

LICENSING COMMITTEE

NOTICE AND AGENDA

For a meeting to be held on Wednesday, 3 December 2025 at 7.30 pm at Penn Chamber, Three Rivers House, Rickmansworth.

Members of the Licensing Committee:-

Councillors:

Harry Davies (Chair)
Stephen Cox
Andrea Fraser
Debbie Morris
Ciaran Reed

Raj Khuroya (Vice-Chair)
Narinder Sian
Andrew Scarth
Anne Winter

*Joanne Wagstaffe, Chief Executive
Tuesday, 25 November 2025*

1. APOLOGIES FOR ABSENCE

2. MINUTES

(Pages 5 - 8)

To confirm, as being a correct record, the minutes of the Licensing Committee, held on 4 December 2024, and for them to be signed by the Chair.

3. NOTICE OF OTHER BUSINESS

Items of other business notified under Council Procedure Rule 30 to be announced, together with the special circumstances that justify their consideration as a matter of urgency. The Chair to rule on the admission of such items.

4. DECLARATIONS OF INTEREST

To receive any declarations of interest.

5. REVIEW OF STATEMENT OF LICENSING POLICY 2021-2026

(Pages 9 - 178)

The Licensing Act 2003 (as amended) ("the 2003 Act") requires that all licensing authorities should issue a Statement of Licensing Policy and keep it under review every 5 years, making revisions to it, at such times, as it considers appropriate.

The current Statement of Licensing Policy 2021-2026 (“the Policy”) was published on 24 February 2021 and therefore expires on 24 February 2026.

Officers have reviewed the Policy and have sought to make changes. It should be noted that no legislative changes have occurred since the last review and therefore the changes identified at this stage are relatively minor and expanded upon below.

The objective is for the revised Policy to be effective from 25 February 2026 to ensure a seamless transition between the existing and new Policy.

Recommendation

That members of the Committee agree to the following:

- Note the report and revised Policy making changes if required; and
- Commence a 6-week public consultation exercise on the revised Policy; and,
- Following the expiry of the public consultation that details of the consultation responses and any amendments to the Policy following the consultation will be presented to the Licensing Committee on 4 February 2026 for agreement with formal adoption by Full Council on 24 February 2026; or,
- In the event there are no amendments or responses from the public consultation which materially impact the revised Policy as consulted on, that the Head of Regulatory Services in conjunction with the Chair of the Committee makes minor changes to the Policy, if required, and then for the revised Policy to be formally adopted by Full Council on 24 February 2026.

That public access to the report be immediate.

6. WORK PROGRAMME

(Pages 179 - 180)

To note the Committee’s work programme.

7. OTHER BUSINESS - If approved under item 3 above

8. EXCLUSION OF PRESS AND PUBLIC

If the Committee wishes to consider the remaining item in private, it will be appropriate for a resolution to be passed in the following terms:-

“that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined under paragraph **X** of Part I of

Schedule 12A to the Act. It has been decided by the Council that in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

(Note: If other confidential business is approved under item 3, it will also be necessary to specify the class of exempt or confidential information in the additional items.)

General Enquiries: Please contact the Committee Team at
committeeteam@threerivers.gov.uk

The Council welcomes contributions from members of the public on agenda items at the Licensing Committee meetings. Details of the procedure are provided below:

For those wishing to speak:

Members of the public are entitled to register and identify which item(s) they wish to speak on from the published agenda for the meeting. Those who wish to register to speak are asked to register on the night of the meeting from 7pm. Please note that contributions will be limited to one person speaking for and one against each item for not more than three minutes.

In the event of registering your interest to speak on an agenda item but not taking up that right because the item is deferred, you will be given the right to speak on that item at the next meeting of the Committee.

Those wishing to observe the meeting are requested to arrive from 7pm.

In accordance with The Openness of Local Government Bodies Regulations 2014 any matters considered under Part I business only of the meeting may be filmed, recorded, photographed, broadcast or reported via social media by any person.

Recording and reporting the Council’s meetings is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Legislation and the laws of libel and defamation.

The meeting may be livestreamed and an audio recording of the meeting will be made.

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Three Rivers House
Northway
Rickmansworth
Herts WD3 1RL

Licensing Committee MINUTES

**Of a meeting held in the Penn Chamber, Three Rivers House, Rickmansworth, on
Wednesday, 4 December 2024 from 7.30 pm - 7.47 pm.**

Present: Councillors

Harry Davies, Chair
Tony Humphreys, Vice Chair
David Major
Narinder Sian
Andrea Fraser
Debbie Morris
Ciaran Reed

Officers in Attendance:

Lorna Curtis, Lead Licensing Officer
Matthew Roberts, Development Management Team Leader
Richard Ricks, Principal Litigation/Licensing Lawyer
Anita Hibbs, Committee Officer

LI13/24 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Andrew Scarth and Stephen Cox.

LI14/24 MINUTES

The minutes of the Licensing Committee held on 12 June 2024 were confirmed as a correct record and signed by the Chair of the meeting.

LI15/24 NOTICE OF OTHER BUSINESS

There were no items of other business.

LI16/24 DECLARATIONS OF INTEREST

There were no declarations of interest.

LI17/24 REVIEW OF GAMBLING POLICY

The Development Management Team Leader introduced the report.

Following the recommendation of the June Licensing Committee, members of the committee tasked officers to consult publicly on the amended policy which must be reviewed every 3 years. In addition, the agreed resolution was that the consultation sought views on whether the council should adopt a “no casino resolution”.

As the committee report sets out, 7 responses were received, which included from members of the public, Batchworth Community Council, Public Health Services at HCC and Hertfordshire Safeguarding Children Partnership.

Officers were also made aware of errors within the policy at paragraphs 8.8.4, 8.10.3, 8.13.2, 10.4.1 and 14.1. These will be amended prior to the adoption of the policy, if agreed.

Only Full Council can formally adopt the policy and a “no casino resolution”. If agreed, Full Council on 10 December will consider the recommendation and a supplement will be provided for council asap.

In response to questions raised regarding the cumulative impact assessment in relation to gambling premises and whether this policy aspect is new, the officer clarified that the assessments have always been in place but due to the limited number of gambling establishments in the district a cumulative impact assessment is not necessary at the current time. Officers also confirmed that regular checks are conducted on these premises to ensure compliance, and address any reported issues.

Members raised concerns about whether the consultation was tailored to reach out to disproportionately affected communities. The officer responded by referencing Appendix 1 of the policy, which lists consultees, including local groups that may be affected by gambling.

The officer acknowledged that while there weren't many responses, the consultation included various national trade associations and adjacent authorities, aligning with legislative requirements.

Members pointed out that Sarratt Parish Council had not been included on the list of consultees and suggested that officers contact the parish council for clarification. Officers confirmed that Sarratt Parish Council were included in the consultation process.

In response to questions around high profile events like the World Series of Poker at venues such as The Grove, the officer clarified that private casino events would fall under the Gambling Act and would not violate the 'no casinos' policy, which is applicable to businesses seeking to establish a casino in the district.

Members expressed confusion regarding the categorise of gaming machines and sought clarification on their differences. The officer referred to Appendix 2 of the report that outlined the various categories of machines and explained that licensing officers can verify the categories and limits of machines based on their licenses.

Members also addressed concerns regarding Moor Park Residents Association's inclusion in the list of associations. The officer acknowledged the oversight and explained efforts made to inform residents through emails, local media and social media platforms.

Members inquired about the potential for a company to establish a casino and the conditions under which the existing resolution could be broken. The officer explained that resolution prevents any applications for casinos and highlighted that any casino establishment must be approved by government (The Secretary of state). Furthermore, the resolution is required to be reviewed every three years, but the Council can reconsider the resolution any time if significant changes arise regarding the establishment of a casino.

Members raised further concerns regarding the appropriateness of gambling establishments in semi-rural areas, emphasising that such locations may not suit the geographical context of the district. They highlighted the importance of considering community safety, particularly the protection of school children in these areas makes them unsuitable for gambling facilities. Additionally, Members mentioned the significant risks associated with gambling, particularly its potential to become addictive, and the severe consequences it can have on mental health, including the risk of suicide.

Councillor Andrea Fraser moved **Option 1** of the recommendation, seconded by Councillor Debbie Morris, that Members:

- i. Agree the revised Policy found at **Appendix B** (this is a tracked document highlighting the amendments made to the current policy) and recommend that Full Council adopt the Policy with effect from 14 January 2025.
- ii. Recommend that Full Council adopt a 'No Casino Resolution' which will be inserted into the Policy and recommend that Full Council adopt the Policy with effect from 14 January 2025.

On being put to the Committee the motion was declared CARRIED by the Chair, the voting being 7 For, 0 Against, 0 Abstention.

RESOLVED:

That Members agree to:

Option 1:

- i) Agree the revised Policy found at **Appendix B** (this is a tracked document highlighting the amendments made to the current policy) and recommend that Full Council adopt the Policy with effect from 14 January 2025.
- ii) Recommend that Full Council adopt a 'No Casino Resolution' which will be inserted into the Policy and recommend that Full Council adopt the Policy with effect from 14 January 2025.

That public access to the report be immediate.

LI18/24 OTHER BUSINESS - IF APPROVED UNDER ITEM 3 ABOVE

There was no other business.

LI19/24 EXCLUSION OF PRESS AND PUBLIC

The Chair moved, duly seconded, the following motion:

“that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined under paragraph (X) of Part I of Schedule 12A to the Act. It has been decided by the Council that in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

CHAIR

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LICENSING COMMITTEE DECEMBER 2025

Review of Statement of Licensing Policy 2021- 2026

LICENSING COMMITTEE

PART I

Review of Statement of Licensing Policy 2021-2026

(DoF)

1 Summary

- 1.1 The Licensing Act 2003 (as amended) (“the 2003 Act”) requires that all licensing authorities should issue a Statement of Licensing Policy and keep it under review every 5 years, making revisions to it, at such times, as it considers appropriate.
- 1.2 The current Statement of Licensing Policy 2021-2026 (“the Policy”) was published on 24 February 2021 and therefore expires on 24 February 2026.
- 1.3 Officers have reviewed the Policy and have sought to make changes. It should be noted that no legislative changes have occurred since the last review and therefore the changes identified at this stage are relatively minor and expanded upon below.
- 1.4 The objective is for the revised Policy to be effective from 25 February 2026 to ensure a seamless transition between the existing and new Policy.

2 Recommendation

- 2.1 That members of the Committee agree to the following:
 - a) Note the report and revised Policy making changes if required; and
 - b) Commence a 6-week public consultation exercise on the revised Policy; and,
 - c) Following the expiry of the public consultation that details of the consultation responses and any amendments to the Policy following the consultation will be presented to the Licensing Committee on 4 February 2026 for agreement with formal adoption by Full Council on 24 February 2026; or,
 - d) In the event there are no amendments or responses from the public consultation which materially impact the revised Policy as consulted on, that the Head of Regulatory Services in conjunction with the Chair of the Committee makes minor changes to the Policy, if required, and then for the revised Policy to be formally adopted by Full Council on 24 February 2026.
- 2.1.1 That public access to the report be immediate.

3 Details

- 3.1 The aim of the Policy is to promote the four licensing objectives; prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm, and seeks to balance the interests of both businesses and residents to make sure Three Rivers continues to offer a wide choice of high quality and well managed premises within a safe and orderly environment.
- 3.2 The Policy also sets out the approach and principles that the Council will generally apply when carrying out its functions under the 2003 Act. It underpins policy and procedure by setting out the approach the Council will take when

determining applications for new licences, variations and reviews and provides general guidance to applicants, operators and those affected by licensable activities. At the same time however, the Policy must not undermine the right of any individual to apply for any of the variety of permissions under the 2003 Act and for that application to be considered on its individual merit.

3.3 As there have been no legislative changes there are no significant amendments to the Policy.

3.4 The specific changes to the Policy currently include:

- Updating any errors across the report
- Providing greater clarity to what makes a valid representation on premises applications and referencing the recent simply guide which officers have produced to assist members of the public
- Requirement to provide right to work share code or eligible immigration documents
- Greater information provided regarding deregulated entertainment
- Providing greater clarity and detail on temporary events
- Removal of advice relating to the Covid pandemic.
- Updating information regarding pavement licences
- The introduction of a paid pre-application advice service which has taken effect

4 Options and Reasons for Recommendations

4.1 The options available to members of the Committee are as follows:

4.2 **Option 1:** *Agree with the officer recommendation as set out at section 2 above*

4.2.1 Preferred option.

4.3 **Option 2:** *To agree to a greater public consultation period*

4.3.1 Officers do not consider this to be an appropriate option given the risks which could occur (see paragraph 7.2 & section 15). If this approach is agreed, there will need to be agreement that the existing Policy can still be used following its expiration.

4.4 **Option 3:** *Do nothing.*

4.4.1 Officers do not consider this to be an appropriate option given the risks which could occur (see paragraph 7.2 & section 15). If this approach is agreed, there will need to be agreement that the existing Policy can still be used following its expiration.

5 Policy/Budget Reference and Implications

5.1 The recommendations in this report are within the Council's agreed budgets.

- 5.2 It should also be noted that as part of the consultation process there will be fees associated with advertising, for example, by placing a statutory notice in the Watford Observer. These fees will be subsumed by existing budgets.

6 Financial Implications

- 6.1 There are no financial implications.

7 Legal Implications

- 7.1 If the recommendation (Option 1) is followed there would be no legal implications.

- 7.2 Notwithstanding, any delay to adopting the amended Policy (Options 2 or 3) may mean that the Council would breach its statutory duty under Section 5 of the Act.

- 7.3 Section 4(3)(a) of the Licensing Act 2003 provides that *'In carrying out its functions, a licensing authority must also have regard to (a) its licensing statement published under section 5.'*

- 7.4 Section 5 of the Act provides:

'(1) Each licensing authority must in respect of each five-year period – (a) determine its policy with respect to the exercise of its licensing functions, and (b) publish a statement of that policy before the beginning of the period.'

- 7.5 Sub-section (6C) provides that 'A licensing statement must specify the five year period to which it relates.'

- 7.6 Additionally any revised or replacement statement of licensing policy must be consulted upon (s 5(3)).

- 7.7 The section 5 duty is mandatory and prescriptive.

- 7.8 Any delay in adopting the revised Policy beyond 24 February 2020⁶ would be a clear breach of the mandatory prescriptive requirements on the 2003 Act; the longer that the delay remains extant the greater the risk to the local authority.

- 7.9 If the Policy was to expire Officers will need to take care in considering how much weight should be attached to the Policy when determining the relevant licences. It is therefore important that officers receive a resolution in the event that Option 2 or 3 is agreed that the existing Policy can still be used following its expiration.

8 Equal Opportunities Implications

- 8.1 Given the minor changes to the Policy, the relevance test has not been completed.

9 Staffing Implications

- 9.1 There are no staffing implications which would arise from this report.

10 Environmental Implications

- 10.1 There are no environmental implications which would arise from this report.

11 Community Safety Implications

- 11.1 There are no community safety impacts which would arise from this report.
- 11.2 The Policy continues to safeguard the public through the assessment of whether licenced drivers are 'fit and proper' to hold a licence with the council.

12 Public Health implications

- 12.1 There are no public health implications which would arise from this report.

13 Customer Services Centre Implications

- 13.1 The Customer Service Centre will be advised on any public consultation and to sign post customers to our website, 'Have your say' function.

14 Communications and Website Implications

- 14.1 The council's Digital Team will be made aware of the Policy consultation and will assist in utilising the 'Have your say' function on the website for the consultation exercise.


15 Risk and Health & Safety Implications

- 15.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.
- 15.2 The subject of this report is covered by the Regulatory Services service plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plan(s).

Nature of Risk	Consequence	Suggested Control Measures	Response (tolerate, treat, terminate, transfer)	Risk Rating (combination of likelihood and impact)
Delays to commencing public consultation or extending the consultation	The existing policy expires on 24 February 2026 so delays to agreeing a revised policy within the 5 years will result in a failure of policy and thus at risk if a legal challenge. The longer the delays the higher the legal risk.	Members to agree to recommendation to ensure public consultation can commence and time to consider the representations received at a future Licensing Committee in early February 2026. This timeline will ensure Council fulfils its statutory duty under the	Tolerate	2

		Licensing Act.		
Decide not to adopt the amended Policy	The Council would not be fulfilling its statutory duty under the Licensing Act 2003 in reviewing and adopting its Policy every 5 years.	Officers to advice against this approach to avoid legal challenges and failure of statutory duty.	Treat	8

15.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

Very Likely  Likelihood Remote	Low 4	High 8	Very High 12	Very High 16
	Low 3	Medium 6	High 9	Very High 12
	Low 2	Low 4	Medium 6	High 8
	Low 1	Low 2	Low 3	Low 4
	Impact Low -----> Unacceptable			

Impact Score

4 (Catastrophic)
3 (Critical)
2 (Significant)
1 (Marginal)

Likelihood Score

4 (Very Likely (≥80%))
3 (Likely (21-79%))
2 (Unlikely (6-20%))
1 (Remote (≤5%))

15.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

APPENDICES

Appendix 1: Statement of Licensing Policy 2016-2021 ("the Policy")

Appendix 2: Revised Statement of Licensing Policy (track changes)

Appendix 3: Revised Statement of Licensing Policy (clean version)

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Statement of Licensing Policy

2021 - 2026

As required by the
Licensing Act 2003



Date of publication	<i>24 February 2021</i>
Version no.	1.1
Review by date	<i>February 2026</i>
Date of expiry	<i>24 February 2026</i>

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Statement of Licensing Policy 2021-2026

Statement of Licensing Policy

This Statement of Licensing Policy (“the Policy”) adopted by Three Rivers District Council (“the Council”) has been produced in line with the requirements of Section 5 of the Licensing Act 2003 (as amended) (“the 2003 Act”) having regard to guidance issued by the Secretary of State under Section 182 of the 2003 Act and supplementary legislation. It has been widely consulted upon and will remain in place for a period of not more than 5 years.

It sets out the policies and principles that we will follow when exercising our powers under that Act, particularly in respect of considering applications in respect of licences and other authorisations. It also gives details of our expectations of applicants and licence-holders. This statement must be published on at least one occasion in each five-year period. The statement must also be kept under review during its validity period, and revised if required, with any revisions published prior to taking effect.

This policy has been reviewed and updated to reflect the authority’s experiences in exercising its power since the imposition of the last Policy.

The Licensing Authority may only have regard to matters in respect of the Licensing Objectives and must aim to protect and promote these objectives. These are:

- a) The Prevention of Crime and Disorder
- b) Public Safety
- c) The Prevention of Public Nuisance
- d) The Protection of Children from Harm.

Each objective has equal importance, and they are explained in greater detail later on within the Policy.

The purpose of this statement is to provide guidance to committees and officers determining matters under delegated authority, to provide consistency to our decision-making. However, where the circumstances justify doing so, we may depart from any provision of this statement, or of the Government’s Guidance, to make an appropriate decision based upon the individual circumstances of a particular case. In any such case, we will give a clear explanation and reasons as to why we have done so.

Licensing Applications

Upon receipt of an application, the Licensing Authority will consult the other Responsible Authorities. In considering applications, the Licensing Authority will have regard to the 2003 Act as amended, the Licensing Objectives, Government guidance issued under Section 182 of the 2003 Act, supporting regulations and the amendments to the licensing regime resulting from ancillary and other relevant legislation and regulations. This legislation and regulations will not undermine the rights of any person to make an application under the 2003 Act. Every matter to be determined by the Council, in its role as Licensing Authority, will be considered on its own merits and in accordance with the statutory requirements of the 2003 Act.

