

APPENDIX 2

REPRESENTATION OF ENVIRONMENTAL HEALTH OFFICER

Olson Kendra

From: Nicolaou George (Enforcement)
Sent: 14 September 2011 14:19
To: Barrett Daliah
Cc: Olson Kendra; Pearce Derek
Subject: WK/000198552
M3PPRef: WK/000198552
M3PPUnique: 000000004319E77AA8F6D211B04E00805FA682C2070091B275CEE796D011AFE900805F

Licensing Consultation - Internal Memo

To: Licensing Officer

From: Enforcement Response Officer (Noise)

Name of Officer preparing representation:
cc: Team Leader

Our Reference: WK/000198552

Date:

Premises: Alexandra Palace, Alexandra Way, London N22

Review of premises licence.

I would like to confirm that I have considered the above proposal with regard to the prevention of public nuisance on behalf of the Enforcement Response (Noise) Team & would like to make a representation to the review of the licence.

On occasions we have had noise complaints from residents regarding loud music from the premises. The events manager has been contacted on these occasions and the music was turned down to a level where a nuisance was not being created.

The escape of music from the Palace was sometimes due to either the ceiling vents being open or doors have been left open.

The majority of complaints that we received came from events that went past the hour of midnight.

The Premises licence holder should have procedures in place to prevent local residence from being disturbed.

The Palace at present has a premises licence that can hold events 24 hours a day.

The capacity of the Palace is over 10,000 people.

At these times, in the early hours of the morning, the egress of 10,000 people from Alexandra Palace, can have cause of creating a public nuisance to local residents.

14/09/2011

A suggestion would be that when late and large events are held, security staff /stewards be posted at either end of Alexandra Palace, by noise sensitive properties, to control any nuisance that might be created from clientele leaving Alexandra Palace.

We recommend that ceiling vents and doors be kept closed at all times when music events are on.

The Palace must show that they have suitable means of ventilating the property.

George Nicolaou
Enforcement Response

Olson Kendra

From: Emma Dagnes [Emma.Dagnes@alexandrapalace.com]
Sent: 27 September 2011 09:13
To: jim.griffiths@vanguardiaconsulting.co.uk; Barrett Daliah; Olson Kendra; Nicolaou George (Enforcement); derrick.pearce@haringey.gov.uk
Subject: Alexandra Palace meeting with Vanguardia Consulting urgent

Dear George,

Alexandra Palace is committed to responding to your concerns as part of your representation against our license as per below. We have commissioned Jim Griffiths from Vanguardia Consulting to delivery a management plan (the crowd management aspect will be delivered through a separate plan). Jim is keen to meet with you to discuss the matter in more detail to ensure the plan delivers a strategy to cover all your concerns. I'm currently currently in a meeting which is why I've done this introduction via email. I have passed Jim your contact details so he can get in touch directly.

Kind regards,

Emma L Dagnes
Sales, Events & Leisure Director
Alexandra Palace Trading Ltd
t: 020 8365 4316
m:07875 301519
f: 020 8883 3999

PS. I have cc;d in Derrick Pearce but please forward if I have the spelling of his name incorrect and the email might not go through

To: Licensing Officer

From: Enforcement Response Officer (Noise)

Name of Officer preparing representation:
cc: Team Leader

Our Reference: WK/000198552

Date:

Premises: Alexandra Palace, Alexandra Way, London N22

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27/09/2011

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George Nicolaou
Enforcement Response

Emma L Dagnes
Sales, Events & Leisure Director
Alexandra Palace Trading Ltd
Alexandra Palace Way
Wood Green
N22 7AY

t: 020 8365 4316
m:07875 301519
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27/09/2011

APPENDIX 3

LETTERS OF REPRESENTATION IN SUPPORT OF REVIEW APPLICATION

Olson Kendra

From: Pat Spungin [pat.spungin@gmail.com]
Sent: 25 August 2011 13:53
To: Licensing
Subject: Review of Licence at Alexandra Palace
Follow Up Flag: Follow up
Flag Status: Red

I would like to make a representation concerning the licence at Alexandra Palace on the grounds of failure to prevent a public nuisance on Friday the 19th and Sat 20th of August.

On both nights the music was played at such a high volume that I was unable to go to sleep. On Friday it continued until 2.00am and on Sat until 4.00am.

Alexandra Palace is very close to residential areas, - in particular Dukes Ave and the noise level caused a public nuisance over a wide area.

