

Andrew Jones
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19 July 2010

Comments on the Statement of Licensing Policy Draft for Consultation 2010

Dear Andrew,

FoBRA has member associations throughout the City, in both central and outer areas. FoBRA is the main representative voice for residents in Bath.

This letter is FoBRA's response to your request for comments on the proposed amended licensing strategy 2010.

Before commenting in detail on the draft policy we want to put on record how horrified many of our members are at the bureaucratic complexity of the licensing regime, which is a most unsatisfactory burden, both in administration and in direct expense, whether on voluntary organisations or small businesses. We recognise that most of this is the fault of Parliament and not B&NES; but we hope that B&NES will do what they can to interpret and implement it in the lightest-touch of ways.

Our comments on the detailed proposals are as follows:

1.2. We are pleased to see that improving the quality of life for residents and increasing the attractiveness of the area to visitors is recognised as a purpose of the policy. The document needs to indicate how improvements in respect of these two groups will be monitored. If the policy is not to monitor that should be made clear.

1.3 and 1.4. We note the Council objective in 1.3 of increasing the number of establishments open in the evening, but see no evidence for the hope you express in 1.4 that this will encourage greater use of licensed premises in the evening by people of all ages and groups, and reduce crime. The nature and quality of the offer is more relevant to the objective and these considerations are broader than the 4 paramount objectives of licensing set out in the legislation but we believe they should be covered in this policy document, to give the implementation of policy a local context. In themselves the 4 objectives are about avoiding negative outcomes. They should be seen explicitly in a context of promoting quality of provision in a World Heritage city.

6.7. The quality of resident and visitor experience depends on effective enforcement of the full range of statutory conditions. The document should explain how this is to be achieved. It is the customer experience, and that of neighbours, that counts and that justifies the range and cost of statutory interventions.

13.1. It has been repeatedly suggested that the authorities in Bath should put together a vision for the night-time economy, which licensing policy could then seek to implement. We understand that the Council is now looking at this and it should be mentioned here, whether the vision is complete by the time of publication or not.

14.1. The document needs to explain what integration has been achieved between these various strategies and note successes and indicate outstanding issues. Otherwise it tells us nothing.

16.17. These examples could also include a restriction of the area within the premises in which alcoholic drinks may be consumed, and a requirement that drinks should be served by waiter/waitress service, rather than to customers standing at a bar.

17. A new section should be inserted. Applicants for premises licences should be encouraged by the Licensing Department to discuss their proposals with local residents before any application is made. In many cases, residents' concerns can be met by some modification of the proposal, and the delay and cost of a hearing thereby avoided. Even if this cannot be made a statutory requirement, we think the licensing policy should encourage applicants and licensing agents, who have much influence on applicants, to follow this approach.

18.2. Whilst staggered closing times can help to reduce friction in the evening, we doubt whether anyone outside the licensed trade still believes that later hours are a positive way of managing the night-time economy. This paragraph needs to recognise that later closing inevitably leads to later noise and disturbance on the streets, which increases problems for residents.

36.6 To have any practical impact this paragraph needs to indicate what criteria the licensing authority will use in judging balance.

37.11 We believe it should be explained that the Portman Group is a group of large drinks companies, and speaks on their behalf.

We hope that you find these comments helpful in developing the council's policy in this important area.

Yours sincerely,

IAN PERKINS
On behalf of FoBRA