Representations

Representations to an application may be made by the Responsible Authorities, local residents, businesses, their representatives or any other person. Representations will only be considered ‘relevant’ if they relate to the effect of the grant of the licence on the promotion of at least one of the Licensing Objectives. When relevant (and not frivolous or vexatious) representations are received, the Licensing Authority will hold a Licensing Sub-Committee hearing. Licensing Sub-Committee hearings may be held remotely in accordance with the relevant protocols in place by the Council.

The Licensing Authority will seek to encourage direct contact between parties to achieve agreement, through mediation and conciliation but this does not override the right for a responsible authority or person to ask the Licensing Sub-Committee to consider their representation.

Propensity to grant a licence but failure to illustrate adequate promotion of the Licensing Objectives may lead to refusal. Both applicants and those making a representation have the right to appeal to the Magistrates' Court against decisions of the Licensing Authority.

Personal Licences

Holders of personal licences are responsible for the sale of alcohol on their premises. The Authority recognises that the regulations do not require the holder to be physically present, however, they or the recognised deputy should be ready and easily contactable.

Applications for personal licences will be scrutinised and, should the applicant have unspent relevant convictions, the Authority reserves the right to refuse, suspend or revoke a licence on this basis. There is no longer a requirement to renew a personal licence.

Premises Licences

Operating Schedules are to be prepared by an applicant to address the Licensing Objectives. These operating schedules usually translate into licence conditions. If Operating Schedules do not address the four Licensing Objectives they are likely to attract representations, which may result in additional conditions being imposed at a hearing or refusal of the application. Any premises from which alcohol is sold must have a Designated Premises Supervisor (DPS).

Consulting the Licensing Officer and Responsible Authorities at an early stage is encouraged prior to submitting an application. The Licensing Authority expects applicants to demonstrate regard for the promotion of the Licensing Objectives and demonstrate control measures for each within their Operating Schedule.

A Review of a Licence may be held should a Responsible Authority or other person (including residents) trigger a review on an evidentiary basis which is required to be presented to the Licensing Authority.

Live Music, Dancing, Theatre

Only conditions necessary for promoting the Licensing Objectives will be attached to licences of this nature. Live and recorded music are deregulated on alcohol licensed premises between 0800 and 2300 hours provided that the premises is authorised to sell and is actually selling alcohol at the time of the musical entertainment.

There are also a number of deregulated forms of entertainment. These are deregulated between the hours of 0800 and 2300 hours and are dependent upon audience size. Full details are contained within the full statement of Licensing Policy.

Licence Conditions

Licence conditions may be added to a licence to promote the Licensing Objectives, however, the licensing function may not be used to control general nuisance or behaviour once this falls outside the direct control of the individual, club or business holding the licence or certificate. Conditions may not have regard to matters which are controlled by other non-licensing legislation.

Temporary Events

Some events do not require a licence but a Temporary Event Notice must be submitted to the Licensing Authority and may only be opposed by the Police and/or an Environmental Health

Officer. A Temporary Event Notice is required should the event not be covered under a premises licence or club certificate and pertains to a licensable activity namely sale/supply of alcohol, regulated entertainment and late night refreshment.

Enforcement and Inspection

The Licensing Authority has joint enforcement protocols with other enforcement agencies and inspections of every licensed premises will be carried out over time in line with these protocols.

FOREWORD



"It has now been 15 years since the implementation of the 2003 Act which brought in sweeping changes in the way that premises are regulated. The 2003 Act has brought new opportunities, enabled greater flexibilities and freedoms to businesses across our district. The importance of licenced premises cannot be underestimated and today more than ever given the COVID-19 pandemic in 2020, we must continue to support them whilst safeguarding our residents.

This review of the Statement of Licensing Policy will set out how the Licensing Authority will approach making licensing decisions during the five year period up to 2026.

The Licensing Authority recognises its key role in dealing with such issues and, by working with our partner organisations, has achieved some notable successes in this area

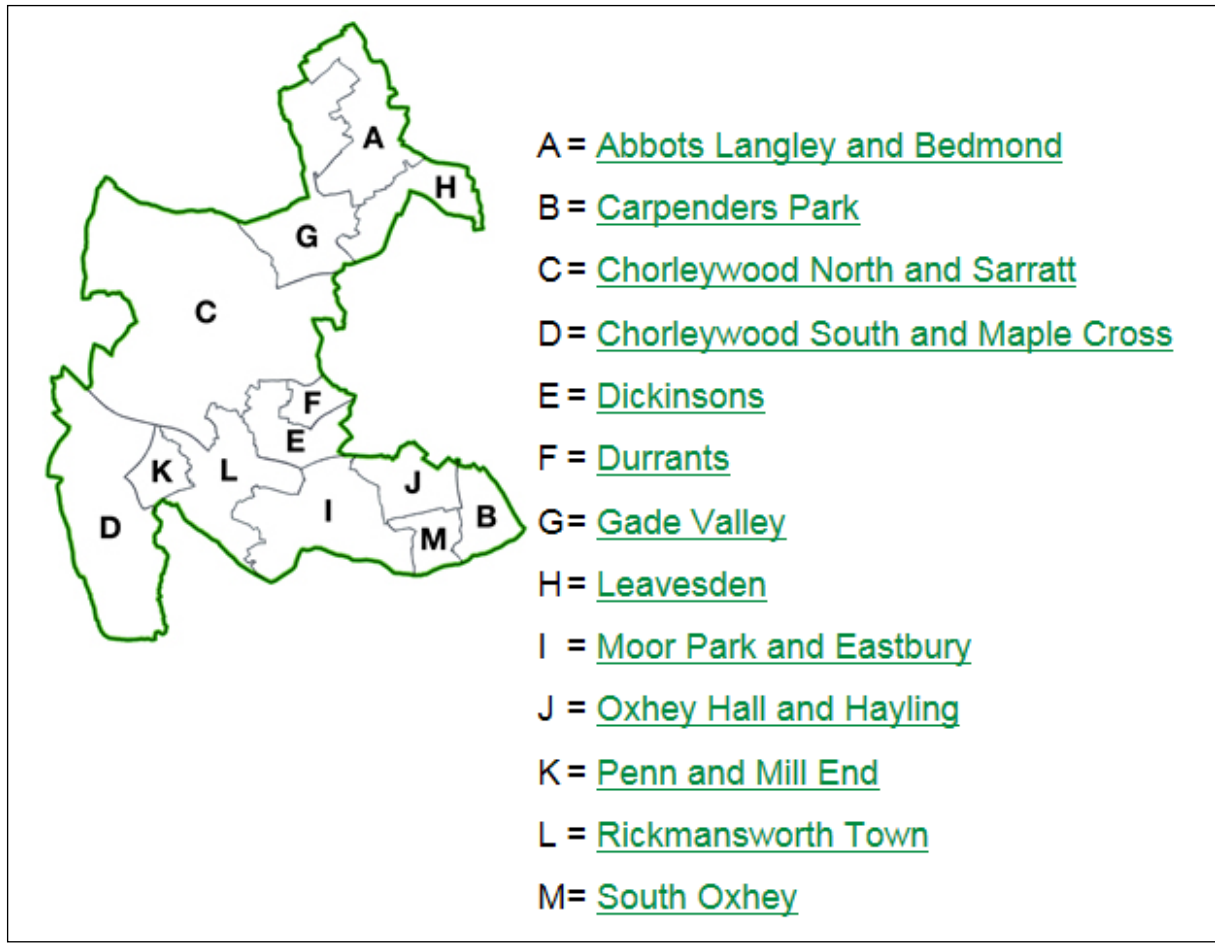
Officers will continue to work closely with the Police, PubWatch and other well established and emerging partnership approaches to ensure Three Rivers continues to thrive.

This Policy will be kept under regular review and it will change, as required, to reflect local issues and circumstances.

The Licensing Authority will seek, through the licensing process and the decisions it takes, to make Three Rivers District a safe and welcoming place for people to live, work and visit."

Councillor Roger Seabourne, Lead Member of Community Safety and Partnerships

THE DISTRICT OF THREE RIVERS



Three Rivers District Council is situated in the county of Hertfordshire, which contains 13 district councils in total.

Three Rivers District covers an area spanning approximately 34 square miles, and has approximately 89,500 residents (based upon figures from 2013).

The main populated areas in the district are Rickmansworth, Mill End and Maple Cross, Moor Park and parts of Northwood, Chorleywood, Croxley Green, Abbots Langley and South Oxhey/Carpenders Park.

INTRODUCTION

Three Rivers District Council is the Licensing Authority under the 2003 Act (as amended) and is responsible for granting premises licences, club premises certificates, temporary events notices and personal licences within the District of Three Rivers in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late night refreshment. The Council currently has approximately 205 licensed premises holders and 30 club premises certificate holders within the District.

Since the 2003 Act came into effect, it has been subject to a number of amendments.

In this policy the Licensing Authority has outlined matters that it considers to be of particular importance for applicants to consider in preparing an application. Passages of text that are not in bold under the respective heading or sub-heading are provided to assist applicants to understand what the Licensing Authority is seeking to achieve, the factors that influence the achievement of Licensing Objectives and the control measures that could be implemented by the applicant to achieve that outcome.

It should be recognised that this policy covers a wide variety of premises and activities carried on in them including theatres, cinemas, restaurants, pubs, nightclubs, private members' clubs, village halls and community centres, as well as off-licences and late night food premises (including vehicles selling hot food or hot drink after 23:00 hours up until 05:00 hours). For this reason, this policy cannot detail all of the factors that influence the achievement of the Licensing Objectives nor can this policy detail all of the control measures that may be appropriate. This policy is meant as a guide to the various aspects of applications under the 2003 Act.

While this Licensing Policy sets out a general approach to the making of licensing decisions, it does not ignore nor is inconsistent with the provisions in the 2003 Act. For example, nothing in our Policy undermines the right of any individual to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its individual merits.

It must be noted that nothing in this Statement of Policy should be regarded or interpreted as an indication that any requirement of law may be over-ridden; each application will be considered and treated on its own merits.

Consultation

In drawing up the Policy the Licensing Authority have written to and consulted with the all responsible authorities, six parish councils, all premises licence holders and club premises certificate holders. The consultation was conducted between 23 December and 3 February 2021.

Version control

Version	Date	Effective Date	Reason	Summary
1.0	January 2016	7 th January 2016	Review	Full revised Policy
1.1	December 2020	24 th February 2021	Review	Adopted revised Policy following Full Council on 23 rd February 2021

This statement of licensing policy was adopted by the Council on the 24th February 2021 and was published via our website, at www.threerivers.gov.uk/egcl-page/licensing-policies

1. FUNDAMENTAL PRINCIPLES

1.1 THE LICENSING OBJECTIVES

In carrying out its licensing functions the Licensing Authority will promote the 2003 Act's four Licensing Objectives, which are:

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

Each of these objectives is to be considered equally. No one objective carries more importance or weight than another.

These are the only four matters to which the Authority can have regard.

In respect of each of the four Licensing Objectives, applicants will need to provide evidence to the Licensing Authority that suitable and sufficient measures, as detailed in their operating schedule, will be implemented and maintained, relevant to the individual style and characteristics of their premises and events. Reference will need to be made as to whether additional measures will be taken on an occasional or specific basis such as when a special event or promotion is planned, which is intended to, or likely to, attract larger audiences.

1.2 PURPOSE OF LICENSING POLICY

The licensing policy has four main purposes. These are:-

- To support and to provide guidance to elected Members on the Licensing Committee and those who will be making decisions in the capacity as a Local Licensing Authority on the boundaries and power of the Committee;
- To inform licence applicants upon how the Licensing Authority will make licence decisions and therefore how a licensed premises is likely to be able to operate within the Three Rivers district (noting of course that each case must be examined on an individual basis and considered on its own merits);
- To inform residents and businesses upon how the authority will make licence decisions and therefore how their needs will be addressed; and
- To support decisions made by the Licensing Authority if these decisions are challenged in the Magistrates' Court. (The Court must have regard to the local policy in deciding appeals).

2. STATEMENT OF LICENSING POLICY

2.1 The 2003 Act requires that the Council publishes a 'Statement of Licensing Policy' that sets out the policies the Licensing Authority will generally apply to promote the Licensing Objectives when making decisions on applications made under the 2003 Act. This Statement of Policy fulfils this requirement.

2.2 In determining the Council's 'Statement of Licensing Policy', it has been prepared and reviewed in accordance with and in regard to the provisions of the 2003 Act and to the Secretary of State's guidance (as amended) issued under Section 182 of the 2003 Act. Referring to the Guidance is important for consistency, particularly where Licensing Authority boundaries meet.

2.3 This Policy Statement took effect on 24th February 2021 and will remain in force for a period of not more than 5 years. It will be subject to regular review and further consultation.

2.4 The Government reserves the right from time to time to update the Regulations and Guidance made under the 2003 Act. In having regard to these changes that may be made by the Government, it is possible that this Policy will need to undergo further interim reviews to take account of and implement any relevant changes.

2.5 Additionally, at the time of the review the country has been going through unprecedented times due to the COVID-19 pandemic and Officers will also have regard to any new Regulations and Guidance brought in by the Government.

3. LINKS TO OTHER POLICIES, STRATEGIES AND PLANNING

3.1 In preparing this Statement of Licensing Policy, the Licensing Authority has had regard to and consulted those involved in its local strategies on crime prevention, planning, transport, culture, equality and diversity, tourism and regeneration, to ensure the proper co-ordination and integration of the aims and actions of these strategies. Review and amendment of these strategies will be considered for their impact on this Statement of Licensing Policy.

3.2 Further, arrangements will be made for the Licensing Committee to receive reports, when appropriate, on the needs of the local tourist economy to ensure that these are reflected in their considerations. The Licensing Committee will also be apprised of the local employment situation and the need for new investment and employment, where appropriate.

3.3 To ensure proper integration with the Council's planning policies, the Licensing Committee will provide reports to the Planning Committee, where appropriate, on the situation regarding licensed premises in the area, including the general impact of alcohol-related crime and disorder, to enable the Development Control Committee to have regard to such matters when making its decisions.

3.4 The Council recognises its responsibilities under the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000, the Equality Act 2010, and other related legislation. The impact of this policy on race relations, equality issues and disabled people will be monitored through the Council's equality and diversity policies and strategies and the Licensing Authority will take these responsibilities into account when dealing with applications.

3.5 The Licensing Authority's Licensing Enforcement Policy, which embodies the principles of the "Regulators' Code" (<https://www.gov.uk/government/publications/regulators-code>), adheres to Crown Prosecution Service (CPS) guidelines, most notably whether formal action is in the 'public interest'.

3.6 One of the Licensing Objectives is 'the prevention of crime and disorder', so it follows that any conditions attached to licences will, so far as possible, reflect the key priorities arising from the consultation on the community safety strategy.

3.7 It is the Licensing Authority's view that responsible licence holders can significantly contribute towards some community safety aims directly and indirectly, through the proper management of their premises and by supporting the Police in their efforts to detect crimes and their perpetrators.

3.8 The responsible authorities are key in assisting the Licensing Authority to deliver its licensing service and the Licensing Objectives under the 2003 Act and the policy will develop and foster these relationships. The Licensing Authority will take into account the advice of the Local Health Authority via consultation or as part of continuous review of this policy.

3.9 The Licensing Authority will monitor the impact of licensing on the provision of regulated entertainment, live music and dancing. Particular care will be taken to ensure that only necessary, proportionate and reasonable licensing conditions impose restrictions on such events. Where there is any indication that licensing requirements are deterring such events, the policy will be re-visited with a view to investigating how the situation might be reversed.

3.10 The Licensing Authority expects applicants to obtain all other required permissions and consents necessary (such as planning permission and building control approval). The obtaining of such permissions and consents will not be a pre-requirement for the granting of any licence under the 2003 Act. Applicants should be aware that planning permission may impose more rigorous or less permissive restriction than those granted by the Licensing Authority. Where this is the case, the licence holder cannot use as a defence in any proceedings brought by another agency that he/she was permitted to open, or carry on the activity, by virtue of a premises licence or club premises certificate. In terms of complying with the law, all provisions must be complied with at all times, to avoid risk of prosecution.

4. CONSULTATION

4.1 There are a number of groups who have a stake in the leisure industry, including providers, customers, residents and enforcers, all of whom have views and concerns that require consideration as part of the licensing function and promotion of the Licensing Objectives.

4.2 In developing this Policy Statement, the Licensing Authority consulted widely. Along with the statutory consultees (including the Chief Police Officer for the District, the Hertfordshire County Fire and Rescue Service and persons/bodies representative of existing licence holders) the views of Town and Parish Councils. Due consideration was given to the views of all those who responded to the consultation process.

5. APPLICATIONS

5.1 Three Rivers District Council will consult upon receipt of a premises application, new, variation and minor variation with responsible authorities (Appendix A) namely:

- The Chief Officer of Police
- The Fire Authority
- The relevant enforcing authority under Health & Safety at Work etc Act 1974
- TRDC Local Planning Authority
- TRDC Environmental Health department for the prevention of public nuisance
- Responsible body for the safeguarding of Children - Child Protection Authority
- Hertfordshire Trading Standards
- Hertfordshire Public Health
- The Licensing Authority
- Home Office Immigration Enforcement

5.2 When considering applications, the Licensing Authority will have regard to:-

- (a) The 2003 Act, as amended and the Licensing Objectives.
- (b) Government guidance issued under Section 182 of the 2003 Act, as amended.
- (c) Any supporting regulations.
- (d) This Statement of Licensing Policy.
- (e) Amendments to the licensing regime brought about by such legislation as:
 - The Police Reform and Social Responsibility Act 2011;
 - The Live Music Act 2012;
 - The Police and Crime Act 2009;
 - The Deregulation Act 2015;
 - The Policing and Crime Act 2017
 - The Coronavirus Act 2020 and related enactments;
 - Various regulations as published or as may be enacted from time to time.

This does not, however, undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have the application considered on its individual merits, nor does it override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act.

5.3 When the Licensing Authority is considering any application, it will avoid duplication with other regulatory regimes, so far as possible, and does not intend to use the licensing regime to achieve outcomes that can be achieved by other legislation. For example, legislation governing health and safety at work and fire safety places a range of general and specific duties on employers and operators of venues both in respect of employees and of the general public when on the premises in question. Similarly, many aspects of fire safety will be covered by existing and future legislation. In particular, its licensing functions will be discharged separately from the Authority's functions as the Local Planning Authority. However, applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned. (Other permissions may be applicable to licensed premises and applicants are expected to ensure that such permissions are obtained where necessary).

5.4 When one part of the Council seeks a premises licence from the Licensing Authority, the Licensing Committee and its officers will consider the matter from an entirely neutral standpoint. If relevant representations are made, for example, by local residents or the Police, they will be considered fairly by the committee. Those making representations that are aggrieved by a positive decision in favour of a Local Authority application by the Licensing Authority will be entitled to appeal to the Magistrates' Court and thereby receive an independent review of any decision made.

5.5 In all cases, applicants and those making representations in respect of applications to the Licensing Authority have a right of appeal to the Magistrates' Court against the decisions of the Licensing Authority.

5.6 Appendix A provides applicants with the details of the application process, having regard to the 2003 Act, as amended, the regulations, statutory guidance and local practice and procedures. It should be noted that an incomplete or incorrect application will not be accepted but will be returned with an explanation of why it is incomplete or incorrect.

An application will only be deemed to be properly served if it has been given as follows:-

- (a) Has been sent to the Licensing Authority by electronic means (to licensing.team@threerivers.gov.uk; or
- (b) Has been applied for electronically via Gov.uk website; or
- (c) Paper application will only be accepted if there are no other means to submit the application electronically. The applicant **MUST** have exhausted all avenues and attempted to submit their application electronically. The Council reserves the right to refuse to accept paper applications in exceptional circumstances such as;
 - A pandemic
 - Closure of the Council offices

The Council on behalf of the applicant will send copies of the application to all the responsible authorities in the case of electronic submissions.

