

RIBBLE VALLEY BOROUGH COUNCIL
ENVIRONMENTAL HEALTH



**Best Practice Guide for Completion
of Late Night Refreshment Licence
Applications**

The Prevention of Public Nuisance

Introduction

The new Licensing legislation requires that applications for late night refreshment licenses consider the impact the activities may have on nearby residents and the general public.

Each application for the late night refreshment licence has to be served on a number of interested parties, these include the Police, Fire Authority, Trading Standards, the local Planning and Building Control Departments and Environmental Health.

The Applicant is required to consider four main issues and explain how they intend to manage the premises to ensure that these matters are fully controlled to limit impact on neighbours and the public.

The four areas are:

- Crime and Disorder
- Public Safety
- Public Nuisance
- The Protection of Children from Harm

In the relevant section of the application, known as the Operating Schedule, the applicant is required to include details of conditions appropriate to the premises, which may be applied to the licence.

Although all premises are individual and have different management requirements, there are a number of good practices, which can be applied to most premises.

To help you consider your management plan, we have included some guidance on possible appropriate actions. However, there will be others which you may also consider are necessary for your particular premises, and you should apply and include these as appropriate.

Plans

An accurate and up to date plan of the premises must be included in your application. This should also identify the following important details:

Location of emergency lighting, fire extinguishers, break glass points, smoke detectors, fire alarm sounders, illuminated exit signs, fire exits, self-closing doors, kitchen extraction systems and vents/expelair.

The location of the car parking and taxi collection points should also be identified on the plan.

In addition, a site location identifying the nearest residences and other noise sources would be useful when considering the likely impact on those neighbouring properties.

The Operating Schedule

Section Q on the application form is the page where you are expected to include details of how you will manage your impact on neighbouring properties and the public.

- b) *Crime and Disorder* – the Police are consulted on this area of the form and will require you to provide details of crime prevention measures and management controls to ensure the safe and secure operating of the premises.
- c) *Public Safety* – the principle consultees for this section are the Fire Authority and Building Control. Any inclusions on this section must not contradict existing Health and Safety at Work legislation requirements, which apply to all premises and places of work.
- d) *Public Nuisance* – the Environmental Health Department are consulted on this section of the application form. We are required to consider noise pollution, odour, litter and light pollution. There are a number of operational controls, which can be applied to cover many of these issues, which may impact on residents and neighbouring properties. These are listed in the next section of this guide.
- e) *Protection of Children from Harm* – Social Services consider the information provided in this part of the form to ensure the protection of children from moral, psychological and physical harm.

Proposed Appropriate Management Controls for Public Nuisance

Noise

Extension of the hours of opening and the impact this may have with particular reference to increased noise in the street is the main area for consideration regarding noise disturbance. Therefore the following controls are proposed to ensure that these activities do not adversely affect any surrounding premises.

1. The kitchen extraction system shall be maintained in good order, so to avoid noise associated with worn fans or vibrating duct-work.
2. Doors and windows shall be kept closed after 11pm to prevent noise from inside the premises affecting any nearby residential properties.
3. There shall be visible and clear notices requiring customers to leave the premises and the area quietly, placed at all exits.
4. The management must take appropriate steps to ensure that customers within and outside the premises, either queuing to enter the premises or leaving, must not cause public nuisance or noise disturbance.
5. Any outdoor seating areas shall not be used after 11pm. Supervision of such areas should be carried out on a regular basis and if appropriate action taken to ensure that no behaviour that may disturb neighbours is allowed in this area.

6. Delivery vehicles shall be operated in such a manner as to avoid causing nuisance to residential properties, i.e. engines not to be left running, prohibit the use of the horn and banging doors shall be avoided.

Odour

1. Any odours generated on site should not affect nearby premises, this can be achieved by ensuring that extraction equipment is suitably located and maintained.
2. The management should keep written records of the cleaning and maintenance schedules for the extraction and filtration system, which should be available for inspection by the Local Authority.

Light Pollution

1. No light from the premises should extend beyond the site boundary.
2. All external lights shall be switched off when the premises are closed to customers.

Litter

1. The grounds of the premises and the area around the premises, up to a distance of 30 metres, shall be maintained in a tidy and litter free state. Any litter, food waste and grease around the premises should be cleared at the end of each days service to prevent public nuisance.
2. All waste must stored in closed containers to prevent littering, vermin and odour issues.
3. Where appropriate the premises should provide internal litterbins for the use of customers, which must be emptied and maintained regularly by the management to prevent litter accumulating.