

Appendix D

Responder	Ref	Licensing Policy Consultation Responses	Action
Responsible Authority		no comments	
Responsible Authority	5.10.	Paragraph 187 of the Revised National Planning Policy Framework July 2021 refers to the `Agent of Change` Principle. In essence this means that the person or business (i.e. the agent) introducing a new land use is responsible for managing the impact of that change. Planning policies in relation to new development or change of use should ensure there can be effective integration with existing businesses, including licenced premises such as pubs and music venues. Under this principle the existing licensed premises should not have unreasonable restrictions placed on it by the local authority and should the operation of the existing business have significant adverse effects on the new development, or new use , for example noise disturbance, then the applicant or `agent of change` should provide suitable mitigation before the development is completed. In my opinion the agent of change principle should be highlighted in the policy as this could have bearing for example when considering the Protection of Public Nuisance Objective	Include reference to this at para 5.10.
	5.4.4	I endorse paragraph 5.4.4, A number of Town Centre premises have used TEN`s, sometimes multiple, to extend existing hours into the early hours of the morning which are more sensitive and add to problems where the the night-time/day-time economies clash. This has the potential to cause to noise disturbance to any sensitive premises in the vicinity and should be discouraged. It is more appropriate for premises to apply for a variation to their licence so that the application can be properly considered by responsible authorities and could be subject to a hearing	Add 'multiple'

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	5.4.6	Any temporary event notification for outdoor events or those in temporary structures, which could have the potential to cause noise disturbance, should be given additional scrutiny, particularly those that propose amplified or live music after 11pm	Amend to add potential for noise nuisance particularly after 11pm
	various	All hearings, not just reviews, will lead to discretion. RA will normally take a lead.	Amend as required to clarify all hearings. Clarify roles at 3.2.4
Public	Various	<p>I am writing today to express my concerns in regards to the draft licensing policy relating to the nightlife in Burnley. As a town centre resident some of the anti-social behaviour and noise from the surrounding areas can be quite intimidating.</p> <p>For example, one morning I was greeted by over 20, drunken people outside waiting for taxis. The noise was unacceptable and the crude comments from some of the people were unexcusable. After my encounter, I refuse to leave my home any earlier than 8:30am, occasionally there are still stragglers outside however not as many, this I do not believe to be fair and this situation should not occur at such a time in the morning, especially outside of residential properties.</p> <p>On multiple occasions I have exited my home and come across sick, balloons, canisters, smashed glasses, rubbish and clothing .</p> <p>I understand the need to have clubs and bars however I don't understand the need for these places to be open until 6am and 8am. I also don't see the need for these clubs to be open on a week day as the majority of the residents work...Monday to Friday, 9 till 5 and being awoken by shouting and music in the early hours of the morning is not acceptable in any way, shape or form.</p> <p>I believe that the only way forward is to reduce the operating hours of ALL of the clubs to 3:30am.</p>	Define hours of conflict at 5.2.1 and add measures available to a hearing in those hours. EMROs are provided for in the policy, providing the evidence is available

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		<p>I would like to express my concern re the late licencing of the nightclubs surrounding this property. Every week I have to clean up broken glass, drug bags, gas canisters, sick etc before I can show anyone the property.</p> <p>I get regular calls, messages, complaints from residents who have to deal with drunk and antisocial behaviour on their way to work from 6am. One resident says she goes to work as late as possible as she is scared to go to her car.</p> <p>There is an incident every week, either broken windows, someone dealing drugs right outside xxxxxx, trespassers on the balcony, attempted suicides on the balcony, sexual acts carried out in the bin store, I could go on.</p> <p>There can be no sensible reason why nightclubs are permitted to stay open until 6-7am. If they closed earlier it would mean the streets would be clear before residents wake up and start their day. It is totally unacceptable that Burnley citizens are afraid to go to their car at 7am in the morning because there are gangs outside their home and hanging around on the walkway between their front door and their car.</p> <p>There are also babies and children living here - what kind of example is this setting?</p> <p>Why was living accommodation permitted to being built in this area if there was no intentional to deal with the anti-social behaviour caused by the nightclubs?</p> <p>It seems only sensible that if the closing hours do not change then there should be a security presence around the building to protect people living here.</p> <p>I have spoken to business owners, taxi drivers, the media, members of the public and not one single person is in favour of such late opening hours. It is not good for business.</p>	