Should the applicant submit a hard copy of their application it will be their responsibility to send a copy to all the responsible authorities.

5.7 It must be noted that, upon the grant of a successful application, an annual fee will be payable on the first anniversary of the grant of the premises licence or club certificate and every year subsequently thereafter until such time as the licence is surrendered or revoked. Failure to pay within the respected timeframe may result in suspension of the licence or certificate under the 2003 Act.

6. REPRESENTATIONS

6.1 The Chief Officer of Police, the Fire and Rescue Authority, the Enforcing Authority for health and safety purposes, the Local Planning Authority, the authority responsible for Environmental Health (Noise and Pollution), Trading Standards, Child Protection Authority, The Director of Public Health in England, Home Office Immigration Enforcement and the Licensing Authority are all known as 'Responsible Authorities'. These responsible authorities may make representations on applications, so far as they relate to the promotion of the four Licensing Objectives, and request reviews once licences have been granted.

6.2 Local residents and businesses in the vicinity of the premises subject to the application, or their representatives, or any other person, are free to raise relevant representations. Members of the Licensing Authority may also make representations.

6.3 A representation would only be 'relevant' if it relates to the effect of the grant of the licence on the promotion of at least one of the four Licensing Objectives. In addition, the representation must not be frivolous or vexatious, and in the case of reviews not repetitious.

It is only when relevant representations are received that the Licensing Authority may hold a hearing. Whilst there is a propensity to grant a licence, failure to illustrate that the Licensing Objectives will be adequately promoted may lead to refusal. If granting the application, the Licensing Authority will pay particular attention at any hearing on whether to impose extra conditions in addition to any that may already be included in the operating schedule with a view to promoting the Licensing Objectives.

Where no representations are received, the application must be granted on the terms sought by the applicant.

6.4 Nothing in our Policy will override the right of any relevant person or body to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act. (A review means to make a complaint that a premises is not adhering to its licence conditions or is causing problems locally which contravene one or more of the four Licensing Objectives).

6.5 Conditions attached to various licences will be focused on matters which are within the control of individual licence holders and others granted relevant authorisations. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places. Whether or not incidents can be regarded as being in the 'vicinity' of licensed premises or places is a question of fact and will depend on the particular circumstances of each case.

6.6 In cases of dispute, both applicants and those making representation in respect of applications to the Licensing Authority have a right of appeal to the Magistrates' Court against the decisions of the Licensing Authority.

This does not however undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have the application considered on its individual merits, nor does it override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act.

6.7 The Licensing Authority will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned. Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are away from the premises and is, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless licensing law is key to providing a holistic approach to the management of the evening and night-time economies of town centres.

The expectation is that licensed premises will take responsibility for managing the quiet dispersal of their customers to the best of their ability.

Conditions in respect of public safety will only be attached to premises licences and club premises certificates that are necessary for the promotion of that licensing objective. Conditions will not be considered necessary when they relate to issues covered by other legislation. Where no such legislation exists, licence conditions will be used as appropriate.

6.8 MEDIATION

Where a responsible authority or another person (such as a member of the public, local resident or residents' association) has made a valid representation regarding an application or for a licence to be reviewed, the Licensing Authority will seek to encourage direct contact between the parties to try and achieve agreement. This process will not override the right of any responsible authority or other person to ask that the Licensing Sub-Committee consider a valid representation. Furthermore, this process will not undermine the rights of others under data protection law.

6.9 MAKING A REPRESENTATION

Any person can make relevant representations about any application for a new licence or variations to a licence. Specifically, representations to an application may be made by the responsible authorities, experts and by local residents and businesses.

Representations that are deemed by the Council as being vexatious or frivolous will not be accepted.

Representations may only be made under the four Licensing Objectives in the 2003 Act and must be demonstrated based upon the individual premises concerned and in relation to the effect of the application on these objectives. The Council will expect examples to be given and will not consider applications that list the Licensing Objectives without demonstrating cause behind this. Irrelevant representations cannot be accepted.

A representation may only be accepted should the objector provide their name and address which will be made available to the applicant, although the Council may, in exceptional circumstances, allow objections with anonymity should there be significant concern for the person making said representation as a result of a genuine and well-founded fear of intimidation or threat of violence.

Representations must be made by midnight on the final day of the consultation period, usually 28 days in the case of a new premises licence or club premises certificate or variation of such licence or certificate. The consultation period in the case of minor variations is usually 10 working days.

The Council holds the right to extend this period or in some cases to entirely invalidate the application should the statutory process be jeopardised for example (but not exclusively) if an advertisement has not been displayed in the paper at all or within the specified time period or the required notice has not been displayed in the prescribed manner on or at the premises at all, or for the specified 28 consecutive days. However, extension to the consultation will be determined on a case by case basis in line with evidence and statutory requirements. The general rule will be an extension by the number of days that it is believed that the consultation period has been shortened by e.g. if the notice were only displayed on the premises for 25 days, the consultation period would be extended by 3 days. In serious cases, where it appears on the balance of probability that the consultation requirements have not been met at all, the 28-day period would be recommenced and full advertising of the application required. The spirit of the consultation process is that responsible authorities and 'other persons' are given the right to make representation therefore, in matters where consultation is disputed, if it is evident that a number of people are aware by the volume of representations received, then benefit of the doubt may be given to the applicant.

7. PARTNERSHIP WORKING

The Licensing Authority will encourage local Pubwatch schemes in Three Rivers; Pubwatch is a voluntary body with the key aim of achieving a safe, secure, social drinking environment in all licensed premises that are committed to helping reduce drink-related crime.

The Licensing Authority is committed to empowering local community action, and meeting the needs of its communities through close partnership working with others. The Licensing Authority recognises that licensed entertainment can provide a valuable contribution towards the economy of the District, and seeks to balance the needs of the local business holders and licensees, whilst protecting those of local residents.

8. PERSONAL LICENCES

8.1 The Licensing Authority will scrutinise very carefully applicants for personal licences who are found to have unspent convictions for relevant offences and will, in all cases, notify the Chief Officer of Police for the area, as prescribed by the 2003 Act. The Authority reserves the right to refuse a licence, suspend a licence or revoke a licence on this basis. Consideration will also be given to the Immigration Act 2016 and all applicants will be required to provide details of their right to work in the UK by means of;

- Valid UK passport
- Current Residents permit/right to work

8.2 The Licensing Authority recognises that the holders of premises licences are responsible in law for supervising the sale of alcohol in their premises. The 2003 Act and the Licensing Regulations do not require the holder of the personal licence to be physically present on the premises during the hours that alcohol is sold but the holder, or recognised deputy, should be readily and easily contactable.

8.3 Should it be necessary following any investigation into problem premises, an action plan or review of conditions may be imposed around personal licence holders' presence on premises.

8.4 The Licensing Authority also recognises that there are a number of qualifications to help licence holders understand and meet the Licensing Objectives. The Licensing Authority will require all new applicants for personal licences to obtain such qualifications as are relevant to the premises they run. The Authority reserves the right to request further training or qualifications as deemed required following the outcome of an investigation into a problem premises.

The Licensing Authority will look favourably upon applications from persons who also hold additional relevant qualifications to the premises they intend to run. Whilst this will not affect the granting of a personal licence *per se*, it will have influence where such properly qualified persons are stated to be designated premises supervisor at large or complex venues. The purpose of this policy is to encourage personal licence holders to obtain additional relevant skills over and above the bare minimum.

8.5 The Licensing Authority expects that, where retail sales of alcohol are to be allowed, licence holders observe and comply with the Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. Retailers should ensure that they are able to receive and comply with Retailer Alert Bulletins issued by the Portman Group, available from: advice@portmangroup.org.uk

8.6 In view of the Deregulation Act 2015, the Licensing Authority no longer requires a holder of a Personal Licence to renew their licence but the Authority expects that the licence card must hold a true likeness to the licensed individual. Under the 2003 Act, licence holders are expected to keep the details on their licence including record of convictions updated whilst the licence remains in force.

8.7 The Policing & Crime Act 2017 gave Licensing Authorities the power to revoke or suspend licences with effect from 6 April 2017 as a discretionary power. The Licensing Authority may therefore, when made aware that a holder of a Personal Licence has been convicted of a relevant or foreign offence or immigration penalty, determine to revoke the licence.

9. PRE APPLICATION

9.1 Pre application, Applicants may wish to consider the following examples as they relate to the licensing objectives having regard to their particular type of premises or activities:

- a) the steps to prevent noise and vibration escaping from the premises, including music; noise from ventilation equipment, and human voices. Such measures may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices. Please note that where relevant representations have been made, a condition may be imposed requiring the assessment by the applicant, of potential noise sources which could cause disturbance to those in the vicinity and the identification and installation of appropriate control measures;
- b) the steps to prevent disturbance by customers arriving at or leaving the premises. This will be of greater importance between 23:00 hours and 07:00 hours than at other times of the day;
- c) the steps to prevent queuing (either by pedestrian or vehicular traffic). If some queuing is inevitable then queues could be diverted away from neighbouring premises or be otherwise managed to prevent disturbance or obstruction;
- d) the steps to ensure staff and patrons leave the premises quietly;
- e) whether licensed taxis or private hire vehicles are likely to disturb local residents;
- f) the installation of any special measures where licensed premises are or are proposed to be located near sensitive premises such as nursing homes, hospitals, hospices, places of worship, residential dwellings;
- g) the use of gardens and other open-air areas;
- h) delivery and collection areas and times at the premises;
- i) the siting of external lighting, including security lighting that is installed inappropriately;
- j) steps to minimise the impact of increased refuse storage or disposal problems, or additional litter (including fly posters and illegal placards) in the vicinity of the premises;
- k) any previous nuisance complaints or representations against the premises;
- l) steps taken to reduce litter (e.g. bottles, cans) in the immediate vicinity of the premises.

9.2 Applicants only need to consider those measures they feel are appropriate to their premises and locality. Conditions will only be attached to a licence which are consistent with their operating schedule unless representations are received and additional conditions are considered appropriate.

9.3 We do not offer a pre-application service and therefore applicants are advised to seek advice from an expert legal advisor. Applicants should also consult the Home Office Section 182 Guidance of the 2003 Act:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

9.4 The Licensing Officer(s) will have authority to reject as “not duly made” applications that contain no details on addressing the four Licensing Objectives in the draft operating schedules.

9.5 In all cases, the terms of the Operating Schedule will normally translate into licence conditions that set out how the business will be run. The Licensing Authority will endeavour to work in full co-operation with licence holders and applicants to minimise the number of disputes that may otherwise arise in this area.

9.6 Applicants for new premises licences and those seeking variations to existing premises licences will be strongly advised to consult at the earliest opportunity with the Licensing Authority’s licensing officers and the various other appropriate responsible authorities (e.g. Police, Fire & Rescue, and Environmental Health). This will provide an opportunity for the responsible authorities to comment on aspects of the Operating Schedule that they may feel are likely to give rise to objections, either from themselves as a statutory consultee to applications or, alternatively, from the public. Given this opportunity, the authorities may then be able to prevent such objections being raised, which is likely to be to the mutual advantage of both the applicant and the Licensing Authority.

10. DESIGNATED PREMISES SUPERVISOR (DPS)

10.1 Within the operating schedule for premises from which alcohol will be sold, with the exception of qualifying community premises, a Premises Supervisor must be designated (‘Designated Premises Supervisor’) and such person must be in possession of a current Personal Licence. The Licensing Authority will normally expect the Designated Premises Supervisor to have been given the day to day responsibility for running the premises by the premises licence holder and, as such, would normally be present on the licensed premises on a regular basis.

10.2 In addition to the DPS holding a personal licence, the Licensing Authority would strongly encourage the DPS to undergo additional training and to have experience within the nature and style of entertainment provided and the capacity of the premises.

10.3 The 2003 Act does not require a DPS or any other Personal Licence Holder to be present on the premises at all times when alcohol is sold. However, the DPS and the Premises Licence Holder remain responsible for the premises at all times and have a duty to comply with the terms of the Licensing Act and any conditions, including the matters set out in the premises’ Operating Schedule, in order to promote the Licensing Objectives. To that end, the Licensing Authority will be mindful of the Guidance issued by the Secretary of State, which recommends that a Personal Licence Holder/DPS gives specific written authorisations to those individuals they are authorising to retail alcohol.

10.4 Although written authorisation is not a requirement of the 2003 Act and the Designated Premises Supervisor/Personal Licence Holder remain ultimately responsible for ensuring compliance with the 2003 Act and licensing conditions, this action could assist in demonstrating due diligence should any issues arise with regard to enforcement. The Licensing Authority will therefore expect that, where the Personal Licence Holder/DPS does not have the premises under their immediate day to day control, written authorisations will be issued to staff acting on their behalf, such authorisations being made available for inspection by a responsible officer of the Licensing Authority or the Police upon request.

11. LIVE MUSIC, DANCING AND THEATRE

The Licensing Authority proposes that only conditions necessary for the promotion of the Licensing Objectives will be attached to licences for activities of this nature. The Licensing Authority is aware of the need to avoid measures imposing indirect costs of a substantial nature

that deter live music, dancing and theatre. Many events which consist solely of these activities will now fall outside of licensing requirements, following deregulation on 1 October 2012.

11.1 LIVE MUSIC ACT 2012

Under the 2003 Act, both Live and Recorded Music are deregulated on alcohol licensed premises between the start and end of the premises' alcohol licensed hours or between the hours of 08:00 and 23:00 whichever is the lesser. In effect this means that, should a premises have an alcohol licence until 23:30, live music unless duly applied for must cease at 23:00 in line with the terms of the deregulation.

The Authority reserves the right to work with its partners and act on evidence as appropriate in cases of noise nuisance and those in which other aspects of the Licensing Objectives are in jeopardy in order to secure exemption orders from the privileges secured under the Deregulation Act.

12. DEREGULATION OF ENTERTAINMENT

12.1 In 2012 the Government introduced further changes to the 2003 Act. One such change is the deregulation of Schedule 1. In 2012, the Government launched a consultation on the deregulation of most entertainment activities that require a licence under the 2003 Act. As a result of this, the following activities are no longer licensable between the hours of 8am and 11pm;

- Performances of plays up to an audience of 500 people;
- Exhibitions of dance up to an audience of 500 people;
- Indoor sport up to an audience of 1000 people;
- Boxing and Wrestling (with the exceptions of Greco-Roman and freestyle forms of wrestling).

12.2 Note that Combined Fighting Sports and Adult Entertainment remains a licensable activity irrespective of audience numbers and the time of the event.

There are also certain exemptions in relation to community venues such as council-run halls, schools, hospitals and nurseries.

13. THE NEED FOR LICENSED PREMISES

There can be confusion about the difference between “need” and the “cumulative impact” of premises on the Licensing Objectives. “Need” concerns the commercial demand for another pub or restaurant or hotel. This is not a matter for a Licensing Authority in discharging its licensing functions or for its Statement of Licensing Policy.

14 CUMULATIVE IMPACT OF A CONCENTRATION OF LICENSED PREMISES

14.1 Cumulative impact is the term used to describe the impact, potential or actual, of a large number of licensed premises concentrated in a single locality. In terms of the licensing objectives, this may be evidenced by an increase in incidents of crime, disorder or public nuisance, over and above the impact of the individual premises themselves.

14.2 The cumulative impact of licensed premises on the promotion of any of the licensing objectives is a matter that the Licensing Authority can take into account in determining its licensing policy. This should not, however, be confused with any question of ‘need’ which relates to the commercial demand for a particular type of premises (for example, a pub, restaurant or hotel). The issue of ‘need’ is a matter for market forces to influence and for the planning authority to regulate, and so does not form part of this policy statement.

14.3 The Licensing Authority will not seek to introduce quotas of licensed premises, nor will it seek to impose general limitations on trading hours in particular areas. Instead, consideration will be given to the individual characteristics of the premises concerned within a given area. It is recognised that a wide variety of venues sell alcohol, serve food and provide entertainment,

but with contrasting styles and characteristics. Proper regard will be had to those differences and the impact they are likely to have on the local community.

14.4 The Licensing Authority notes that, in accordance with the Guidance, it may adopt a special policy in response to a cumulative impact issue in a defined area. Consideration of such a policy may be prompted by submissions from responsible authorities or other persons, evidenced appropriately and linked to one or more of the licensing objectives. Where such a policy has been adopted, the issue of cumulative impact can be taken into account when considering the individual merits of any application within the area defined within that policy. Further details regarding this power are given in the special licensing policies section of this Statement.

14.5 When dealing with cumulative impact issues, the Licensing Authority recognises that, as well as licensing functions, there are a number of other mechanisms for addressing issues of nuisance, disorder and anti-social behaviour occurring away from licensed premises. These may include:-

- planning controls;
- measures to provide a safer and cleaner environment in partnership with local businesses, transport operators and other departments of the Council;
- the provision of CCTV surveillance in town centres, taxi ranks, street cleaning and litter patrols;
- powers for a local authority to protect public spaces from the effects of anti-social consumption of alcohol, enabling police and accredited persons to confiscate alcohol;
- enforcement of the law relating to disorder and anti-social behaviour, including the issue of fixed penalty notices or other sanctions under the Anti-Social Behaviour, Crime and Policing Act 2014;
- the prosecution of any personal licence holder or member of staff at licensed premises who is selling alcohol to children or people who are drunk;
- powers to close down instantly any premises or temporary event on grounds of disorder, the likelihood of disorder or noise emanating from premises causing a nuisance;
- the power for responsible authorities or other persons to apply for a review of a premises licence or club premises certificate; or
- other local initiatives that similarly address these problems.

15. CUMULATIVE IMPACT ASSESSMENT

15.1 The authority may adopt a special policy, known as a cumulative impact policy, if it is satisfied that there is an adverse impact on one or more of the licensing objectives as a result of a significant number of licensed premises being concentrated in a defined locality. The effect of this impact will be, for example, a spike in incidents of crime, disorder or nuisance over and above what can be attributed to the operation of the individual premises.

15.2 By adopting a cumulative impact policy, a Licensing Authority creates a rebuttable presumption that future licence applications for premises within the area defined in the policy will be refused, unless applicants can demonstrate conclusively that their proposals will not adversely affect the issues being experienced. Policies may relate to any licensable activity, although the supply of alcohol is the most common subject of policies adopted nationwide.

15.3 Where a cumulative impact policy is adopted, the Licensing Authority's discretion to consider the rejection of an application is only engaged upon the receipt of relevant representations. In the absence of such representations, the duty to grant a licence in the terms applied for remains unchanged.

15.4 In determining whether to adopt a special policy for a particular area the Licensing Authority will:

- identify evidence of concerns about relating to a licensing objective;
- consider whether the evidence demonstrates that a cumulative impact caused by the customers of multiple licensed premises is adversely affecting a licensing objective;
- identify the precise area(s) where issues are occurring;
- undertake a public consultation on the proposed policy; and
- include and publish details of any special policy within this policy statement.

15.5 Having considered the available evidence, the Licensing Authority considers that there is no particular part of Three Rivers district experiencing cumulative impact on the promotion of any of the licensing objectives, at the present time, which would warrant the introduction of a cumulative impact policy.

15.6 The Licensing Authority will continue to monitor the entirety of the District for issues relating to cumulative impact, in conjunction with the responsible authorities and other members of the Three Rivers Community Safety Partnership. Should evidence of a cumulative impact issue emerge during the validity of this policy, the Licensing Authority may look to adopt a cumulative impact policy by way of an interim revision.