I live at 117 Rosebery Rd, N10 2LD and was unable to sleep until the music stopped. There are households much closer than mine who would have been even more affected.

We have the right to sleep peacefully in our own homes especially in the early hours of the morning.

Dr Pat Spungin

117 Rosebery Road
London N10 2LD

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25/08/2011

Olson Kendra

From: Amanda Davidson [amanda.davidson@baigriedavies.co.uk]
Sent: 25 August 2011 15:22
To: Licensing
Subject: RE: Alexandra Palace

Yes I am at 7 Grove Avenue, London N10 2AS.

Many thanks
Amanda Davidson

From: Barrett Daliah [mailto:Daliah.Barrett@haringey.gov.uk] **On Behalf Of** Licensing
Sent: 25 August 2011 15:11
To: Amanda Davidson
Subject: RE: Alexandra Palace

Dear Ms Davidson

Please can you attach your address to show that you live in the vicinity of Alexandra Palace.

Regards
Daliah Barrett

From: Amanda Davidson [mailto:amanda.davidson@baigriedavies.co.uk]
Sent: 25 August 2011 14:57
To: Licensing
Subject: Alexandra Palace

Good afternoon

I hope this is the right link.

I would like to urge a thorough review of the licence at Alexandra Palace. I have no objections to the premises being widely used but I would like the noise levels controlled. Last weekend (20/21 August) the noise levels on Saturday night were unacceptably loud and went on till the early hours of the morning on Sunday. (I think till 4am!) This is in the midst of a residential area with many small children and elderly people apart from those of us in between who value a good night's sleep!

Could, please the noise levels be reviewed and the acceptable limits reduced. Please also review the hours. Till midnight would be fine but beyond is too late.

Thank you for your time in reading this.

Regards
Amanda Davidson

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riority
he named recipient(s) above. Should you
o@baigriedavies.co.uk Any unauthorised
ws expressed in this email which do not
his email has been swept for viruses,
ite address: www.baigriedavies.co.uk

Olson Kendra

From: Maria Kirby [Maria.Kirby@merlinstudios.biz]
Sent: 08 September 2011 15:59
To: Licensing
Subject: Alexandra Palace - License under review
Follow Up Flag: Follow up
Flag Status: Red

I would like to object to the very late license that Alexandra Palace now has. I live at 24 Buckingham Lodge, 2 Muswell Hill, London N10 3TG & have had the front garden of my flats trashed at 3am after a late night gig. I live on my own & was scared for my safety with so many drunk people marauding around my building & the subsequent traffic noise as all the cars depart for an hour.

I don't think its appropriate to have such a late license, I think 11pm should be late enough as it takes an hour for all the cars to leave the premises.

Maria Kirby

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 e years. The world's second largest visitor attraction
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 al and local brands, and the commitment and passion of its
 visitors worldwide, among
 managers and 13000 employees

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12 Buckingham Lodge
2, Muswell Hill
London N10 3TG

Daliah Barrett
Licensing Lead
The Licensing Team
Unit 271
Techno Park
Ashley Road
Tottenham
London
N17 9LN

Reference Alexandra Palace Raves

15th September 2011

Dear Daliah Barrett

Re: All Night Raves on 28th and 29th May and
August 2011 at Alexandra Palace, N22 7AY.

I write with regards to the recent raves at Alexandra
Palace which kept my family awake at night and is now
blighting our lives.

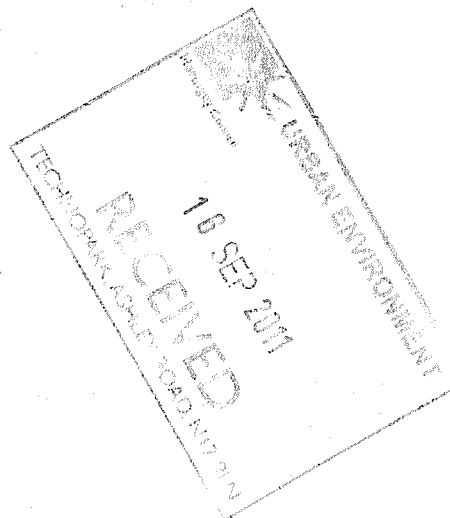
I have 2 young children who were very frightened by the
large crowds rampaging through our gardens and grounds
especially in the all night rave which occurred in May
2011.

I am appealing for the license to be reviewed and
hopefully these Raves can be stopped at 11pm at the
latest, so that my family can return to peace and quite
in our property.

