

Excerpts from Statement of Licensing Policy 2016

2.4.4 ... Each incremental increase in capacity contributes in part to increasing the attraction of the area as a “honey pot” destination for night-life and to the cumulative problems created by such a high concentration of activity in the area.

2.4.5 The Licensing Authority’s policies, in relation to the Cumulative Impact Areas, are directed at the global and cumulative effects of licences on the area as a whole. Therefore, a case is most unlikely to be considered exceptional unless it is directed at the underlying reason for having the policy. Exceptions to the Cumulative Impact Area policies to refuse certain types of applications must be for genuinely exceptional reasons.

2.4.6 Thus any list of circumstances where exceptions may be granted is not definitive. One example might be a proposal to transfer an existing operation from one premises to another, (i) where the size and location of the second premises is likely to cause less detrimental impact and will promote the licensing objectives, and (ii) where the existing operation would otherwise continue as before in the first premises. In order for this to be treated as a consideration justifying an exception to policy, the council will need to be satisfied that the necessary legal mechanisms are in place to ensure that the original premises licence will cease to be operable and cannot be transferred once surrendered. In considering whether there is likely to be less detrimental impact, the Licensing Authority will consider the actual operation of the premises which it is proposed should close, and it will take into account any future proposals which would affect the continued operation of those premises.

2.4.8 Applications for new licences to replace licences which have lapsed because of the failure to submit an interim authority notice in due time in the event of the death or insolvency of a licence holder will be considered by the licensing authority as possible exceptions. Unless there are representations that indicate there have been problems with the previous licence licences may be granted with conditions which replicate the effect of those of the previous licence and with conditions which bring the licence in line with good practice on other licences e.g. on door supervision. This will not apply to licences which have been surrendered or those which can have no practical effect because the premises to which they applied no longer exist, or will not continue to exist in their previous form, e.g. because of planned demolition or redevelopment.