16. ADVICE AND GUIDANCE

16.1 The Licensing Authority recognises the valuable cultural, social and business importance that premises and events requiring a licence under the 2003 Act, as amended, provide and welcomes the diversity of activities that are provided by licence holders. In respect of new businesses and developments involving licensable activities, the Licensing Authority welcomes an early opportunity to offer advice and guidance whether before or after planning permission has been sought. At this stage, it is often easier and more cost effective to integrate issues such as crime and disorder, transport and public safety into the early design stages. With regard to existing businesses, discussions prior to submitting an application under the 2003 Act will be encouraged to assist applicants to develop their operating schedule. The Licensing Authority, Hertfordshire Police and/or Hertfordshire County Fire and Rescue Service will offer as much advice and guidance to applicants as resources permit.

The Licensing Authority does not currently offer pre-application advice service therefore applicants are encouraged to seek advice from a licensing specialist prior to the submission of their licence application.

16.2 The Licensing Authority will also seek to liaise with applicants, and/or mediate between applicants and others who may make representations, to achieve a satisfactory outcome for all involved, wherever possible and where resources permit. Where an applicant considers that mediation and liaison may be likely or probable, it is recommended that the applicant discuss his or her proposal with the Licensing Authority and those from whom they think representations are likely prior to submitting their application. Once an application has been lodged, there are statutory timescales imposed upon the application and determination process, which restrict the opportunity for such discussions, liaison and mediation.

Appendix B provides details of various organisations, trade associations and reference literature that an applicant may find useful in preparing an operating schedule and running a safe premises/event.

17. REVIEWS

17.1 Where possible and appropriate, the Licensing Authority, Hertfordshire Police and/or Hertfordshire County Fire and Rescue Service will give early warning to licence holders of any concerns about problems identified at premises and of the need for improvement.

Responsible authorities and/or interested parties living in the vicinity can trigger a review of a premises licence but an evidentiary basis would be required to be presented to the Licensing Authority.

17.2 No more than one review from interested parties will normally be permitted within any 12 month period on similar grounds except in exceptional and compelling circumstances.

18. TRADING HOURS

18.1 With regard to trading hours, the Licensing Authority proposes that proper consideration will always be given to the individual merits of an application. The Government strongly recommends that statements of licensing policy should recognise that longer licensing hours with regard to the sale of alcohol are important to ensure that concentrations of customers leaving premises simultaneously are avoided, and the Licensing Authority supports this view in principle.

18.2 The Licensing Authority recognises the potential for additional crime and disorder and/or public nuisance arising from extended licensing hours. Consequently the Licensing Authority will scrutinise very carefully applications for extended licensing hours and, if determined appropriate, will seek to attach any necessary licence conditions for the promotion of the Licensing Objectives. For example, stricter conditions with regard to noise control will be expected in areas where the venue is in the vicinity of people's homes, but this should not unduly limit opening hours without regard to the individual merits of any application.

18.3 With regard to shops, stores and supermarkets, the authority will normally approve a licence for such premises to provide sales of alcohol for consumption off the premises at any time when the retail outlet is open for shopping, unless there is good reason for restricting those hours.

18.4 In the interests of reducing crime, disorder and anti-social behaviour, the Licensing Authority will prefer applications from public houses, night-clubs, off-licenses and clubs that show in their operating schedules a responsible approach to alcohol sales by:

- ending alcohol sales at a designated time before they close, i.e. a closing time later than "a last orders" time for alcohol sales;
- specifying a time by which the premises will be emptied of patrons and closed; and (particularly);
- not taking part in discounted drinking promotions.
- how the premise intend to use their outside space (beer garden) and what measures will be put in place to minimise noise nuisance to the local residents. This may be by way of regular patrols of the perimeter of the premises and all checks documented in incident log book.

19. PROMOTING THE LICENSING OBJECTIVES

19.1 The following sections set out the Licensing Authority's Policy relating specifically to the four Licensing Objectives:

- (a) The Prevention of Crime and Disorder
- (b) Public Safety
- (c) The Prevention of Public Nuisance
- (d) The Protection of Children from Harm.

19.2 In each section relating to the objectives, the Licensing Authority has defined its intended outcome (in bold type). Each section then lists the influencing factors on the achievement of that objective but, because of the wide variety of premises and activities to which this policy applies, the lists provided are not exhaustive. Applicants should know their premises best and will be expected to address all aspects relevant to the individual style and characteristics of their premises and events.

Further, in each section, a list of possible control measures is provided to be of assistance to applicants, but again is not intended to be an exhaustive list. Many control measures achieve more than one objective but have not necessarily been listed under each objective. Similarly, applicants will not be required to mention a control measure more than once in their operating schedule.

19.3 The selection of control measures, referred to in the above, should be based upon a risk assessment of the premises, events, activities and the customers expected to attend (e.g. their age, number, etc.). Whilst the Licensing Authority cannot require such risk assessments to be documented, (other than where required by other legislation), it considers such documentation to be good practice and a useful tool in the instruction and training of staff, as well as a sound basis for review by the licence holder, in the event of him/her wishing to make application for variation or in response to changing circumstances/conditions at the premises.

Additional measures may be necessary on an occasional or specific basis such as when a special event (e.g. popular live band) or promotion (e.g. during major sporting occasions) is planned, which is intended to, or likely to, attract larger audiences and/or audiences of a different nature, and which can have a significant impact on the achievement of the Licensing Objectives. Reference must be made in an applicant's operating schedule, where applicable, to such occasions and the additional measures that are planned in order to achieve the Licensing Objectives.

19.4 The Licensing Authority considers the effective and responsible management of the premises, instruction, training and supervision of staff and the adoption of best practice to be amongst the most essential control measures for the achievement of all the Licensing Objectives. For this reason, these elements should be specifically considered and addressed within an applicant's operating schedule.

19.5 In addition, the occupancy capacity for premises, and events as appropriate, is also considered to be an essential factor in the achievement of the four Licensing Objectives, (except in respect of premises licensed exclusively for the consumption of food and/or alcohol off the premises). The Licensing Authority will expect the issue of occupancy capacity to be considered and addressed, where necessary, within an applicant's operating schedule and, in most instances, will agree a maximum occupancy capacity, based on the applicant's assessment within their operating schedule.

19.6 The design and layout of premises are important in determining capacity, as is the availability and size of exits within recommended travel distances. Other factors should also be considered when assessing the appropriate capacity for premises or events.

These include:-

- (a) The nature of the premises or event;
- (b) The nature of the licensable activities being provided;
- (c) The provision or removal of such items as temporary structures, such as a stage, or furniture;
- (d) The number of staff available to supervise customers both ordinarily and in the event of an emergency;
- (e) The age of the customers;
- (f) The attendance by customers with disabilities, or whose first language is not English;
- (g) The availability of suitable and sufficient sanitary accommodation;
- (h) The nature and provision of facilities for ventilation.

19.7 The Licensing Authority will consider applications for minor variations to premises licences, provided that the Authority is satisfied that the variation will not adversely impact on the Licensing Objectives and the Licensing Authority will consult with Responsible Authorities whom they deem necessary to make such assessment.

19.8 The agreement to a capacity for premises or events should not be interpreted as a requirement to also provide permanent monitoring arrangements such as door staff, attendance clickers or maintenance of attendance records. The Licensing Authority recognises that the person in charge of the premises can often readily assess the occupancy level of the premises without resort to such measures. However, where the capacity is likely to be reached (such as on known busy evenings) and particularly where a special event or promotion is planned, the applicant will be expected to detail the additional arrangements that will be put in place to ensure that the capacity of the premises is not exceeded.

20. PREVENTION OF CRIME AND DISORDER

20.1 It is recommended that applicants for new premises licences and variations should discuss the crime prevention procedures in their premises with the responsible authorities and the licensing officer(s) before making a formal application.

20.2 Three Rivers District Council is committed to improving the quality of life for the people of the District by continuing to reduce crime and the fear of crime.

20.3 Section 17 of the Crime and Disorder Act 1998 introduced a wide range of measures for preventing crime and disorder and imposed a duty on the Licensing Authority, Police and County Councils amongst others to consider crime and disorder reduction in the exercise of all their duties. The 2003 Act, as amended, reinforces this duty for local authorities.

20.4 The promotion of the licensing objective, to prevent crime and disorder, places a responsibility on licence holders to become key partners in achieving this objective. Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and events.

20.5 When addressing the issue of crime and disorder, the applicant should demonstrate that those factors that impact on crime and disorder have been considered. These may include:-

- (a) Underage drinking;
- (b) Drunkenness on premises;
- (c) Public drunkenness;
- (d) Drugs;
- (e) Violent behaviour;
- (f) Anti-social behaviour.
- (h) Additional risk assessments (where required)

19.6 Applicants will be required to adhere to all legislation that is made whilst their licence is in force. Such as during the Covid-19 pandemic in 2020 (where specific legislation was enacted on a temporary basis only) and any future extreme circumstances.

21. PREVENTION OF PUBLIC NUISANCE

21.1 With regard to the prevention of public nuisance, the Licensing Authority will determine all new or variations of licence applications considering all relevant factors, including:

- The nature of the activities at the premises;
- The hours of opening;
- Proximity to residential premises;
- Management of the premises;
- The history of the premises' effect on neighbours and others in the vicinity;

21.2 The Licensing Authority will consider all proposed control measures, including:

- a) Effective and responsible management;
- b) Staff training;
- c) Adoption of best practice on noise control;
- d) Installation of suitable acoustic control measures;
- e) Where relevant, door supervision and management of customers as they enter and leave the premises.

21.3 Three Rivers District has many licensed premises that are close to or even enclosed by residential areas. Most of these are traditional community public houses and currently tolerated as the terminal hour is well established and neighbours know when they might expect any disturbances causing public nuisance to end.

21.4 Regular patrols of the outside space (e.g. beer garden or smoking area) may be required at regular intervals during busy periods and noted in the incident log book at the premises. Measures must be put in place to ensure the prevention of public nuisance, failure to adhere to conditions may result in the further action being taken against the premises licence.

21.5 Applicants may wish to consult a 'best practice guide' such as [Effective Management of Noise from Licensed Premises \(British Beer and Pub Association\)](#)

21.6 It follows that operators of licensed premises that are in the vicinity of domestic premises (and in the vicinity of business/commercial premises, places of learning and places of worship) may find that applications for variations seeking:

- Extended hours of opening or trading;
- The provision of regulated entertainment;
- The provision of late night refreshment;
- The supply of alcohol;

may be subject to representations from such neighbours, their representative(s) and/or the Environmental Health Officer on the grounds that public nuisance might be caused by the intended activity. In most cases such representations will result in a hearing, conducted by the Licensing Sub-Committee.

21.7 The Licensing Authority strongly encourages applicants to seek early discussions with the Environmental Health Officer at the Council (or the responsible officer for pollution) with the aim of resolving how potential public nuisances might be effectively controlled, so that agreed measures might be built into the operating schedule as mutually acceptable conditions. In this way representations from the Environmental Health Officer may be avoided. The Council also encourages local mediation in certain situations that might be amenable to such a solution.

21.8 Many, but not all, public nuisance issues can be resolved through reasonably practical and effective control measures. If such measures are not detailed in the operating schedule accompanying the application, and if then a local hearing takes place, the application may well be viewed unfavourably by the Licensing Committee.

21.9 Licensed premises have a significant potential to impact adversely on communities through public nuisances that arise from their operation. The Licensing Authority wishes to maintain and protect the amenity of residents and other businesses from the consequence of the operation of licensed premises whilst recognising the valuable cultural, social and business importance that such premises provide.

21.10 The Licensing Authority intends to interpret "public nuisance" in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area. Applicants need to be clear that the Licensing Authority will normally apply stricter

conditions, including controls on licensing hours, where licensed premises are in residential areas and where relevant representations have been received. Conversely, premises for which it can be demonstrated they have effective measures planned to prevent public nuisance, may be suitable for 24-hour opening.

21.11 In the case of shops, stores and supermarkets selling alcohol, the Licensing Authority will normally permit the hours during which alcohol is sold to match the normal trading hours during which other sales take place, unless there are exceptional reasons relating to disturbance or disorder.

21.12 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance, relevant to the individual style and characteristics of their premises and events.

When addressing the issue of prevention of public nuisance, the applicant must demonstrate that those factors that impact on the likelihood of public nuisance have been considered. These may include:-

- (a) The location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices and places of worship;
- (b) The hours of opening, particularly between 23:00 and 07:00;
- (c) The nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises;
- (d) The design and layout of premises and in particular the presence of noise-limiting features;
- (e) The occupancy capacity of the premises;
- (f) The availability of public transport;
- (g) A 'wind-down period' between the end of the licensable activities and closure of the premises;
- (h) A last admission time.

22. PUBLIC SAFETY

22.1 The Licensing Authority is committed to ensuring that the safety of any person visiting or working in licensed premises is not compromised. To this end, applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety, relevant to the individual style and characteristics of their premises and events.

22.2 When addressing the issue of public safety, an applicant must demonstrate that those factors that impact on the standards of public safety have been considered. These may include:-

- (a) The occupancy capacity of the premises
- (b) The age, design and layout of the premises, including means of escape in the event of fire
- (c) The nature of the licensable activities to be provided, in particular the sale or supply of alcohol, and/or the provision of music and dancing and including whether those activities are of a temporary or permanent nature
- (d) The hours of operation (differentiating between the hours of opening from the hours when licensable activities are provided, if these are different)
- (e) The Customer profile (e.g.; age, disability)
- (f) The use of special effects such as lasers, pyrotechnics, smoke machines, foam machines, etc.
- (g) Compliance with the Equalities Act etc.

22.3 Occupancy limits: With the introduction of the Fire Safety (Regulatory Reform) Order 2005, it is recognised that existing prescriptive controls such as Fire Certificates have been

replaced with the duty to produce risk assessments. In accordance with the Secretary of State's guidance, the Council will avoid duplicating existing controls. Where a relevant representation is received in respect of capacity, the Council may impose conditions in relation to the maximum number of persons to attend premises where:

- It considers it to be appropriate for the purpose of reducing crime and disorder;
- It considers it to be appropriate for the purpose of safety of occupants.

The issue of capacity will be decided on a case by case basis and will only be applied where there is a clear and justifiable need to do so based upon the nature and style of the premises and the licensing objectives.

The purpose of imposing a maximum number of persons to be in the premises at any one time is to ensure the safety of those persons at the premises. Where relevant representations have been made, the Council will set occupancy limits in consultation with the responsible authority.

22.4 Health and Safety: Every applicant granted a licence, certificate or permission would also be under a duty to comply with the Health and Safety at Work etc. Act 1974 and regulations made under it. In many cases, the Council will also be the enforcing authority responsible for ensuring compliance with the Health and Safety at Work Act in licensed premises.

23. PROTECTION OF CHILDREN FROM HARM

23.1 The protection of children from harm is a most important issue. It is hoped that family-friendly premises will thrive, but the risk of harm to children remains a paramount consideration when determining applications.

23.2 The general relaxation in the 2003 Act, as amended, giving accompanied children greater access to licensed premises is a positive step, aimed at bringing about a social change in family-friendly leisure. Clearly this relaxation places additional responsibilities upon licence holders. However, it is also recognised that parents and others accompanying children also have responsibilities.

23.3 Guidance from the Government states that licensing policies should make clear that conditions requiring the admission of children to any premises cannot be attached to licences or certificates. The Licensing Authority proposes that where no licensing restriction is necessary, this should remain a matter for the discretion of the individual licence holders or club or person who has given a temporary event notice.

23.4 Venue operators seeking premises licences and club premises certificates may also volunteer such prohibitions and restrictions in their operating schedules because their own risk assessments have determined that the presence of children is undesirable or inappropriate. Where no relevant representations are made to the Licensing Authority concerned, these volunteered prohibitions and restrictions will become conditions attaching to the licence or certificate and will be enforceable as such. The Licensing Authority in these circumstances may impose no other conditions concerning the presence of children on premises.

23.5 The policy cannot attempt to anticipate every issue that could arise in respect of children; therefore general rules are avoided and each application will be considered on its merits.

23.6 The protection of children from harm includes the protection of children from moral, psychological and physical harm, when attending licensed premises.

23.7 There are a number of important areas that will give particular concern in respect of children these include but are not exhaustive to the following examples:-

- (a) Where entertainment or services of an adult or sexual nature are provided;
- (b) Where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking;

- (c) Where requirements for proof of age cards or other age identification to combat the purchase of alcohol by minors is not the norm;
- (d) Where there is a known association with drug-taking or dealing;
- (e) Where there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines), and
- (f) Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

23.8 Consequently the Licensing Authority proposes that there needs to be a range of alternatives, which will be considered for limiting the access of children where that is necessary for the prevention of harm to children. These, which can be adopted in isolation or combination, include:

- Limitations on the hours when children may be present;
- Limitations on the exclusion of the presence of children under certain ages;
- Age limitations (below 18);
- Requirements for accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult).
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

23.9 In the case of premises giving film exhibitions, the applicants should include in their operating schedule arrangements for restricting children from viewing age-restricted films. Similarly, in relation to such premises, a mandatory condition will be applied requiring that access will be restricted to only those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification, or in specific cases, the local authority.

23.10 The Licensing Authority expects that licence holders contribute to this element by ensuring that age related checks are carried out and that the recommendation is that the forms of proof of identification accepted would include passport, photocard, driving licence and the Proof of Age Standards Scheme (PASS card).

23.11 Where a large number of children are likely to be present on a licensed premises e.g. for a children's show or pantomime, the Licensing Authority may impose a condition requiring an adequate ratio of adults to children. This is to control the access and egress of children and to protect them from harm. Such a ratio will be calculated by a formula which has regard to the number of children, the age of the children, and the nature of the venue itself. Guidance on such a ratio is given in Parts 3 & 5 of Annex D of the Revised Guidance, issued on 28 June 2007.

23.12 The Licensing Authority considers that, on the one hand, there should be no presumption of giving children access or, on the other hand, no presumption of preventing their access to licensed premises, unless this is necessary for the prevention of physical, moral or psychological harm to them. The Licensing Authority has no intention of imposing conditions requiring the admission of children and, where no licensing restriction is necessary, admission of children will remain entirely a matter for the discretion of the individual licensee or club, or person who has given a Temporary Event Notice.

23.13 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm, relevant to the individual style and characteristics of their premises and events.

23.14 Whilst children may be adequately protected from harm by the action taken to protect adults, they may also need special consideration, and no policy can anticipate every situation.

When addressing the issue of protecting children from harm, the applicant must demonstrate that those factors that impact on harm to children have been considered.

23.15 Child Sexual Exploitation (CSE): Child sexual exploitation is a significant concern for licensing authorities nationwide, as demonstrated by a number of high-profile reported cases which revolved around licensed premises. Where the operation of licensed premises is causally or demonstrably linked to child sexual exploitation, the Licensing Authority will not hesitate to use the full range of powers at its disposal to promote this licensing objective. Further details regarding this issue are given later in this document.

24. CONTROL MEASURES

24.1 The following examples of control measures are given to assist applicants who may need to take account of them in their operating schedule, having regard to their particular type of premises and/or activities:-

- (a) Suitable and sufficient risk assessments
- (b) Effective and responsible management of premises
- (c) Provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons
- (d) Appropriate instruction, training and supervision of those employed or engaged to secure the safety of the premises and patrons
- (e) Adoption of best practice guidance (e.g.; Guide to Fire Precautions in Existing Places of Entertainment and Like Premises, The Event Safety Guide, Safety in Pubs published by the BBPA)
- (f) Provision of effective CCTV in and around premises
- (g) Provision of toughened or plastic drinking vessels
- (h) Implementation of crowd management measures
- (i) Proof of regular testing (and certification where appropriate) of procedures, appliances, systems etc., pertinent to safety.

These examples can be adopted in any combination.