Yours sincerely

Dodi Bukhor

Mrs Bukhor



APPENDIX 4

LETTERS OF REPRESENTATION IN SUPPORT OF ALEXANDRA PALACE

Alexandra Park and Palace Advisory Committee.

(Established by Statute in 1985)

Matter being dealt with by	Natalie Cole
Address	5 th Floor River Park House 225 High Road Wood Green London N22 8HQ
Telephone Number	020 8489 2919
Fax	020 881 5218
Email	Natalie.cole@haringey.gov.uk

Wednesday 14th September 2011

Dear Haringey Licensing Team,

RE: REVIEW OF PREMISES LICENCE FOR ALEXANDRA PALACE

I write on behalf of the Chair of the Alexandra Park and Palace Statutory Advisory Committee, Mr David Liebeck, in relation to the review of the premises licence for Alexandra Palace, which is to be considered by the Licensing Committee on 18th October 2011.

The Committee has as part of its remit to consider and advise the Trustees on the general policy relating to the activities and events arranged or permitted in the Park and Palace and the effects of such activities and events upon the local inhabitants and local environment.

At its meeting on Tuesday 13th September 2011 the Advisory Committee was presented with the details of the complaint that prompted the review.

In the past when the Advisory Committee has raised issues concerning noise, public safety and public nuisance with Palace officials they have been dealt with satisfactorily by Alexandra Palace Trading Limited (APTL). APTL officers have pro-actively dealt with matters and have always reported back to both the Statutory Advisory Committee and the Alexandra Palace and Park Consultative Committee as a point of courtesy.

For example, further to the committees' complaints about noise nuisance during the large Swedish House Mafia music event, which took place on 28 and 29 May 2011, the committees were informed that the air vents in the Great Hall had been left open, owing to human error, thereby causing noise to bleed from the venue. The committees were subsequently informed that procedures had been changed to ensure this could not happen again.

The Managing Director (APTL) has revisited previous complaints at subsequent meetings and explained to the committees how issues such as flyposting, litter and egress after large events were being reviewed.

It should be placed on record that the Advisory Committee wholly supports the licence and is satisfied with the manner in which APTL is seeking to deal with the 5 issues raised by the complaint.



This representation is on behalf of the Alexandra Park and Palace Statutory Advisory Committee, a body representing local resident groups and councillors as listed below.

Advisory Committee Nominated Members of:

Alexandra Residents' Association	: Ms J. Hutchinson
Bounds Green and District Residents Association	: Mr K. Ranson
Muswell Hill and Fortis Green Association	: Mr Dennis Heathcote
Palace Gates Residents' Association	: Ms J. Baker
Palace View Residents Association	: Ms E. Richardson
The Rookfield Association	: Mr D. Frith
Warner Estate Residents' Association	: Mr D. Liebeck
1 Vacancy	

Advisory Committee Appointed Members:

Alexandra Ward	:	Councillor Beacham
Bounds Green Ward	:	Councillor Demirci
Fortis Green Ward	:	Councillor Erskine
Hornsey Ward	:	Councillor Reid
Muswell Hill Ward	:	Councillor Jenks
Noel Park Ward	:	Councillor Gibson
Council-wide Member	:	Councillor Griffith
Council-wide Member	:	Councillor Mallett

Yours sincerely

Natalie Cole

Secretary of the Alexandra Park and Palace Statutory Advisory Committee on behalf of
David Liebeck (Chair of the Alexandra Park and Palace Statutory Advisory Committee)

APPENDIX 5

SECRETARY OF STATE GUIDANCE

11. Reviews

THE REVIEW PROCESS

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences represent a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence.
- 11.2 At any stage, following the grant of a premises licence, a responsible authority, or an interested party, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 The Regulations allow applications for reviews to be made electronically, as long as the licensing authority agrees and the applicant submits a subsequent written application. The licensing authority may also agree in advance that the application need not be given in writing. However, these applications are outside the formal electronic application process and may not be submitted via businesslink or the licensing authority's electronic facility.
- 11.4 In addition, a review of the licence will normally follow any action by the police to close down the premises for up to 24 hours on grounds of disorder or noise nuisance as a result of a notice of magistrates' court's determination sent to the licensing authority.
- 11.5 Licensing officers may not initiate their own reviews of premises licences, but elected members of the licensing authority may request reviews if they are concerned about licensed activities at a premises or such matters are brought to their attention (see paragraph 8.15 above). Officers of the local authority who are specified as responsible authorities under the 2003 Act, such as environmental health officers, may also request reviews on any matter which relates to the promotion of one or more of the licensing objectives.
- 11.6 Representations made by a department of the local authority which is a responsible authority should be treated by the licensing authority in precisely the same way that they would treat representations made by any other body or individual.
- 11.7 In every case, the representation must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of the licensing objectives. After a licence or certificate has been granted or varied, a complaint relating to a general (crime and disorder) situation in a town centre should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.8 Representations must be in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing.
- 11.9 It is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, interested parties and responsible authorities in pursuit of common