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		<p>There are many videos taken from our CCTV cameras and I herewith attach a sample of them. We converted an existing building xxxxxxx into 26 apartments. However, due to Burnley's licencing laws there are drunk and drugged up people fighting in the streets until 7-8am in the morning. We have 3 doctors that live at our Building xxxxxxx and they work shifts at xxxxxxx. At the weekends they have to make their way through fighting in the streets most if not every weekend. It is not all drink related as we have evidence that drugs are openly being sold on the streets and mindless people out of control are causing damage to property and prevent normal people from living a normal life.</p> <p>The night clubs seem to promote the taking of drugs, xxxxxxxxxxxxxxxxxxxx. I have many videos to support this claim. My company wanted to regenerate more buildings in Burnley Town Centre, however, until Burnley can adopt sensible Licensing hours and properly Police people going home the area will add to the bad reputation it is developing and going forward, investors in both property and business will avoid Burnley. I would suggest 2.00 am latest, like many other good quality towns throughout the UK.</p>	
Licensed Trade	4.1.2	"Experience" needs more definition. If we only have experienced DPS candidates we will never have new DPS. Younger new DPS should be given equal chance with the right guidance from the premises licence holders.	Add supervision at para 4.1.2
	4.2.3	Agree to a certain degree. Its something I see more and more of in Burnley with the latest increasing minimum wage – especially street promoters of nightclubs. I think its brilliant to give these younger generation a taste of the Burnley's nightlife. It's also a 'foot in the door' for a lot of these youngsters into the hospitality sector. They are the bartenders / managers of the future. I'd hope these employers that are employing them have appropriate risk assessments in place. It's also a strong argument for more police presence on the streets.	NFA

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	5.2	Staggered dispersals should not be more favourable for one business over another. Most licenses have 30 minutes drinking up time from the last sale of alcohol to the doors shutting which I believe is a fairer way to avoid staggered dispersals.	Amend para 5.2 - to include reference to period for sale of alcohol. Amend para 5.6.2 to clarify any hearing will look at existing/proposed hours if deemed to be contributing to undermining LO
	5.4.4	STRONGLY DISAGREE. TEN's have been used in Burnley for extending pubs opening times for special occasions and events for as long as I can remember, ever since I've been a licensee in town. What if there's a late night boxing match on at 5 in the morning? Do you expect the pubs to apply for permanent 5am/6am licenses? This is where 5.4.4 strongly contradicts 5.6.1. 5.4.4 will have licensed premises applying for later hours on their license that they won't regularly use (exactly what 5.6.1 is against). This would have a detrimental effect on the late-night times that you're trying to combat. Premises operators change but, as mentioned, licenses rarely do, they get transferred. I think TENs should be encouraged for extending opening times for special events and occasions to avoid everyone applying for later premises licenses.	Add 'Other than for special occasions' & 'multiple'. Refer to hours of conflict. Clarify at 5.6.2
	5.9.1	There are control methods that can be used that stop these promotions undermining the four licensing objectives. Happy hours can actually be used responsibly and even help promote licensing objectives, they can be used to encourage customers to come out at a more reasonable time (7pm/8pm).	NFA
	5.13.1	An EMRO would be the death of Burnley's vibrant nightlife – that many other towns are struggling to build. It would also ultimately lead to a huge loss of Business rates revenue. Sometimes you don't know what you have until its gone.	EMROs are provided for in the policy, providing the evidence is available

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Licensed Trade	5.6	The council MUST seriously consider a curfew on when businesses can serve alcohol until. I work regularly and the late license laws create a far more dangerous drinking culture that the council MUST look into amending. Earlier curfews would make it easier to control and police, businesses would be busier earlier. If people want to purchase alcohol, become inebriated and likely cause problems, they must be willing to accept imposed restrictions for their behaviour.	Define hours of conflict at 5.2.1 and add measures available to a hearing in those hours. EMROs are provided for in the policy, providing the evidence is available

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TC Business	5.2.1 5.6 5.13	<p>I would like to express my concern re the late licencing of the nightclubs surrounding this property. Every week I have to clean up broken glass, drug bags, gas canisters, sick etc . I get regular calls, messages, complaints from XXXXXXXXXX who have to deal with drunk and antisocial behaviour on their way to work from 6am. One person goes to work as late as possible as they are scared to go to there car. There is an incident every week, either broken windows, someone dealing drugs right outside, trespassers, attempted suicides, sexual acts carried out in the bin store, I could go on. There can be no sensible reason why nightclubs are permitted to stay open until 6-7am. If they closed earlier it would mean the streets would be clear before residents wake up and start their day. It is totally unacceptable that Burnley citizens are afraid to go to their car at 7am in the morning because there are gangs hanging around. There are also babies and children - what kind of example is this setting? Why was living accommodation permitted to being built in this area if there was no intentional to deal with the anti-social behaviour caused by the nightclubs? It seems only sensible that if the closing hours do not change then there should be a security presence. I have spoken to business owners, taxi drivers, the media, members of the public and not one single person is in favour of such late opening hours. It is not good for business. Since XXXXXXXXXX has been marketed I have had several calls from XXXXXXXXXXXXXXX and developers from all over the country who are looking to invest in Burnley. There is a real opportunity here to turn the dynamic of the town around and make it a nice place to be. For the sake of closing a few hours earlier, the reputation and future prosperity of this town could be altered for the better.</p>	Define hours of conflict at 5.2.1 and add measures available to a hearing in those hours. EMROs are provided for in the policy, providing the evidence is available