25. LICENCE CONDITIONS

25.1 Licensing is about the appropriate control of licensed premises, qualifying clubs, temporary events and the people who manage them or hold personal licences within the terms of the 2003 Act. Where relevant representations are made, the Licensing Authority will seek to make objective judgments as to whether conditions may need to be attached to various authorisations in order to promote the Licensing Objectives. Any conditions arising from the operating schedule or as a result of representations will primarily focus on the direct impact of the activities taking place at licensed premises on those attending the premises and members of the public living, working or otherwise engaged in normal activity in the area concerned. These conditions will cover matters that are within the control of individual licensees and others with relevant responsibilities.

All Premises licences and club premises certificates will have the mandatory conditions attached to the licence to ensure uniformity between all licensed premises. This mandatory conditions are non-negotiable and are set by central government.

In addition to the basic mandatory conditions there are also additional conditions that will be included on the licence dependant on the requirements of the applicant i.e.

- CCTV
- Door staff
- Showing of films

25.2 The Licensing Authority acknowledges that the licensing function cannot be used for the general control of nuisance or the anti-social behaviour of individuals once they are beyond the direct control of the licensee of any premises concerned. However, other mechanisms may be utilised, where appropriate, to tackle unruly or unlawful behaviour of consumers when

beyond the control of the individual, club or business holding the licence, certificate or authorisation concerned. These include:

- (a) Planning controls
- (b) Positive measures to create a safe and clean town environment in partnership with local businesses, transport operators and other services within the Local Authority;
- (c) The provision of CCTV surveillance in town centres, ample taxi ranks, street cleaning and litter patrols
- (d) Powers of Local Authorities to restrict consumption of intoxicating liquor in designated public places other than Premises licensed for 'on' sales
- (e) Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices
- (f) The prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk
- (g) The confiscation of alcohol from children and adults in designated areas
- (h) The power of the Police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question
- (i) Action under the Violent Crime Reduction Act 2006.

25.3 In order to minimise problems and the necessity for hearings, it would be reasonable for applicants and clubs to consult with Responsible Authorities when operating schedules are being prepared to allow for proper liaison before representations prove necessary.

25.4 If an applicant volunteers a prohibition or restriction in their operating schedule because their own risk assessment has determined such prohibition or restriction to be appropriate, such volunteered prohibitions or restrictions will become conditions attached to the licence or certificate and will be enforceable as such.

25.5 The Licensing Authority recognises that all applications should be considered on an individual basis and any condition attached to such a licence will be tailored to each individual premises, in order to avoid the imposition of disproportionate and other burdensome conditions on those premises. Although the Licensing Authority may maintain a pool of conditions which may be produced to assist applicants and others, standard conditions, other than mandatory conditions, will be avoided and no condition will be imposed that cannot be shown to be appropriate and proportionate for the promotion of the Licensing Objectives.

The Licensing Authority will consider and, if necessary, tailor conditions listed in the pools of conditions provided in the Secretary of State's Guidance and attached to licences as appropriate. However, details of these are not included within this Policy because it would be impractical to try and envisage every conceivable scenario in advance. Consequently, tailored conditions will be drafted and attached to licences specific to the respective premises to which they need to apply and commensurate with the aim of promoting all or any one of the four Licensing Objectives.

25.6 The pools of licence conditions in the Secretary of State's Guidance are provided by way of example only and do not form part of this Policy. The Licensing Authority therefore reserves its right to make additions or alterations to them without prior notice.

26. TEMPORARY EVENTS

26.1 Certain temporary events are not required to be licensed but must be notified to the Licensing Authority using the Temporary Event Notice procedure. However, depending on the nature and location of such events, these can have serious crime and disorder implications. Organisers of these events are encouraged to submit their notification as soon as reasonably practicable to enable the Police and the Licensing Authority to work with them to identify and reduce the risk of crime and disorder, (see **Appendix C** for details regarding the application process and timescales for the submission of Temporary Event Notices).

26.2 With regard to permitted temporary events the Licensing Authority expects the co-operation of Personal Licence holders and other people serving Temporary Event Notices (TENs) in allowing more than the minimum required notice period of 10 working days. The Licensing Authority recommends that applicants for TENs endeavour to give at least two months' notice to hold all but the **smallest events**; this will allow the Licensing Authority and Police to help organisers plan their events safely and may mean the Police are less likely to object to the proposed event.

26.3 Organisers of temporary events should be aware that, although a licence or authorisation may not be needed under the Licensing Act, other legislation might apply. This can include:

- Health and Safety at Work etc. Act 1974;
- The Regulatory Reform (Fire Safety) Order 2005;
- Environmental Protection Act 1990.

27. LARGE SCALE EVENTS

27.1 In the instance of a Temporary Event holding more than 499 people, a temporary Premises Licence will be required. The standard process and consultation period will be required.

It is advisable in these instances that organisers of events aiming to exceed 499 people contact the Licensing Authority at least 6 months prior the event taking place, although there is no statutory requirement to do so. Whilst a premises licence could be granted after 28 days of the application being served, applicants should be aware that the processing time for an application that has received relevant representations can be up to 2 months. The Authority encourages organisers to have early discussions with responsible authorities such as the Police, Environmental Health and Fire Protection Department of Hertfordshire Fire and Rescue Service.

27.2 The Licensing Authority encourages the organiser's participation in the Safety Advisory Group in order to discuss with the authorities concerned any issues that could potentially arise and control measures that may be appropriate to implement.

28. TABLE & CHAIRS/TEMPORARY PAVEMENT LICENCES

28.1 The placing of tables & chairs outside premises or on the highway can enhance a venue but can also contribute to nuisance or noise issues. The placing of table & chairs on the highway requires the consent of Hertfordshire County Council and a premises licence must allow for supply of alcohol within any area comprising of table & chairs under the premises licence, so appropriate applications must be made and licences obtained by any premises accordingly.

28.2 However, a new temporary arrangement was introduced as part of the Business and Planning Act 2020 as a result of the Covid pandemic. This allows for the Licensing Authority to process 'temporary pavement licence' applications and issue a licence to place table & chairs on the highway adjacent to the premises as a temporary measure until September 2021 unless extended. Such temporary pavement licences issued by the Licensing Authority are valid for 1 year or until 30 September 2021, whichever is sooner.

29 MOBILE, REMOTE AND INTERNET SALES

29.1 The Licensing Authority may receive applications for the sale of alcohol where the order for alcohol, or payment for it, takes place may not be the same as the place where the alcohol is appropriated to the contract. This situation occurs when sales are made online, by telephone, or mail order. The sale of alcohol is to be treated as taking place where the alcohol is appropriated to the contract. It will be the premises at this location which need to be licensed.

29.2 In these cases, the Licensing Authority will ensure that the subsequent premises licence will be subject to appropriate conditions including the times of day during which alcohol may be sold and also the mandatory licence conditions such as age verification measures.

29.3 Premises providing 'alcohol delivery services' should advise the licensing authority that they are operating such a service in their operating schedule. This ensures that the licensing authority can properly consider what conditions are appropriate to attach to their premises licence.

29.4 Premises with an existing premises licence, which choose to operate such a service in addition to their existing licensable activities, should contact their licensing authority for its view on whether this form of alcohol sale is already permitted or whether an application to vary the licence will be required.

29.5 The Licensing Authority may also receive mobile, remote, internet sales for late night refreshment such as fast food orders. Applicants should be mindful of the impact of such applications on the licensing objectives particularly the prevention of public nuisance. For instance, there may be concerns of vehicles or noise created by waiting vehicles or drivers outside the premises for pick up. Applicants should put in place appropriate measures and address these issues in their operating schedule.

30. EQUALITY

30.1 The Licensing Authority in carrying out its functions under the 2003 Act is obliged to have 'due regard' to the need to eliminate unlawful discrimination harassment and victimisation, to advance equality of opportunity and to foster good relations between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Government Guidance advises that conditions should not be attached to authorisations which would duplicate existing statutory requirements. The Council therefore takes this opportunity to remind operators of premises of their duties towards disabled persons (including performers) on their premises under the Building Regulations and the Equality Act 2010. This includes a duty that any person who provides a service to the public must make reasonable adjustments to any physical feature that makes it impossible or unreasonably difficult for a disabled person to access a service, or to provide the services by a reasonable alternative means.

31. ENFORCEMENT AND INSPECTION

31.1 The Licensing Authority has developed and implemented joint enforcement protocols with the Police and Fire & Rescue Services in Hertfordshire and other enforcement agencies as necessary such as Hertfordshire Trading Standards. These protocols will provide for the targeting of agreed problem areas and high-risk premises that require greater attention, while applying a lighter touch to low-risk premises.

31.2 The targeting and inspection of premises will be based upon these protocols and, in addition, driven by complaints about specific premises. As mentioned above, this also includes the targeting of inspections towards events being operated under the terms of a TEN.

31.3 There will be an inspection programme that will seek to visit and inspect all premises over time, dependent on their perceived risk. For example, high-capacity, late-night entertainment venues are likely to be inspected more frequently than, say, premises used very infrequently.

31.4 The use of the premises is not the only factor to be taken into consideration when judging the risk posed. The Licensing Authority proposes that equally (and sometimes more) important is the management of those premises i.e. the previous experience/qualifications of the licence holder and/or Designated Premises Supervisor, the systems and procedures in place to ensure adherence to the operating schedule and compliance with licence conditions etc.

31.5 All these and other necessary factors will be taken into account when developing a risk-based inspection programme. In any event, the overriding consideration will be the specific merits of individual premises and how they are managed and operated, rather than trying to categorise premises for inspection at arbitrary time intervals. It is likely that a nationally recommended risk assessment method will be developed within the life of the policy. The Licensing Authority reserves the right to trial and adopt any such method where that can be shown to be a useful tool in managing the routine inspection programme of licensed premises.

32. COMPLAINTS AGAINST LICENCED PREMISES

32.1 Council will investigate relevant complaints against licensed premises. In the first instance, it is encouraged that complainants should raise the complaint directly with the licence holder or business concerned. All complaints will be investigated and enforcement action taken in accordance with the Council's Enforcement Policy and Complaints Procedure within this policy. It is recognised that another agency may be the more appropriate body to investigate the complaint and in such circumstances, the Council will maintain liaison with that agency in accordance with the Enforcement Protocol.

32.2 Where necessary, the Council will initially make contact with the licence holder to address, clarify and try to resolve the issues of concern.

32.3 This process will not override the right of any other person or responsible authority to request a review of a licence by the Licensing Sub-Committee at any stage following the grant of a premises licence or if the particular concerns are not addressed in a way that fulfils the licensing objectives.

33. LICENCE REVIEWS

33.1 At any stage following the grant of a premises licence a responsible authority (including the Council in its role as Licensing Authority) or another person may ask the Council to review the licence because of a matter arising at the premises in connection with one of the four licensing objectives. In addition, a review of the licence will follow any action to close the premises (for up to 24 hours) on the grounds of disorder or noise nuisance or as a result of a magistrates' court determination.

33.2 Where the Council has applied to the Licensing Authority to review an authorisation, there will be a clear separation of responsibilities to ensure procedural fairness and eliminate conflicts of interest.

33.3 Under the Violent Crime Reduction Act 2006, following an application from the chief officer of police, the Authority can attach interim steps to licences pending a full review. The 2003 Act includes an offence in relation to persistent alcohol sales to minors.

33.4 Any application for review must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of one or more of the licensing objectives. Representations must be in writing and may be amplified at the subsequent hearing or may stand in their own right. Applications will not be accepted if they are considered to be frivolous, vexatious or repetitive. Government Guidance suggests that more than one request originating from another person or responsible authority for a particular premises within a reasonable interval may be considered as repetitive.

33.5 Prior to the hearing, the licence holder will be made fully aware of the representations, the evidence supporting the request and will be given the opportunity to prepare a response.

33.6 The Council views particularly seriously applications for the review of any premises licence where there has been evidence of the following:

- a) use of licensed premises for the sale and distribution of drugs and/or the laundering of the proceeds of drug crimes;

- b) use of licensed premises for the sale and/or distribution of firearms;
- c) evasion of copyright in respect of pirated films and music;
- d) underage purchase and consumption of alcohol;
- e) use of licensed premises for prostitution or the sale of unlawful pornography;
- f) use of licensed premises for unlawful gaming;
- g) use of licensed premises as a base for criminal activity;
- h) use of licensed premises for the organisation of for example, racist, homophobic or sexual abuse or attacks;
- i) use of licensed premises for the sale of smuggled tobacco or goods;
- j) the use of licensed premises for the sale of stolen goods;
- k) where the police are frequently called to attend to incidents of disorder;
- l) prolonged and/or repeated instances of public nuisance;
- m) where serious risks to public safety have been identified and the management is unable or unwilling to correct those;
- n) where serious risks to children have been identified.

34. DELEGATION OF FUNCTIONS

34.1 With the exception of the approval and review of its Licensing Policy and the making of early morning alcohol restriction orders policy, decisions on licensing matters will be taken in accordance with an approved scheme of delegation aimed at underlining the principles of timely, efficient and effective decision-making. A table setting out how the Licensing Authority will approach its various functions is attached at Appendix D. The Licensing Committee will receive regular reports regarding licences determined by officers under delegated powers, in order to maintain an overview of the general situation.

34.2 Full details of the Council's Constitution can be found on the Council web site www.threerivers.gov.uk and the terms and references and the delegation of functions of the Licensing Committee are described in full. In respect of responsibilities under the 2003 Act, the Council has delegated all aspects of licensing under the 2003 Act, other than the approval and publishing of a Licensing Policy Statement that will be approved by full Council. The Council will establish one or more sub-committees, each consisting of three members of the Licensing Committee and chaired by either the Chairman or Vice-Chairman of the Licensing Committee to deal with matters relating to licence for activities in accordance with any regulations made under the 2003 Act.

34.3 Although essentially a matter for Licensing Authorities to determine themselves, the Secretary of State recommends that delegation should be approached in accordance with the Guidance. The Licensing Authority accepts the delegations specified in the Guidance. Where, under the terms of the 2003 Act, there are no representations on an application to the grant of a premises licence or club premises certificate, these matters will be dealt with by officers in order to speed matters through the system. Any such matters delegated in this way will then be listed for information at the next Committee meeting, although there is no opportunity to reverse officers' decisions.

34.4 The full Licensing Committee shall comprise between 10 and 15 Elected Members, with hearings/reviews of licences taking place before sub-committees made up of three Members of the Licensing Committee.

34.5 Members for Sub-Committees will be selected in order that no Member will hear an application/appeal/review for a premises located in their own Ward. This is to avoid any perception that any Member(s) sitting on a Sub-Committee may be biased towards or against the premises concerned.

34.6 This Policy includes provision for the review, by the Licensing Committee, of any future circumstances where the latent Cumulative Impact Policy may be brought into effect.

34.7 All functions proposed to be delegated to the Sub-Committee, or to officers, can be carried out by the Full Committee.

34.8 In certain circumstances (i.e. during a pandemic and Regulations enacted at such a time) a remote Licensing Committee/Sub-Committee may be required to take place. Such hearings will comply with the Council's agreed protocols for remote hearings together with any Regulations relevant to remote hearings & the Licensing Act (Hearing) Regulations 2005

35. GLOSSARY OF TERMINOLOGY (AS USED IN THE 2003 ACT)

35.1 CHILD is defined as an individual aged under 16.

A child is unaccompanied if he or she is not in the company of an individual aged 18 or over.

35.2 HOT FOOD OR HOT DRINK

Food or drink supplied on or from any premises is "hot" for the purposes of Schedule 2 to the 2003 Act if the food or drink, or any part of it:

- i) before it is supplied, is heated on the premises or elsewhere for the purpose of enabling it to be consumed at a temperature above the ambient air temperature and, at the time of supply, is above that temperature, or
- ii) after it is supplied, may be heated on the premises for the purpose of enabling it to be consumed at a temperature above the ambient air temperature.

35.3 LICENSABLE ACTIVITIES AND QUALIFYING CLUB ACTIVITIES are defined in the Licensing Act as:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- the provision of regulated entertainment;
- the provision of late night refreshment.

For those purposes the following licensable activities are also qualifying club activities:

- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption on the premises where the supply takes place;
- the sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place;
- the provision of regulated entertainment where that provision is by or on behalf of a club for members of the club or members of the club and their guests.

35.4 PROVISION OF LATE-NIGHT REFRESHMENT is defined as:

- i) The provision of hot food refreshment or hot drink to members of the public, or a section of the public, on or from any premises, whether for consumption on or off the premises between 11:00 pm and 5:00 am or;
- ii) At any time between those hours when members of the public, or a section of the public, are admitted to any premises, a person supplies, or holds himself willing to supply, hot food or hot drink to any persons, or to persons of a particular description, on or from those premises, whether for consumption on or off the premises.

35.5 REGULATED ENTERTAINMENT is defined as:

- a) A performance of a play;
- b) An exhibition of film;
- c) An indoor sporting event;
- d) A boxing or wrestling entertainment;
- e) A performance of live music;
- f) Any playing of recorded music;
- g) A performance of dance;

h) Entertainment of a similar description to that falling within paragraph e), f) or g) where the entertainment takes place in the presence of an audience and is provided for the purpose, or for purposes which include the purpose, of entertaining that audience. Any reference to an audience includes a reference to spectators. This definition is subject to Part 3 of Schedule 1 to the 2003 Act (interpretation).

35.6 RESPONSIBLE AUTHORITY is defined as:

- i) the Chief Officer of Police for any Police area in which the premises are situated;
- ii) the Fire Authority for any area in which the premises are situated;
- iii) the enforcing authority within the meaning given by section 18 of the Health and Safety at Work etc. Act 1974 for any area in which the premises are situated;
- iv) the local Planning Authority within the meaning given by the Town and Country Planning Act 1990 (c.8) for any area in which the premises are situated;
- v) the local authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health;
- vi) a body which: a) represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the protection of children from harm, and b) is recognised by the Licensing Authority for that area for the purposes of this section as being competent to advise it on such matters.
- vii) the local Weights and Measures Authority;
- viii) any Licensing Authority (other than the relevant Licensing Authority) in whose area part of the premises is situated;
- ix) in relation to a vessel:
 - a) a navigation authority (within the meaning of section 221(1) of the Water Resources Act 1991 (c.57)) having functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is, or is proposed to be, navigated at a time when it is used for licensable activities
 - b) the Environment Agency
 - c) the British Waterways Board, or
 - d) the Secretary of State
 - e) a person prescribed for the purpose of this subsection.
- x) the Licensing Authority;
- xi) the Local Health Body
- xii) Home Office – Immigration Enforcement

35.7 TEMPORARY EVENT is defined as:

The use of premises for one or more of the licensable activities during a period not exceeding 168 hours usually where a premises licence covering the licensable activity is not in place. It is limited to events involving fewer than 500 people.

NOTE Temporary Event Notices (TENs) are limited to five temporary event applications per applicant per calendar year (1st January to 31st December yearly), fifty per calendar year in the case of applicants who are personal licence holders, limited to fifteen per premises per calendar year, not exceeding a total number of twenty-one days per year, a minimum of twenty-four hours must pass between Temporary Events on a particular premises.

APPENDIX A

DETAILS OF THE APPLICATION PROCESS TO APPLY FOR A PREMISES LICENCE/CLUB PREMISES CERTIFICATE UNDER THE PROVISIONS OF SECTION 17/71 OF THE LICENSING ACT 2003.