aims. It is therefore equally important that reviews are not used to drive a wedge between these groups in a way that would undermine the benefits of co-operation. It is good practice for authorised persons and responsible authorities to give licence holders early warning of their concerns about problems identified at the premises concerned and of the need for improvement. A failure to respond to such warnings is expected to lead to a decision to request a review.

- 11.10 Where the request originates with an interested party – e.g. a local resident, residents' association, local business or trade association – the licensing authority must first consider whether the complaint made is relevant, vexatious, frivolous or repetitious.
- 11.11 Further information for interested parties about the review process is available in "Guidance for interested parties: applying for a review" which can be found on the DCMS website.

REPETITIOUS REPRESENTATIONS

- 11.12 Relevance, vexation and frivolousness were dealt with in paragraphs 9.8 – 9.13 above. A repetitious representation is one that is identical or substantially similar to:
- a ground for review specified in an earlier application for review made in relation to the same premises licence which has already been determined; or
 - representations considered by the licensing authority when the premises licence was first granted; or
 - representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement;

and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or the grant of the licence.

- 11.13 Licensing authorities are expected to be aware of the need to prevent attempts to review licences merely as a second bite of the cherry following the failure of representations to persuade the licensing authority on earlier occasions. It is for licensing authorities themselves to judge what should be regarded as a reasonable interval in these circumstances. However, the Secretary of State recommends that more than one review originating from an interested party should not be permitted within a period of twelve months on similar grounds save in compelling circumstances or where it arises following a closure order.
- 11.14 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one request for a review of a premises within a 12 month period.
- 11.15 When a licensing authority receives a request for a review from a responsible authority or an interested party or in accordance with the closure procedures described in Part 8 of the 2003 Act, it must arrange a hearing. The arrangements for the hearing must follow the provisions set out by the Secretary of State in regulations. The details may be viewed on the DCMS website. The Secretary of State considers it particularly important that the premises licence holder is fully aware of the representations made in respect of the premises, any evidence supporting the representations and that they or their legal representatives have therefore been able to prepare a response.

POWERS OF A LICENSING AUTHORITY ON THE DETERMINATION OF A REVIEW

11.16 The 2003 Act provides a range of powers for the licensing authority on determining a review that it may exercise where it considers them necessary for the promotion of the licensing objectives.

11.17 The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach.

11.18 Where the licensing authority considers that action under its statutory powers are necessary, it may take any of the following steps:

- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;

- to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- to suspend the licence for a period not exceeding three months;
- to revoke the licence.

11.19 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response.

11.20 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.

11.21 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems which impact upon the licensing objectives.

APPENDIX 6

RELEVANT SECTIONS OF STATEMENT OF LICENSING POLICY

10.5 Trading Standards

Trading Standards will carry out test purchasing for underage sales in licensed premises.

10.6 Environmental Health – Food Team

The Food Team will inspect all food premises and are able to take action in relation to any contraventions found under the Food Safety Act 1990.

11.0 Operating Schedule

11.1 The operating schedule will form part of the completed application form for a premises licence. The schedule should contain the information necessary to enable any responsible authority or interested party to assess whether the steps to be taken to promote licensing objectives are satisfactory. In respect of applications for provisional statements, applications will need to contain information as prescribed in Regulation.

11.2 Risk Assessments

Risk assessments help to identify areas of concern in the operating of the premises which may undermine the licensing objectives. Applicants can use the information to complete their application and Operating schedule, and the steps identified by the applicant are transferred on to the license as a condition. Risk assessments should be specific to the premises, the proposed licensable activities and the proposed hours of trading and also the anticipated number of people likely to be on the premises when licensable activities are taking place.

