

APPENDIX 1. Responses to Statement of Licensing Policy Consultation.

Respondent	Comment	Action
An Elected Member	although part of our policy is to place responsibility on those operating take away shops to be proactive and responsible for litter in practice it simply does not happen nor does any or much enforcement seem to take place	Noted. This issue will be addressed by reminding businesses of their obligations, and through targeted work with Environmental Health Officers who inspect these premises
A local resident	The relating to Protection of Children from Harm do not appear to go far enough to protect children and young people from harm. I say this because Licencees are only being asked to consider certain matters etc. There needs to be more stringent requirements and evidence that it has taken place, that outlets have trained staff in safeguarding (even if that is an online course) There should be requirements to getting licences not considerations given to x, y & z to get a licence	In premises where there is a higher risk of CSE or safe guarding concerns then conditions will be applied and required more stringently. The wording used here is generic as not all licensed premises present such risk and the approach has to be on a case by case, or type of premises approach.
Director of Children's Services	<p>Thanks for the opportunity to comment on the above. I considered it to be significantly strengthened by the new sections on child harm.</p> <p>Para 5.7 is a repeat of 5.4.</p> <p>Para 8.2 and 8.3 - incorrect wording used.</p> <p>Para 10 – suggested amendment “It is also recognised that takeaway premises can be a focal point for young people to meet, and sometimes for predatory activity by adults.”</p>	<p>They relate to different types of premises.</p> <p>This was amended when it was brought to our attention and a updated version was provided for the consultation process.</p> <p>Amendment made.</p>

	<p>Page 66 – numbered point 3 add “to be vigilant of adults accompanying young people to guard against exploitation,”</p>	Amendment made
<p>Chair of Local Safeguarding Children’s Board</p>	<p>Moving Forward” or “Middlesbrough is Changing” which is the strap line</p> <p>Page 8 – note Middlesbrough is a premierships football team</p> <p>Section 8 Page 29 comprehensive from a safeguarding perspective. (check definition of CSE @ para 8.1 is the latest one)</p> <p>Ref to referral process needs completing para 8.2 and 8.3 (also paras 8.5 and 8.6 read the same)</p> <p>MSCB should be included in consultee schedule page 50 app 1</p>	Policy amended
<p>Trimdon Ward Community Council</p>	<p>Support the proposed changes relating to the Protection of Children from Harm</p>	Noted
<p>Strategic Planning Manager, Planning Services</p>	<p>We would suggest additional text is included at the end of para 1.10 and 3.3. as follows:</p> <p>1.10 Integrating Strategies and Avoiding Duplication</p> <p>There are many stakeholders involved, directly or indirectly, in the promotion of all the Licensing Objectives. Many of their strategies may include a link to the licensing function and the Licensing Authority will, wherever appropriate, work with partners to ensure proper integration of local issues and strategies into this Policy.</p>	Policy amended

The Licensing Authority recognises the need to avoid as far as possible duplication with other regulatory regimes and it will avoid, where possible, attaching conditions that are duplicitous.

As well as requiring consideration and approval of the Licensing Authority, changes to how a premises is used or changes to the opening hours of a premises may also require planning approval, which is dealt with via separate legislation and by the Council's Development Control function. Licence holders and others should not assume that the granting of a licence is also a grant of planning permission, which may also be required for them to operate as intended. Early contact should, therefore, be made with the Local Planning Authority via the Council's website to discuss their proposals.

Whilst having regard to the Planning regime, the Licensing Authority recognises that there should be a clear separation of the Planning and Licensing regimes. Licensing applications should not be a re-run of the Planning application process. The granting of a licence under the Licensing Act does not relieve the applicant of the need to apply for Planning Permission or Building Regulation approval, where appropriate.

3.3 Making an Application

The procedures and documentation required for the various applications is set down in the Act. Further advice on how to make an application can be found on the Council's website or on request from the Licensing

	<p>Authority. A Glossary of Terms can be found at Appendix 3 to assist with applications.</p> <p>Applicants should also have regard to government guidance issued under Section 182 of the Licensing Act 2003</p> <p>Applicants are strongly advised to consult with officers from the Licensing Team before preparing and submitting their applications for licences and other authorisations. Any application not properly made will be returned to the applicant and the timescales contained in the Act will not begin until a properly made application is received.</p> <p>As mentioned at paragraph 1.10, separate permissions may be required in instances where either the hours of use, or the use of the premises are intended to be changed, and confirmation as to whether planning permission is required for such changes should be sought from the Local Planning Authority at the earliest possible point. Contact details are available on the Council's website.</p>	
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