(PREMISES LICENCE/CLUB CERTIFICATES)

- All applications must be submitted in electronic format either by way of downloading from our [website](#) and email to the licensing team
- or
- completing the online fillable form and emailing to licensing.team@threerivers.gov.uk

You should note that the forms are prescribed forms issued by the Government. The application form when submitted in paper form must be completed in BLACK INK. Please read any instructions and guidance notes before completing the form. When submitting your application to Three Rivers District Council (Three Rivers House, Northway, Rickmansworth, WD3 1RL), you must also enclose:

- The appropriate application fee (based upon the rateable value of the premises). Note there is a fee for a Premises Licence/Club Certificate which is payable annually on the anniversary of the granting of the application. Non-payment of this fee will be treated by the Licensing Authority as a serious matter and will result in the suspension of the licence.
- A plan of the premises at a scale of 1:100 which complies with the Regulations.

If alcohol is to be sold, the consent form completed by the proposed Premises Supervisor. You are required to serve a copy of your complete application on the Responsible Authorities:

Three Rivers District - Responsible Authorities under Licensing Act 2003

1. Chief Officer of Police

Police Licensing Officer
Community Safety Unit
Rickmansworth Police Station
Three Rivers House
Northway
Rickmansworth
WD3 1RL
Tel.: 01923 472284
Fax.: 01923 472259
Email: hayley.freeman@herts.pnn.police.uk

2. The Fire Authority

Hertfordshire Fire and Rescue Service
Fire Protection
Postal Point MU 103
Mundells
Welwyn Garden City
Hertfordshire
AL7 1FT

Tel: 01707 292496
Email: administration.cfs@hertfordshire.gov.uk

3. Enforcing Authority: Health & Safety at Work etc Act 1974

Environmental Health Officer
Three Rivers District Council
Northway
Rickmansworth
Herts.
WD3 1RL

Tel: 01923 727005

Email: environmental.Health@watford.gov.uk

4 Local Planning Authority

Planning Enforcement Team
Three Rivers District Council
Northway
Rickmansworth
Herts.
WD3 1RL

Tel: 01923 727115

Email: planning.enforcement@threerivers.gov.uk

5. Local Authority Officer responsible for the prevention of public nuisance

Environmental Health Residential Standards Section
Three Rivers District Council
Northway
Rickmansworth
Herts.
WD3 1RL

Tel: 01923 727006

Email: gregory.pilley@threerivers.gov.uk

6. Responsible body for the safeguarding of Children

HSCB Business Manager
Hertfordshire Safeguarding Children Board
Room 127
County Hall
Pegs Lane
Hertford
SG13 8DE

Tel: 01992 588757

Email: admin.hscb@hertfordshire.gov.uk

7. Trading Standards

Chief Trading Standards Officer
FAO Alice Nugent
Hertfordshire Trading Standards
Mundells
Welwyn Garden City
Hertfordshire
AL7 1FT

Tel.: 01707 292429

Email: tradingstandards@hertfordshire.gov.uk

8. Hertfordshire County Council Public Health Team

Public Health
Postal Point SFAR232
Herts County Council
Farnham House
Six Hills Way
Stevenage
SG1 2FQ

Email: publichealth@hertfordshire.gov.uk

9. Home Office (Immigration Enforcement)

Alcohol Licensing Team
Lunar House
40 Wellesey Road
Croydon
CR9 2BY

Email: Alcohol@homeoffice.gsi.gov.uk

These must be served on the same day that the application is given to the Licensing Authority.

You are also required to publish a notice in a local newspaper or, if there is none, in a local newsletter, circular or similar document circulating in the vicinity of the premises on at least one occasion during the period of ten working days after the day on which the application was given to the Licensing Authority. The published notice must contain the prescribed information below:

In the cases of an application for a Premises Licence - Section 17, or for a Club Premises Certificate - Section 71, the notices shall contain a statement of the relevant licensable activities or relevant qualifying club activities, as the case may require, which is proposed will be carried on or from the premises.

(i) In the case of an application for a Provisional Statement, the necessary notices:

- a) shall state that representatives are restricted after the issue of a Provisional Statement; and
- b) where known, may state the relevant licensable activities which it is proposed will be carried out on or from the premises.

(ii) In the case of an application to vary a Premises Licence or a Club Premises Certificate, the required notices shall briefly describe the proposed variation.

(iii) In all cases the required notices shall state: a) the name of the applicant or club; b) the postal address of the premises or club premises, if any; or if there is not postal address for the premises, a description of those premises sufficient to enable the location and extent of the premises to be identified;

Failure to comply with any of the above requirements will mean that your application is not valid and cannot be considered.

Additionally, you are required to display a notice prominently at or on the premises to which the application relates where it can be conveniently read from the exterior of the premises. This notice must be in the prescribed format on pale blue paper and contain the required information. It must be displayed for a period of no fewer than 28 consecutive days starting on the day after the day on which the application was given to the Licensing Authority.

The Notice on the premises must be:

- (a) of a size equal to or larger than A4;

- (b) of a pale blue colour in the case of variations and new applications and white colour in the case of minor variations
- (c) printed legibly in black, in a font of a size equal to or larger than 16.

In all cases, the notice must be displayed prominently at or on the premises to which the application relates. The notice must be able to be conveniently read from the exterior of the premises, covering a distance exceeding 50m square, a further notice must be displayed in the same form and subjected to the same requirements, every 50m along the external perimeter of the premises abutting any highway.

The Local Authority must also advertise by way of a notice on its website, all applications for the following:

- (a) Premises licences under section 12;
- (b) Provisional statements under section 29;
- (c) Variations of a premises licence under section 34 (except where the only variation sought is the inclusion of an alternative licence condition);
- (d) Club premises certificate under section 71;
- (e) Vary a club premises certificate under section 84.

This notice must remain on the website for a period no less than 28 consecutive days starting on the day after the day on which the application was given to the relevant licensing authority.

MINOR VARIATIONS

Minor variations will generally fall into the following categories:

- i) Minor changes to the structure or layout of a premises;
- ii) Small adjustments to licensing hours;
- iii) The removal of out of date, irrelevant or unenforceable conditions or addition of volunteered conditions; and
- iv) The addition of certain licensable activities.

Applications to reduce licensing hours for the sale of alcohol or to move (without increasing) the licensed hours between 07.00 and 23.00 will be normally classed as minor variations. However variations to:

- i) extend licensing hours for the sale or supply of alcohol for consumption on or off the premises between the hours of 23.00 and 07.00; or
- ii) increase the amount of time on any day during which alcohol may be sold or supplied for consumption on or off the premises are excluded from the minor variations process and must be treated as full variations in all cases.

It is strongly recommended that applicants for variations discuss their proposals with the Licensing Authority to ensure the correct application is made.

VARIATION OF PREMISES LICENCE (DESIGNATED PREMISES SUPERVISOR)

An application to vary a premises licence where there has been a change of the designated premises supervisor must: be in the prescribed form and accompanied by the premises licence; include a form of consent in the prescribed form given by the individual whom the applicant wishes to have specified in the premises licence as the premises supervisor; include the fee. A copy of the application and all accompanying documents must also be sent to the Police.

CLUB PREMISES CERTIFICATE

The process of applying to convert a Club Registration to a Club Premises Certificate and / or for variation to that Certificate is similar to that for a Premises Licence except that neither a Designated Premises Supervisor nor a Personal Licence Holder is required, because there is no 'sale of alcohol' involved, only a 'supply' that is managed by or on behalf of the club.

ELECTRONIC APPLICATIONS

In accordance with the EU Services Directive and the Provision of Services Regulations 2009 as currently in force, the Licensing Authority will accept online and electronic applications, however all relevant documents must be supplied together with the appropriate fee. All hard copy applications will be treated in line with the relevant regulations and all applications and relevant documentation must continue to be submitted in their entirety and not in stages to avoid the potential for any errors. This Authority will continue to assist the applicant in correcting any minor factual errors in their applications. However, the Licensing Authority shall not consider errors to fall within this category which, if permitted, could potentially breach relevant regulations nor errors which could result in changes to consultation dates. The interpretation of obvious factual errors shall rest with the Licensing Authority.

APPENDIX B

DETAILS OF VARIOUS ORGANISATIONS, TRADE ASSOCIATIONS AND REFERENCE LITERATURE (Note this is not an exhaustive list)

1. Arts Council England

21 Bloomsbury Street
Bloomsbury
London
WC1B 3HF
Tel: 0161 934 4317
Email: enquiries@artscouncil.org.uk
Web: www.artscouncil.org.uk

2. Big Hospitality

Broadfield Park
Crawley
RH11 9RT
Web: www.bighospitality.co.uk/

3. BBPA - British Beer & Pub Association Market Towers

Ground floor
61 Queen Street
London
Tel: 020 7627 9191
Email: contact@beerandpub.com
Web: www.beerandpub.com

4. British Board of Film Classification

3 Soho Square
London
W1D 3HD
Tel: 020 7440 0299
Email: helpline@bbfc.co.uk
Web: www.bbfc.co.uk

5. British Institute of Inn keeping

Infor House
1 Lakeside Road
Farnborough
GU14 6XP
Tel: 01276 684449
Email: enquiries@bii.org
Web: www.bii.org

6. Community Safety Partnership

Three Rivers District Council
Three Rivers House
Northway
Rickmansworth
WD3 1RL
Shivani Davé
Email: shivani.dave@threerivers.gov.uk
Tel: 01923 776611

7. Trading Standards

Chief Trading Standards Officer
Hertfordshire Trading Standards
Mundells

Welwyn Garden City
Hertfordshire
AL7 1FT
Tel: 01707 292429
Email: hcc.tradstad@hertscc.gov.uk

8. Institute of Acoustics
1974-2020 Silbury Court
406 Silbury Boulevard
Milton Keynes
MK9 2AF Tel: 0300 999 9675
Email: ioa@ioa.org.uk
Web: www.ioa.org.uk

9. Security Industry Authority (SIA)
PO Box 74957
London
E14 1UG
Web: www.sia.homeoffice.gov.uk

10. The Portman Group
Millbank Tower
21-24 Millbank
London
SW1P 4QP
Tel: 07730525701
Email: infor@portman.org.uk

11. The Governments Alcohol Strategy
www.gov.uk/government/publications/alcohol-strategy

12. Home Office - Supporting Guidance Pool of Conditions
www.gov.uk/government/publications/pools-of-conditions-supporting-guidance

13. Guidance issued under Section 182 of the 2003 Act
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

14. Information Commissioner (ICO) www.ico.org.uk

APPENDIX C**DETAILS OF THE TEMPORARY EVENT NOTICE APPLICATION PROCESS**

The Licensing Act 2003 provides for certain occasions when small, occasional events (no more than 499 people at a time and lasting no more than 168 hours) do not need a licence as such but need to provide a Temporary Event Notice (TEN). This is providing that a minimum of 10 working days' notice is given to the Police, Environmental Health Service and Licensing Authority. This does not include the day of the event or the day of submission. Applications are not complete for processing unless the satisfactory form and fee are submitted. Applications must be submitted using the electronic application form on our website or via Gov.uk website.

The aim of the system of TENs is to minimise the regulatory burden on such events, many of which will be run by community groups. The process involves sending notification of an event, in the form of a TEN, to the Police, Environmental Health Service and Council in whose area the event is being held at least 10 working days before the day on which the event begins. The Council will issue an acknowledgement if the TEN is valid. Hertfordshire Police and Environmental Health Service can object to a TEN if the event is likely to undermine the Licensing Objectives. Where the Police or Environmental Health Service submits an objection to the notice, the Licensing Authority will hold a hearing to consider the objection. Licensing authorities will be given discretion to apply existing licence conditions to a TEN if there are objections from Police or the Council's Environmental Health Service.

Activities that can be covered by a Temporary Event Notice are:

- Provision of regulated entertainment
- Sale by retail of alcohol
- The supply of alcohol by or on behalf of a club
- Provision of late night refreshment

To ensure TENs benefit small events only, they are subject to certain limitations. These are:

- No more than 499 people (including staff/organisers) attending at any one time.
- An individual is limited to giving 5 TENs in a calendar year, unless they are a personal licence holder, in which case they can give 50.
- A limit of 15 temporary event notices may be given in respect of any particular premises in a calendar year. An event may last no longer than 168 hours.
- The maximum aggregate duration of the periods covered by temporary event notices at any individual premises is 21 days.

Organisers of TENs are strongly advised to contact the Licensing Authority, the Environmental Health Service and Hertfordshire Police for advice at the earliest opportunity when planning events, to avoid any unnecessary objections being made that may arise from misunderstandings or confusion as to what is being proposed.

The Licensing Act 2003 allows event organisers to submit up to 10 "late notices" per year if they hold a personal licence and 2 "late notices" if they do not hold a personal licence. These "late notices" can be submitted to the Licensing Authority, Police and the Environmental Health department between 5 and 9 days before the event (not including the day of the event or the day of submission). However, the Secretary of State's Guidance states that "They should not be used save in exceptional circumstances". It should be noted that, if either the Police or the Council's Environmental Protection team submits an objections to a late notice, the Council will issue a counter-notice prohibiting licensable activities for the duration of the TEN. Due to the time scale of a late notice, there will not be a hearing should a representation be made. Late TENs are included within the maximum allowance for a premises.

It should be noted that giving a Temporary Event Notice does not relieve the premises' user from any requirement, under planning law, for appropriate planning permission where it is required. (Please contact the Planning Department to seek further guidance.)

TEMPORARY EVENT NOTICE CONDITIONS

If the Licensing Authority receives an objection notice from the Police or Environmental Health that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection. The Licensing Committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at a licensed premises, the Licensing Authority may also impose one or more of the existing licence conditions on the TEN (in so far as such conditions are not inconsistent with the event) if it considers it that this is appropriate for the promotion of the Licensing Objectives.

APPENDIX D

DELEGATION OF FUNCTIONS

<u>Matters to be dealt with</u>	<u>Sub Committee</u>	<u>Officers</u>
Application for a Personal Licence	If a police objection	If no objection made
Application for a Personal Licence with unspent convictions	All cases	
Application for premises licence/club premises certificate	If a relevant representation made	In no relevant representation made
Application for provisional statement	If a relevant representation made	In no relevant representation made
Application to vary a premises licence/ club premises certificate	If a relevant representation made	In no relevant representation made
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of a premises licence	If a police objection	All other cases
Applications for interim authorities	If a police objection	All other cases
Application to review a premises licence/club premises certificate	All cases	
Decision on whether a representation is irrelevant, frivolous, vexatious etc.		All cases
Decision to object when a local authority is a consultee and not the relevant authority considering the applicant	All cases	
Determination of an objection to a temporary event notice	All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition	If a police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
Determination of minor variation application		All cases

APPENDIX E

HERTFORDSHIRE FIRE SERVICE GUIDE TO ORGANISED EVENTS

Relevant Conditions for a Premises Licence and details to be accounted for within an Event Management Plan Conditions suggested by Fire Authority, in their role as a responsible authority, deemed appropriate for the promotion of the public safety licensing objective relating to the Licensing Act 2003

- 1.** The premises licence holder will notify the Fire Authority of the dates of each year's event no later than (insert number) calendar months prior to the commencement of the event
- 2.** The premises licence holder will provide draft copies of the Event Management Plan and Risk Assessments to the Fire Authority no later than (insert number) calendar months prior to the commencement of each year's event
- 3.** The premises licence holder will provide a final copy of the Event Management Plan to the Fire Authority no later than six (6) weeks prior to the commencement of the event build-up on site of each year's event. The final Event Management Plan will form part of the premises licence operating schedule conditions for each year's event
- 4.** The premises licence holder will ensure that the Event Management Plan covers the following areas to the complete satisfaction of Fire Authority
 - 4.1** A scaled electronic site plan showing how each part of the area will be used, identification of all structures, access routes and ingress/egress points
 - 4.2** Capacities and evacuation plans for all areas of the event;
 - 4.3** Roles and responsibilities of all key personnel responsible for managing the event, including names, contact telephone numbers and back-up contact details in the event of non-availability
 - 4.4** Risk assessments for all activities relating to public safety, including fire
 - 4.5** Full details of security and stewarding arrangements
 - 4.6** Details of any proposed special effects and the proposed safety arrangements associated with their use;
 - 4.7** Details for managing all traffic and vehicle movements on site, including within parking areas, during the event build-up phase, during the event and during the site breakdown phase;
 - 4.8** Management arrangements for site access and egress, including specific arrangements for emergency services
 - 4.9** Details of any camping and provided sleeping accommodation, in respect of event attendees, staff and volunteers;
 - 4.10** Details of power supplies, including all generators; Provision of artificial lighting, including emergency escape lighting
 - 4.11** Provision of adequate fire-fighting cover including facilities, personnel and water supplies
 - 4.12** Technical details for all proposed temporary demountable structures;
 - 4.13** Details of all proposed safety barriers and fencing to be erected on site, including the positioning

4.14 Relevant independent certification or manufacturers' details to demonstrate that any fabric, or other material, used in the construction of, or in conjunction with, tents, marquees and similar structures, roof coverings, weather protection covers, curtains, drapes, backdrops, scrims and other materials used in, or upon, structures shall be rendered flame resistant to the current applicable British Standard;

4.15 Identification of competent persons, including proof of competence, in relation to the construction of structures and the continual monitoring of them during the event;

4.16 Details of the proposed maximum occupancy of each area, the method of controlling numbers therein;

4.17 An event running order should be made available including times for when artists appear on stage and expected time of completion of set;

4.18 Details of a suitable communication network;

4.19 Means for giving warning of an emergency, including the initiating and effecting of any evacuation, including from structures;

4.20 Provision of adequate emergency exit routes and emergency exits, both within structures and externally, and suitable provision of emergency signage;

4.21 The profiles of the performers and the anticipated attendees;

4.22 Contingencies for degraded systems.

4.23 Contingencies in respect of points 4.1 to 4.22 inclusive above regarding the effects of adverse weather conditions including, but not limited to, wind, rain and heat.

5. In the event that the premises licence holder requires the attendance of a representative from the Fire Authority within the Emergency Liaison Team, other than in the event of an emergency response, the cost of the attendee will be paid by the premises licence holder.

6. If the premises licence holder, due to exceptional or unforeseen circumstances, wishes to make any amendment to the final Event Management Plan (that being the version that forms part of the premises licence operating schedule conditions) that would impact upon any public safety issue covered by conditions 1 to 5 inclusive above, he may only do so with written consent from the Fire Authority.

Joint Protective Services –

Fire Protection, Mundells – MU 103, Welwyn Garden City, Hertfordshire, AL7 1FT

Email – administration.cfs@hertfordshire.gov.uk

Telephone – 01707 292310

APPENDIX F CONTACT DETAILS

For information on this statement of licensing policy, or for informal advice on making an application or whether a particular activity is likely to require authorisation, please contact:

Licensing Team
Three Rivers House
Northway
Rickmansworth
Herts
WD3 1RL

Email: licensing.team@threerivers.gov.uk

Telephone: 01923 776611*

*Calls will be taken by the Customer Service Team during certain times of the day and passed onto the Licensing Team.

Please note that, due to the complexity of the legislation that governs these activities, we can only give basic advice about which activities do and do not require authorisation, and about application processes.

If you are unsure as to the legality of a particular activity, or require more detailed information or advice than we are able to offer, we recommend that you consult an independent specialist advisor or a legal representative.

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Statement of Licensing Policy 2026 – 2031

As required by the Licensing Act 2003

Date of publication	<i>24 February 2021</i>
Version no.	1.1
Review by date	<i>February 2026</i>
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Statement of Licensing Policy

2026 - 2031

As required by the

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Statement of Licensing Policy 2026-2031

Statement of Licensing Policy

This Statement of Licensing Policy (“the Policy”) adopted by Three Rivers District Council (“the Council”) has been produced in line with the requirements of Section 5 of the Licensing Act 2003 (as amended) (“the 2003 Act”) having regard to guidance issued by the Secretary of State under Section 182 of the 2003 Act and supplementary legislation. It has been widely consulted upon and will remain in place for a period of not more than 5 years.

