of Noise, which will be available on Aberdeenshire council's website.

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Particular care must be taken where the noise source is in the open air, e.g. beer garden, play area, car park, access road, temporary structure or queue.

Applicants must consider any special measures that should be adopted in premises located near sensitive premises such as nursing homes, hospitals or places of worship.

Applicants must determine and implement steps to prevent excessive or ill designed external lighting to premises, outdoor areas and car parks (including lighting intended specifically for public safety and security) intruding upon the comfort and amenity of nearby residents to such an extent as to be a nuisance.

Nuisance by smell is commonly attributable to the commercial preparation of hot food in kitchens with no or inadequate or poorly maintained filtration and extraction equipment. Applicants should determine and implement steps to prevent smells causing a nuisance to local residents and businesses.

The provision of hot food at and from premises after 11 p.m. is often associated with the litter of paper containers and food discarded onto the streets or private property in the vicinity of premises. Applicants should determine and implement steps to prevent additional litter (e.g. food waste and packaging, cans and bottles) in the vicinity of the premises. Such steps may include an agreed cleaning schedule in respect of litter in and in the vicinity of the premises.

The Board will not tolerate the detrimental impact on the amenity of those living and working in an area caused by fly posting and the irresponsible distribution of advertising flyers or other materials such as stickers. Therefore the Board expects applicants to determine and implement steps to prevent fly posting and other unauthorised advertising and to consider measures necessary to control the litter that can be produced by the irresponsible distribution of flyers and other advertising materials.

Applicants must consider steps to be taken to prevent disturbance by customers arriving at or leaving the premises, including the cumulative effect of this in areas with other licensed premises in the immediate vicinity. This will be of greater importance between 11 p.m. and 7 a.m. than at other times of the day.

Applicants must consider the steps to be taken to prevent queuing (either by pedestrian or vehicular traffic). If some queuing is inevitable then queues should be formed away from neighbouring premises or be otherwise managed to prevent disturbance or obstruction, for example, making provision for queuing inside the premises.

Applicants must consider the steps to be taken to ensure staff leave the premises safely and quietly. This will be of greater importance between 11 p.m. and 7 a.m. than at other times of the day.

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Applicants must consider the arrangements made or proposed for parking by patrons, and the effect of parking by patrons on local residents including the slamming of vehicle doors, vehicle horns, vehicle stereos, noise from engines idling, and vehicle exhaust fumes.

Applicants must consider whether there is sufficient provision of public transport with regard to the proposed opening hours (including taxis and private hire vehicles) for patrons. Failure to do so may result in nuisance and this will be considered a serious failure.

Applicants must consider whether the service of the premises by licensed taxi or private hire vehicles is likely to disturb local residents and take reasonable steps to prevent disturbance from this source. Examples of actions that can be taken include the provision of an indoor waiting area, arrangements for door staff to advise customers that their transport has arrived and phones in entrance lobbies perhaps linked directly to a private hire company.

Applicants must give particular consideration to transport arrangements for events with large community impact.

Protecting and Improving Public Health

Applicants will be expected to demonstrate in their risk assessment that suitable and sufficient measures have been identified and will be implemented and maintained to protect patrons' health. Such measures will include:-

- making available information with regard to sensible drinking,
- the effects of excessive alcohol consumption,
- contact points where assistance can be obtained for problem drinking,
- promotion of designated driver scheme.

The Board expect applicants to promote sensible drinking. The Board also expects applicants to apply an appropriate drug policy such as is available from Grampian Police.

Protection of Children from Harm

The Board expects that employers will make careful checks where premises or entertainment is specifically targeted towards children to ensure all persons employed or involved with the supervision or management are deemed appropriate persons to be engaged in the activity. An example of such a check would be the completion of a Disclosure Scotland check to the appropriate standard.

The Board commends the Portman Group Code of Practice on the naming, packaging and promotion of alcoholic drinks. Where applicants intend children to be present on licensed premises or where the sale of alcohol takes place the Board will expect the Code of Practice to be fully implemented.

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The code can be found at: <http://www.portmangroup.co.uk/?pid=1&level=1>

In the case of 'children only' events, for example, an under 18 disco, production of play, a pantomime or similar event the Board will usually recommend a specific ratio of adult supervisors to children that can be reasonably expected on the premises for the activity. The normal ratio will be one supervisor per 50 children plus one supervisor for each floor and one supervisor for each exit. This would mean at an event where 300 children are expected, taking place on premises which have 2 floors and 4 exits there would need to be 12 supervisors on duty throughout the duration of the event made up of

6 supervisors for the capacity of the premises,
plus 2 for the two floors,
plus 4 for the exits.

Applicants may have higher levels of supervision if they wish.

In the case of premises giving film exhibitions the Board will expect licence holders or clubs to include in their operating schedule arrangements for restricting children from viewing age restricted films, classified according to the recommendation of the British Board of Film Classification or the licensing authority itself.

LIST OF SERIOUS MATTERS

The Board considers the following to be serious matters:

- Use of the premises for the use or supply of drugs;
- Use of the premises for laundering the proceeds of crime including drug crimes;
- 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/or 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;
- 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, and the locking or fastening of fire exit doors during times that premises are open for trade, will be considered an extremely serious failure owing to the dangers to the public;
- Nuisance from noise or smell caused by a failure to install any or inadequate equipment and/or failure to maintain such equipment;
- Failure 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 to implement an effective policy to contain or collect litter discarded in the vicinity of the premises;
- Previous convictions for licensing offences;
- Failure to comply with licence conditions;
- Any other matter that the Board considers to be serious in the particular circumstances of the application or licence being considered by them.

The above list is not exhaustive.

BOARD'S SCHEME OF DELEGATION

The Board's Scheme of Delegation and Procedures for conducting Hearings will be published here in the future.