11.2 Further guidance in this policy on the Operating Schedule is contained in the Appendix.

12.0 The prevention of crime and disorder

12.1 The Home Office has identified that a large percentage of violent crimes, assaults and criminal damage are from offenders under the direct influence of alcohol. The Haringey Crime Audit 2001 acknowledged that alcohol related violence was found to be a problem in night-time entertainment areas and that almost a quarter of all arrests were drink related. Direct findings summarised that the misuse of drugs and alcohol has contributed to the increase of crime and disorder in the borough with young men being of particular concern. Alcohol has also been shown to be a factor in occurrences of domestic violence. In comparison to similar boroughs, Haringey compared well and had fewer violent crimes per 1000 residents than the adjoining boroughs of Islington and Hackney.

- 12.2 The Council is committed to reducing crime and disorder throughout the borough through its statutory duty under the Crime and Disorder Act and through the Haringey Safer Communities Strategy.
- 12.3 Good management, best practices and sound procedures in licensed premises do and can make an important difference to the level of alcohol related crime.

13.0 Public safety

- 13.1 Members of the public visiting licensed premises have the right to expect that due consideration has been taken in relation to public safety. Licensees, as providers of the premises for the sale of alcohol and/or regulated entertainment, must be able to demonstrate that they have considered and put in effect measures to protect members of the public.
- 13.2 In order to promote public safety responsible authorities may make representations on the grounds of public safety. The Licensing Authority will encourage those applying for a premises licence to undertake the necessary fire safety risk assessment and to be compliant with all relevant building control rules and regulations.
- 13.3 The Council recommends that the Metropolitan Police Promotion/Event Risk Assessment Form 696 and the After Promotion /Event Debrief Risk assessment Form 696A be used as an effective tool in this process.

Adult Entertainment

- 13.4 Nudity, striptease and other adult entertainment of a sexual nature fall within the remit of the Licensing Act 2003. This section details the approach the Licensing Authority will take when considering applications for this type of activity on its own merits. These premises may also require a licence under the Local Government (Miscellaneous Provisions) Act 1982.
- 13.5 Applicants to whom this applies are required to set out expressly in their Operating Schedule that they propose to offer entertainment involving nudity, striptease or other adult entertainment of a sexual nature. Any reference to music or dancing without express reference to adult entertainment will be interpreted as not including adult entertainment.
- 13.6 The Licensing Authority and the Police will have concerns about crime and disorder and public nuisance issues which may arise from the operation of the premises where these activities take place. The carrying on of these activities can provide the opportunity for prostitution, pimping, and other offences of a sexual nature. For these reasons there must be proper regulation of premises where these activities are offered.
- 13.7 When considering applications the Licensing Authority will have regard to whether the premises are in close proximity to the following:

- Schools

- Licensees will need to have measures or procedures in place to check the SIA register of door supervisors to ensure their premises and customers are only protected by door supervisors with an SIA licence.

14.0 The prevention of public nuisance

- 14.1 Licensed premises, especially those operating late at night and in the early hours of the morning can cause a wide range of nuisances that can impact on the people living, working or sleeping in the vicinity of the licensed premises. The Council is committed to protecting the residents and businesses in the vicinity of these licensed premises.
- 14.2 In particular, late night activities cause much of this nuisance. Late night cafés, clubs, pubs and restaurants can have a number of adverse effects on the residents in the vicinity of these premises. Nuisance such as noise, litter, anti-social behaviour, lights and odour all contribute to the loss of amenity to the general public.
- 14.3 Noise nuisance is of particular concern; music, people talking, ventilation equipment and traffic can all be disturbing especially at night when ambient noise is low.
- 14.4 The conduct of customers leaving premises or spilling out into public and open spaces is often a source of disturbance and anti-social behaviour. Problems can include littering, the breaking of glasses and bottles, vomiting and urination.
- 14.5 Fly posting or any other illegal methods of displaying advertisements relating to a licensed premises or events is considered to be a public nuisance and will not be tolerated by the Council. The Council will take action (including prosecuting) those that fly post and will support action by other Councils against those that fly post.
- 14.6 The Council is aware of the importance of the licensing trade to the local economy and its culture and leisure aspirations. Accordingly, it will try and work together with individuals and bodies who are able to make objection to licence applications, the statutory agencies and licensed businesses to ensure that licensed premises can provide a service in a responsible way and co-exist with the wider community.
- 14.7 In considering all licensed applications, the Council will consider 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. The council will expect applicants to address the issues under prevention of public nuisance detailed in the Appendix.

15.0 The protection of children from harm