It sets out the policies and principles that we will follow when exercising our powers under that Act, particularly in respect of considering applications in respect of licences and other authorisations. It also gives details of our expectations of applicants and licence-holders. This statement must be published on at least one occasion in each five-year period. The statement must also be kept under review during its validity period, and revised if required, with any revisions published prior to taking effect.

This policy has been reviewed and updated to reflect the authority’s experiences in exercising its power since the imposition of the last Policy.

The Licensing Authority may only have regard to matters in respect of the Licensing Objectives and must aim to protect and promote these objectives. These are:

- a) The Prevention of Crime and Disorder
- b) Public Safety
- c) The Prevention of Public Nuisance
- d) The Protection of Children from Harm.

Each objective has equal importance, and they are explained in greater detail later on within the Policy.

The purpose of this statement is to provide guidance to committees and officers determining matters under delegated authority, to provide consistency to our decision-making. However, where the circumstances justify doing so, we may depart from any provision of this statement, or of the Government’s Guidance, to make an appropriate decision based upon the individual circumstances of a particular case. In any such case, we will give a clear explanation and reasons as to why we have done so.

Licensing Applications

Upon receipt of an application, the Licensing Authority will consult the other Responsible Authorities. In considering applications, the Licensing Authority will have regard to the 2003 Act as amended, the Licensing Objectives, Government guidance issued under Section 182 of the 2003 Act, supporting regulations and the amendments to the licensing regime resulting from ancillary and other relevant legislation and regulations. This legislation and regulations will not undermine the rights of any person to make an application under the 2003 Act. Every matter to be determined by the Council, in its role as Licensing Authority, will be considered on its own merits and in accordance with the statutory requirements of the 2003 Act.

Representations

Representations to an application may be made by the Responsible Authorities, local residents, businesses, their representatives or any other person. Representations will only be considered ‘relevant’ if they relate to the effect of the grant of the licence on the

promotion of at least one of the Licensing Objectives. When relevant (and not frivolous or vexatious) representations are received, the Licensing Authority will hold a Licensing Sub-Committee hearing. Licensing Sub-Committee hearings may be held remotely in accordance with the relevant protocols in place by the Council.

The Licensing Authority will seek to encourage direct contact between parties to achieve agreement, through mediation and conciliation but this does not override the right for a responsible authority or person to ask the Licensing Sub-Committee to consider their representation.

Propensity is to grant a licence but failure to illustrate adequate promotion of the Licensing Objectives may lead to refusal. Both applicants and those making a representation have the right to appeal to the Magistrates' Court against decisions of the Licensing Authority.

Personal Licences

Holders of personal licences are responsible for the sale of alcohol on their premises. The Authority recognises that the regulations do not require the holder to be physically present, however, they or the recognised deputy should be ready and easily contactable.

Applications for personal licences will be scrutinised and, should the applicant have unspent relevant convictions, the Authority reserves the right to refuse, suspend or revoke a licence on this basis. There is no longer a requirement to renew a personal licence.

Premises Licences

Operating schedules are to be prepared by an applicant to address the Licensing Objectives. These operating schedules usually translate into licence conditions. If operating schedules do not address the four Licensing Objectives they are likely to attract representations, which may result in additional conditions being imposed at a hearing or refusal of the application. Any premises from which alcohol is sold must have a Designated Premises Supervisor (DPS).

Consulting the Licensing Officer and Responsible Authorities at an early stage is encouraged prior to submitting an application. The Licensing Authority expects applicants to demonstrate regard for the promotion of the Licensing Objectives and demonstrate control measures for each within their operating schedule.

A review of a licence may be held should a Responsible Authority or other person (including residents) trigger a review on an evidentiary basis which is required to be presented to the Licensing Authority.

Live Music, Dancing, Theatre

Only conditions necessary for promoting the Licensing Objectives will be attached to licences of this nature. Live and recorded music are deregulated on alcohol licensed premises between 0800 and 2300 hours provided that the premises is authorised to sell and is actually selling alcohol at the time of the musical entertainment.

There are also a number of deregulated forms of entertainment. These are deregulated between the hours of 0800 and 2300 hours and are dependent upon audience size. Full details are contained within the full statement of Licensing Policy.

Licence Conditions

Licence conditions may be added to a licence to promote the Licensing Objectives, however, the licensing function may not be used to control general nuisance or behaviour once this falls outside the direct control of the individual, club or business holding the licence or certificate. Conditions may not have regard to matters which are controlled by other non-licensing legislation.

Temporary Events

The Licensing Act 2003 provides that Temporary Event Notices (TENs) can temporarily authorise licensable activities upon premises, such as the sale or supply of alcohol, the provision of regulated entertainment or the supply of late-night refreshments which are not already authorised by either a premises licence or a club premises certificate.

Temporary Event Notices (TENs) do not seek permission to carry on licensable activity and do not make application for it. TENs are a system of notification which the s182 guidance confirms is a light touch process.

The Police and the Council's Environmental Health Service are the only bodies that can make representations regarding TENs.

Enforcement and Inspection

The Licensing Authority has joint enforcement protocols with other enforcement agencies and inspections of every licensed premises will be carried out over time in line with these protocols.

FOREWORD

“It has now been 22 years since the implementation of the 2003 Act which brought in sweeping changes in the way that premises are regulated. The 2003 Act has brought new opportunities, enabled greater flexibilities and freedoms to businesses across our district. The importance of licenced premises cannot be underestimated and today more than ever given the COVID-19 pandemic in 2020, we must continue to support them whilst safeguarding our residents.

This review of the Statement of Licensing Policy will set out how the Licensing Authority will approach making licensing decisions during the five year period up to 2031.

The Licensing Authority recognises its key role in dealing with such issues and, by working with our partner organisations, has achieved some notable successes in this area

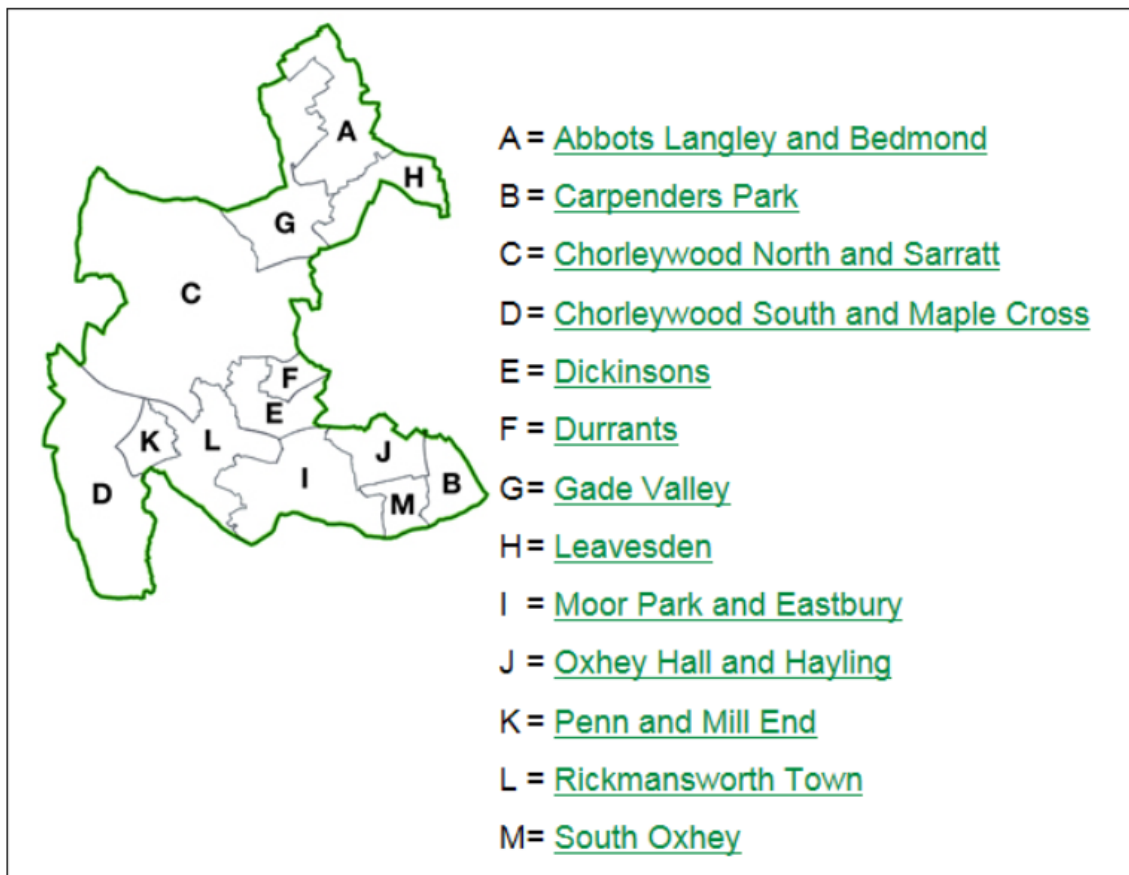
Officers will continue to work closely with the Police, Pubwatch and other well established and emerging partnership approaches to ensure Three Rivers continues to thrive.

This Policy will be kept under regular review, and it will change, as required, to reflect local issues and circumstances.

The Licensing Authority will seek, through the licensing process and the decisions it takes, to make Three Rivers District a safe and welcoming place for people to live, work and visit.”

Councillor Harry Davies, Chair of the Licensing Committee.

THE DISTRICT OF THREE RIVERS



Three Rivers District Council is situated in the county of Hertfordshire, which contains 13 district councils in total.

Three Rivers District covers an area spanning approximately 34 square miles and has approximately 89,500 residents (based upon figures from 2013).

The main populated areas in the district are Rickmansworth, Mill End and Maple Cross, Moor Park and parts of Northwood, Chorleywood, Croxley Green, Abbots Langley and South Oxhey/Carpenders Park.

INTRODUCTION

Three Rivers District Council is the Licensing Authority under the 2003 Act (as amended) and is responsible for granting premises licences, club premises certificates, temporary events notices and personal licences within the district of Three Rivers in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late-night refreshment. The Council currently has approximately 188 licensed premises and 30 club premises certificate holders within the district.

Since the 2003 Act came into effect, it has been subject to a number of amendments.

In this policy the Licensing Authority has outlined matters that it considers to be of particular importance for applicants to consider in preparing an application. Passages of text that are not in bold under the respective heading or sub-heading are provided to assist applicants to understand what the Licensing Authority is seeking to achieve, the factors that influence the achievement of Licensing Objectives and the control measures that could be implemented by the applicant to achieve that outcome.

It should be recognised that this policy covers a wide variety of premises and activities carried on in them including theatres, cinemas, restaurants, pubs, nightclubs, private members' clubs, village halls and community centers, as well as off-licences and late night food premises (including vehicles selling hot food or hot drink after 23:00 hours up until 05:00 hours). For this reason, this policy cannot detail all the factors that influence the achievement of the Licensing Objectives nor can this policy detail all the control measures that may be appropriate. This policy is meant as a guide to the various aspects of applications under the 2003 Act.

While this Licensing Policy sets out a general approach to the making of licensing decisions, it does not ignore nor is it inconsistent with the provisions in the 2003 Act. For example, nothing in our Policy undermines the right of any individual to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its individual merits.

It must be noted that nothing in this Statement of Policy should be regarded or interpreted as an indication that any requirement of law may be over-ridden; each application will be considered and treated on its own merits.

1. FUNDAMENTAL PRINCIPLES

1.1 THE LICENSING OBJECTIVES

In carrying out its licensing functions the Licensing Authority will promote the 2003 Act's four Licensing Objectives, which are:

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

Each of these objectives is to be considered equally. No one objective carries more importance or weight than another.

In considering premises licenses the Licensing Authority must consider the four objectives, the Licensing Policy, the Licensing Act 2003 and the section 182 guidance.

In respect of each of the four Licensing Objectives, applicants will need to provide evidence to the Licensing Authority that suitable and sufficient measures, as detailed in their operating schedule, will be implemented and maintained, relevant to the individual style and characteristics of their premises and events. Reference will need to be made as to whether additional measures will be taken on an occasional or specific basis such as when a special event or promotion is planned, which is intended to, or likely to, attract larger audiences.

1.2 PURPOSE OF LICENSING POLICY

The licensing policy has four main purposes. These are:-

- To support and to provide guidance to elected Members on the Licensing Committee and those who will be making decisions in the capacity as a Local Licensing Authority on the boundaries and power of the Committee;
- To inform licence applicants upon how the Licensing Authority will make licence decisions and therefore how a licensed premises is likely to be able to operate within the Three Rivers district (noting of course that each case must be examined on an individual basis and considered on its own merits);
- To inform residents and businesses upon how the authority will make licence decisions and therefore how their needs will be addressed. This will assist those parties when making representations in relation to various application and
- To support decisions made by the Licensing Authority if these decisions are challenged in the Magistrates' Court. (The Court must have regard to the local policy in deciding appeals).

2. STATEMENT OF LICENSING POLICY

2.1 The 2003 Act requires that the Council publishes a 'Statement of Licensing Policy' that sets out the policies the Licensing Authority will generally apply to promote the Licensing Objectives when making decisions on applications made under the 2003 Act. This Statement of Policy fulfils this requirement.

2.2 In determining the Council's 'Statement of Licensing Policy', it has been prepared and reviewed in accordance with and in regard to the provisions of the 2003 Act and to the

Secretary of State's Statutory Guidance (as amended) issued under Section 182 of the 2003 Act. Referring to the Statutory Guidance is important for consistency, particularly where Licensing Authority boundaries meet.

2.3 This Policy Statement took effect on [tbc] and will remain in force for a period of not more than 5 years. It will be subject to regular review and further consultation.

2.4 The Government reserves the right from time to time to update the Regulations and Guidance made under the 2003 Act. In having regard to these changes that may be made by the Government, it is possible that this Policy will need to undergo further interim reviews to take account of and implement any relevant changes.

3. LINKS TO OTHER POLICIES, STRATEGIES AND PLANNING

3.1 In preparing this Statement of Licensing Policy, the Licensing Authority has had regard to and consulted those involved in its local strategies on crime prevention, planning, transport, culture, equality and diversity, tourism and regeneration, to ensure the proper co-ordination and integration of the aims and actions of these strategies. Review and amendment of these strategies will be considered for their impact on this Statement of Licensing Policy.

3.2 Further, arrangements will be made for the Licensing Committee to receive reports, when appropriate, on the needs of the local tourist economy to ensure that these are reflected in their considerations. The Licensing Committee will also be appraised of the local employment situation and the need for new investment and employment, where appropriate.

3.3 To ensure proper integration with the Council's planning policies, the Licensing Committee will provide reports to the Planning Committee, where appropriate, on the situation regarding licensed premises in the area, including the general impact of alcohol-related crime and disorder, to enable the Development Control Committee to have regard to such matters when making its decisions.

3.4 The Council recognises its responsibilities under the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000, the Equality Act 2010, and other related legislation. The impact of this policy on race relations, equality issues and disabled people will be monitored through the Council's equality and diversity policies and strategies, and the Licensing Authority will take these responsibilities into account when dealing with applications.

3.5 The Licensing Authority's Licensing Enforcement Policy, which embodies the principles of the "Regulators' Code" (<https://www.gov.uk/government/publications/regulators-code>), adheres to Crown Prosecution Service (CPS) guidelines, most notably whether formal action is in the public interest'.

3.6 One of the Licensing Objectives is 'the prevention of crime and disorder', so it follows that any conditions attached to licences will, so far as possible, reflect the key priorities arising from the consultation on the community safety strategy.

3.7 It is the Licensing Authority's view that responsible licence holders can significantly contribute towards some community safety aims directly and indirectly, through the proper management of their premises and by supporting the Police in their efforts to detect crimes and their perpetrators.

3.8 The responsible authorities are key in assisting the Licensing Authority to deliver its licensing service and the Licensing Objectives under the 2003 Act and the policy will develop and foster these relationships. The Licensing Authority will take into account the advice of the local Health Authority via consultation or as part of continuous review of this policy.

3.9 The Licensing Authority will monitor the impact of licensing on the provision of regulated entertainment, live music and dancing. Particular care will be taken to ensure that only necessary, proportionate and reasonable licensing conditions impose restrictions on such events. Where there is any indication that licensing requirements are deterring such events, the policy will be re-visited with a view to investigating how the situation might be reversed.

3.10 The Licensing Authority expects applicants to obtain all other required permissions and consents necessary (such as planning permission and building control approval). The obtaining of such permissions and consents will not be a pre-requirement for the granting of any licence under the 2003 Act. Applicants should be aware that planning permission may impose more rigorous or less permissive restrictions than those granted by the Licensing Authority. Where this is the case, the licence holder cannot use as a defence in any proceedings brought by another agency that he/she was permitted to open, or carry on the activity, by virtue of a premises licence or club premises certificate. In terms of complying with the law, all provisions must be complied with at all times, to avoid risk of prosecution.

4. CONSULTATION

4.1 There are a number of groups who have a stake in the leisure industry, including providers, customers, residents and enforcers, all of whom have views and concerns that require consideration as part of the licensing function and promotion of the Licensing Objectives.

4.2 In developing this Policy Statement, the Licensing Authority consulted widely. Along with the statutory consultees (including the Chief Police Officer for the District, the Hertfordshire County Fire and Rescue Service and persons/bodies representative of existing licence holders) the views of Town and Parish Councils were also sought. Due consideration was given to the views of all those who responded to the consultation process.

5. APPLICATIONS

5.1 Three Rivers District Council will upon receipt of a premises application, new, variation and minor variation consult with responsible authorities (Appendix A) namely:

- The Chief Officer of Police
- The Fire Authority
- The relevant enforcing authority under Health & Safety at Work etc Act 1974
- TRDC Local Planning Authority
- TRDC Environmental Health department for the prevention of public nuisance
- Responsible body for the safeguarding of Children - Child Protection Authority
- Hertfordshire Trading Standards
- Hertfordshire Public Health
- The Licensing Authority
- Home Office Immigration Enforcement

5.2 When considering applications, the Licensing Authority will have regard to:-
(a) The 2003 Act, as amended and the Licensing Objectives.

- (b) Government guidance issued under Section 182 of the 2003 Act, as amended.
- (c) Any supporting regulations.
- (d) This Statement of Licensing Policy.
- (e) Amendments to the licensing regime brought about by such legislation as:
 - The Police Reform and Social Responsibility Act 2011;
 - The Live Music Act 2012;
 - The Police and Crime Act 2009;
 - The Deregulation Act 2015;
 - The Policing and Crime Act 2017
 - The Coronavirus Act 2020 and related enactments;
 - Various regulations as published or as may be enacted from time to time.

This does not, however, undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have the application considered on its individual merits, nor does it override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act.

5.3 When the Licensing Authority is considering any application, it will avoid duplication with other regulatory regimes, so far as possible, and does not intend to use the licensing regime to achieve outcomes that can be achieved by other legislation. For example, legislation governing health and safety at work and fire safety places a range of general and specific duties on employers and operators of venues both in respect of employees and of the public when on the premises in question. Similarly, many aspects of fire safety will be covered by existing and future legislation. In particular, its licensing functions will be discharged separately from the Authority's functions as the Local Planning Authority. However, applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned. (Other permissions may be applicable to licensed premises and applicants are expected to ensure that such permissions are obtained where necessary).

5.4 When one part of the Council seeks a premises licence from the Licensing Authority, the Licensing Committee and its officers will consider the matter from an entirely neutral standpoint. If relevant representations are made, for example, by local residents or the Police, they will be considered fairly by the committee. Those making representations that are aggrieved by a positive decision in favour of a Local Authority application by the Licensing Authority will be entitled to appeal to the Magistrates' Court and thereby receive an independent review of any decision made.

5.5 In all cases, applicants and those making representations in respect of applications to the Licensing Authority have a right to appeal to the Magistrates' Court against the decisions of the Licensing Authority.

5.6 Appendix A provides applicants with the details of the application process, having regard to the 2003 Act, as amended, the regulations, statutory guidance and local practice and procedures. It should be noted that an incomplete or incorrect application will not be accepted but will be returned with an explanation of why it is incomplete or incorrect.

An application will only be deemed to be properly served if it has been given as follows:-

- (a) Has been sent to the Licensing Authority by electronic means (to licensing.team@threerivers.gov.uk; or
- (b) Has been submitted electronically via Gov.uk website; or

(c) Paper application will only be accepted if there are no other means to submit the application electronically. The applicant MUST have exhausted all avenues and attempted to submit their application electronically. The Council reserves the right to refuse to accept paper applications in exceptional circumstances such as;

- A pandemic
- Closure of the Council offices

The Council will send copies of the application to all the responsible authorities on behalf of the applicant in the case of electronic submissions.

Should the applicant submit a hard copy of their application it will be their responsibility to send a copy to all the responsible authorities.

5.7 It must be noted that, upon the grant of a premises licence or club premises certificate application, an annual fee will be payable on the first anniversary of the grant of the premises licence or club certificate and every year subsequently thereafter until such time as the licence is surrendered or revoked or if the licence lapses. Failure to pay within the respected timeframe may result in suspension of the licence or certificate under the 2003 Act.

6. REPRESENTATIONS

6.1 The Chief Officer of Police, the Fire and Rescue Authority, the Enforcing Authority for health and safety purposes, the Local Planning Authority, the authority responsible for Environmental Health (Noise and Pollution), Trading Standards, Child Protection Authority, The Director of Public Health in England, Home Office Immigration Enforcement and the Licensing Authority are all known as 'Responsible Authorities'. These responsible authorities may make representations on applications, so far as they relate to the promotion of the four Licensing Objectives, and can request reviews once licences have been granted.

6.2 Local residents and businesses in the vicinity of the premises subject to the application, or their representatives, or any other person, are free to raise relevant representations. Members of the Licensing Authority may also make representations.

6.3 A representation would only be 'relevant' if it relates to the effect on at least one of the licensing objectives, relates to the application under consideration and is received within the relevant timescales. In addition, the representation must not be frivolous or vexatious, and in the case of reviews not repetitious.

- a frivolous representation can be categorised by a lack of seriousness or concerning very minor issues which would not warrant any steps being taken
- a vexatious representation arises where it is intended to cause aggravation or annoyance to another person or business without any justification (e.g. disputes between rival businesses).

It is only when relevant representations are received that the Licensing Authority may hold a hearing. Whilst there is a propensity to grant a application, failure to illustrate that the Licensing Objectives will be adequately promoted may lead to refusal. If granting the application, the Licensing Authority will pay particular attention at a hearing on whether to impose extra conditions in addition to any that may already be included in the operating schedule with a view to promoting the Licensing Objectives.

Where no representations are received, the application must be granted on the terms sought by the applicant.

6.4 Nothing in our Policy will override the right of any relevant person or body to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act. (A review means to make a complaint that a premises is not adhering to its licence conditions or is causing problems locally which contravene one or more of the four Licensing Objectives).

6.5 Conditions attached to various licences will be focused on matters which are within the control of individual licence holders and others granted relevant authorisations. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places. Whether or not incidents can be regarded as being in the 'vicinity' of licensed premises or places is a question of fact and will depend on the particular circumstances of each case.

6.6 In cases of dispute, both applicants and those making representation in respect of applications to the Licensing Authority have a right of appeal to the Magistrates' Court against the decisions of the Licensing Authority.

This does not however undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have the application considered on its individual merits, nor does it override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act.

6.7 The Licensing Authority will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned. Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are away from the premises and is, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless licensing law is key to providing a holistic approach to the management of the evening and night-time economies of town centres.

The expectation is that licensed premises will take responsibility for managing the quiet dispersal of their customers to the best of their ability.

Conditions in respect of public safety will only be attached to premises licences and club premises certificates that are necessary for the promotion of that licensing objective. Conditions will not be considered necessary when they relate to issues covered by other legislation. Where no such legislation exists, licence conditions will be used as appropriate.

6.8 MEDIATION

Where a responsible authority or another person (such as a member of the public, local resident or residents' association) has made a valid representation regarding an application or for a licence to be reviewed, the Licensing Authority will seek to encourage direct contact between the parties to try and achieve agreement. This process will not override the right of any responsible authority or other person to ask that the Licensing Sub-Committee consider a valid representation. Furthermore, this process will not undermine the rights of others under data protection law.

6.9 MAKING A REPRESENTATION

Any person can make relevant representations about any application for a new licence or variations to a licence. Specifically, representations for an application may be made by the responsible authorities, experts and by local residents and businesses.

Representations that are deemed by the Council as being vexatious or frivolous will not be accepted.

The Council has provided a simple guide to making licensing representations which is available to view and download from the council's website.

Representations must take into account the four Licensing Objectives in the 2003 Act and must be demonstrated based upon the individual premises concerned and in relation to the likely effect of the application on these objectives. The Council will expect examples to be given and will not consider applications that list the Licensing Objectives without demonstrating cause behind this. Irrelevant representations cannot be accepted.

A representation may only be accepted should the objector provide their name and address which will be made available to the applicant, although the Council may, in exceptional circumstances, allow objections with anonymity should there be significant concern for the person making said representation as a result of a genuine and well-founded fear of intimidation or threat of violence.

Representations must be made by midnight on the final day of the consultation period, 28 days starting from the date the application is submitted to the local licensing authority in the case of a new premises licence or club premises certificate or variation of such licence or certificate. The consultation period in the case of minor variations is 10 working days starting from the date the application is submitted to the local licensing authority

The Council holds the right to start over the consultation period should the statutory process be jeopardized if an advertisement has not been displayed in the paper at all or within the specified time period of the required notice has not been displayed in the prescribed manner on or at the premises at all, or for the specified 28 consecutive days. The 28-day consultation process is so that all responsible authorities and other persons are given the right to make a representation.

In matters where consultation is disputed, if it is evident that a number of people are aware of the application by volume of representations received then, the benefit of the doubt may be given to the applicant.

7. PARTNERSHIP WORKING

The Licensing Authority will encourage local Pubwatch schemes in Three Rivers; Pubwatch is a voluntary body with the key aim of achieving a safe, secure, social drinking environment in all licensed premises that are committed to helping reduce drink-related crime.

The Licensing Authority is committed to empowering local community action and meeting the needs of its communities through close partnership working with others. The Licensing Authority recognises that licensed entertainment can provide a valuable contribution towards the economy of the district and seeks to balance the needs of the local business holders and licensees, whilst protecting those of residents.

8. PERSONAL LICENCES

8.1 The Licensing Authority will scrutinise applicants for personal licences very carefully who are found to have unspent convictions for relevant offences and will, in all cases, notify the Chief Officer of Police for the area, as prescribed by the 2003 Act. The Authority reserves the right to refuse a licence, suspend a licence or revoke a licence on this basis.

Consideration will also be given to the Immigration Act 2016 and all applicants will be required to provide details of their right to work in the UK by means of;

- Valid UK passport

Right to work share code or eligible immigration documents

8.2 The Licensing Authority recognises that the holders of personal licences are responsible in law for authorising the sale of alcohol in accordance with a premises licence. The 2003 Act and the Licensing Regulations do not require the holder of the personal licence to be physically present on the premises during the hours that alcohol is to be sold but the holder, or recognised deputy, should be readily and easily contactable.

8.3 Should it be necessary to do so following any investigation into problem premises, an action plan or review of conditions may be imposed around personal licence holders' presence on premises.

8.4 The Licensing Authority also recognises that there are a number of qualifications to help licence holders understand and meet the Licensing Objectives. The Act requires all applicants for a personal licence to obtain such qualifications prior to applying for a personal licence. The Authority reserves the right to request further training or qualifications as deemed required following the outcome of an investigation into a problematic premises.

~~The Licensing Authority will look favourably upon applications from persons who also hold additional relevant qualifications to the premises they intend to run. Whilst this will not affect the granting of a personal licence *per se*, it will have influence where such properly qualified persons are stated to be designated premises supervisor at large or complex venues. The purpose of this policy is to encourage personal licence holders to obtain additional relevant skills over and above the bare minimum.~~

8.5 The Licensing Authority expects that, where retail sales of alcohol are to be allowed, licence holders observe and comply with the Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. Retailers should ensure that they are able to receive and comply with Retailer Alert Bulletins issued by the Portman Group, available from: advice@portmangroup.org.uk

8.6 In view of the Deregulation Act 2015, the Licensing Authority no longer requires a holder of a Personal Licence to renew their licence but the Authority expects that the licence card must hold a true likeness to the licensed individual. Under the 2003 Act, licence holders are required to notify the Licensing Authority as soon as reasonably practicable of any change in their name or address as well as if they are convicted of any relevant offence(s).

8.7 The Policing & Crime Act 2017 gave Licensing Authorities the power to revoke or suspend licences with effect from 6 April 2017 as a discretionary power. The Licensing Authority may therefore, when made aware that a holder of a Personal Licence has been convicted of a relevant or foreign offence or immigration penalty, determine to revoke or suspend the licence. Should the Licensing Authority choose to use this power, the process that must be undertaken is set out at section 132A of the Licensing Act 2003.

9. PRE APPLICATION

9.1 Prior to submitting an application, applicants may wish to consider the following when drafting their operating schedule in order to demonstrate how they intend to uphold the four licensing objectives:

- a) the steps to prevent noise and vibration escaping from the premises, including music; noise from ventilation equipment, and human voices. Such measures may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices. Please note that where relevant representations have been made, a condition may be imposed requiring the assessment by the applicant, of potential noise sources which could cause disturbance to those in the vicinity and the identification and installation of appropriate control measures;
- b) the steps to prevent disturbance by customers arriving at or leaving the premises. This will be of greater importance between 23:00 hours and 07:00 hours than at other times of the day;
- c) the steps to prevent queuing (either by pedestrian or vehicular traffic). If some queuing is inevitable then queues could be diverted away from neighbouring premises or be otherwise managed to prevent disturbance or obstruction;
- d) the steps to ensure staff and patrons leave the premises quietly;
- e) whether licensed taxis or private hire vehicles are likely to disturb local residents;
- f) the installation of any special measures where licensed premises are or are proposed to be located near sensitive premises such as nursing homes, hospitals, hospices, places of worship, residential dwellings;
- g) the use of gardens and other open-air areas;
- h) delivery and collection areas and times at the premises;
- i) the siting of external lighting, including security lighting that is installed inappropriately;
- j) steps to minimise the impact of increased refuse storage or disposal problems, or additional litter (including fly posters and illegal placards) in the vicinity of the premises;
- k) any previous nuisance complaints or representations against the premises;
- l) steps taken to reduce litter (e.g. bottles, cans) in the immediate vicinity of the premises.

9.2 Applicants only need to consider those measures they feel are appropriate to their premises and locality. Conditions will only be attached to a licence which are consistent with their operating schedule unless representations are received and additional conditions are considered appropriate.

9.3 Three Rivers District Council licensing department has introduced a pre-application service which allows prospective applicants to seek advice and assistance from the Licensing Authority in relation to submitting the following types of applications:

- Applications for new premises licences/club premises certificates
- Applications for full/minor variations of premises licences/club premises certificates
- Applications to transfer premises licences

This service does not constitute legal advice and does not guarantee a licence/club premises certificate will be granted nor does it prevent a responsible authority or any other interested party from objecting to the application. No guarantee can be given about the decision that will be made in relation to applications. The final decision regarding any application is made either under delegated authority (after the application has been subject to a consultation period if required), or by councillors if any valid objections are received during the consultation period (where applicable).

It is highly recommended that prospective applicants seek advice from an licensing expert or legal advisor.

Applicants should also consult the Home Office Section 182 Guidance of the 2003 Act: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

9.4 It is highly recommended that applicants describe the steps they take to promote the objectives as if they do not and the responsible authority for one of those objectives consider that the applicant must do more then, they will have grounds to make a representation'

9.5 Where an applicant has listed additional steps within the Operating Schedule these will normally translate into licence conditions. Careful thought must be given to these steps as the conditions must be achievable, realistic, appropriate, proportionate and within your control.

9.6 Applicants for new premises licences and those seeking variations to existing premises licences will be strongly advised to consult at the earliest opportunity with the Licensing Authority's licensing officers and the various other appropriate responsible authorities (e.g. Police, Fire & Rescue, and Environmental Health). This will provide an opportunity for the responsible authorities to comment on aspects of the Operating Schedule that they may feel are likely to give rise to objections, either from themselves as a statutory consultee to applications or, alternatively, from the public. Given this opportunity, the authorities may then be able to prevent such objections being raised, which is likely to be to the mutual advantage of both the applicant and the Licensing Authority.

10. DESIGNATED PREMISES SUPERVISOR (DPS)

10.1 Within the operating schedule for premises from which alcohol will be sold, with the exception of qualifying community premises, an individual must be designated ('Designated Premises Supervisor') and such person must be in possession of a current personal licence. The Licensing Authority will normally expect the Designated Premises Supervisor to have an active role in the day-to-day operation of the premises and, whilst they are not required to be on site at all time, they should normally be present on the licensed premises on a regular basis.

10.2 In addition to the DPS holding a personal licence, the Licensing Authority would strongly encourage the DPS to undergo additional training and to have experience within the nature and style of entertainment provided and the capacity of the premises.

10.3 The 2003 Act does not require a DPS or any other Personal Licence Holder to be present on the premises at all times when alcohol is sold. However, the DPS and the Premises Licence Holder remain responsible for the premises at all times and have a duty to comply with the terms of the Licensing Act and any conditions, including the matters set out in the premises' Operating Schedule, in order to promote the Licensing

Objectives. To that end, the Licensing Authority will be mindful of the Guidance issued by the Secretary of State, which recommends that a Personal Licence Holder/DPS gives specific written authorisations to those individuals they are authorising to retail alcohol.

10.4 Although written authorisation is not a requirement of the 2003 Act and the Designated Premises Supervisor/Personal Licence Holder remain ultimately responsible for ensuring compliance with the 2003 Act and licensing conditions, this action could assist in demonstrating due diligence should any issues arise with regard to enforcement. The Licensing Authority will therefore expect that, where the Personal Licence Holder/DPS does not have the premises under their immediate day to day control, written authorisations will be issued to staff acting on their behalf, such authorisations being made available for inspection by a responsible officer of the Licensing Authority or the Police upon request.

11. LIVE MUSIC, DANCING AND THEATRE

The Licensing Authority proposes that only conditions necessary for the promotion of the Licensing Objectives will be attached to licences for activities of this nature. The Licensing Authority is aware of the need to avoid measures imposing indirect costs of a substantial nature that deters live music, dancing and theatre. Many events which consist solely of these activities will now fall outside of licensing requirements, following deregulation on 1 October 2012.

11.1 LIVE MUSIC ACT 2012

Under the 2003 Act, a licence is not required to stage a performance of live music, or the playing of recorded music if:

- it takes place between 8AM and 11PM; and
- it takes place at an alcohol on-licensed premises; and
- the audience is no more than 500 people

A licence is also not required:

- to put on unamplified live music at any place between the same hours; or
- to put on amplified live music at a workplace between the same hours and provided the audience is no more than 500 people.

The Authority reserves the right to work with its partners and act on evidence as appropriate in cases of noise nuisance and those in which other aspects of the Licensing Objectives are in jeopardy in order to secure exemption orders from the privileges secured under the Deregulation Act.

12. DEREGULATION OF ENTERTAINMENT

12.1 In 2012 the Government introduced further changes to the 2003 Act. One such change is the deregulation of Schedule 1. In 2012, the Government launched a consultation on the deregulation of most entertainment activities that require a licence under the 2003 Act. As a result of this, the following activities are no longer licensable between the hours of 8am and 11pm;

- Performances of plays for an audience of no more than 500 people;
- Performances of dance for an audience of no more than 500 people;
- Films that are 'not-for-profit' and held in a community premises for an audience of no more than 500 people (where the organiser has consent from the person responsible for the premises and as long as the screening abides by age classification ratings)
- Indoor sporting event for an audience of no more than 1000 people;

- Boxing and Wrestling entertainment – a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling for an audience of no more than 1000 people

12.2 Note that Combined Fighting Sports and Adult Entertainment remains a licensable activity irrespective of audience numbers and the time of the event.

There are also certain exemptions in relation to community venues such as council-run halls, schools, hospitals and nurseries.

13. THE NEED FOR LICENSED PREMISES

There can be confusion about the difference between “need” and the “cumulative impact” of premises on the Licensing Objectives. “Need” concerns the commercial demand for another pub or restaurant or hotel. This is not a matter for a Licensing Authority in discharging its licensing functions or for its Statement of Licensing Policy.

14 CUMULATIVE IMPACT OF A CONCENTRATION OF LICENSED PREMISES

14.1 Cumulative impact is the term used to describe the impact, potential or actual, of a large number of licensed premises concentrated in a single locality. In terms of the licensing objectives, this may be evidenced by an increase in incidents of crime, disorder or public nuisance, over and above the impact of the individual premises themselves.

14.2 The cumulative impact of licensed premises on the promotion of any of the licensing objectives is a matter that the Licensing Authority can take into account in determining its licensing policy. This should not, however, be confused with any question of ‘need’ which relates to the commercial demand for a particular type of premises (for example, a pub, restaurant or hotel). The issue of ‘need’ is a matter for market forces to influence and for the planning authority to regulate and so does not form part of this policy statement.

14.3 The Licensing Authority will not seek to introduce quotas of licensed premises, nor will it seek to impose general limitations on trading hours in particular areas. Instead, consideration will be given to the individual characteristics of the premises concerned within a given area. It is recognised that a wide variety of venues sell alcohol, serve food and provide entertainment, but with contrasting styles and characteristics. Proper regard will be had to those differences and the impact they are likely to have on the local community.

14.4 The Licensing Authority notes that, in accordance with the Guidance, it may adopt a special policy in response to a cumulative impact issue in a defined area. Consideration of such a policy may be prompted by submissions from responsible authorities or other persons, evidenced appropriately and linked to one or more of the licensing objectives. Where such a policy has been adopted, the issue of cumulative impact can be taken into account when considering the individual merits of any application within the area defined within that policy. Further details regarding this power are given in the special licensing policies section of this Statement.

14.5 When dealing with cumulative impact issues, the Licensing Authority recognises that, as well as licensing functions, there are a number of other mechanisms for addressing issues of nuisance, disorder and anti-social behaviour occurring away from licensed premises. These may include:-

- planning controls;
- measures to provide a safer and cleaner environment in partnership with local businesses, transport operators and other departments of the Council;

- the provision of CCTV surveillance in town centers, taxi ranks, street cleaning and litter patrols;
- powers for a local authority to protect public spaces from the effects of anti-social consumption of alcohol, enabling police and accredited persons to confiscate alcohol;
- enforcement of the law relating to disorder and anti-social behaviour, including the issue of fixed penalty notices or other sanctions under the Anti-Social Behaviour, Crime and Policing Act 2014;
- the prosecution of any personal licence holder or member of staff at licensed premises who is selling alcohol to children or people who are drunk;
- powers to close down instantly any premises or temporary event on grounds of disorder, the likelihood of disorder or noise emanating from premises causing a nuisance;
- the power for responsible authorities or other persons to apply for a review of a premises licence or club premises certificate; or
- other local initiatives that similarly address these problems.

15. CUMULATIVE IMPACT ASSESSMENT

15.1 The authority may adopt a special policy, known as a cumulative impact policy, if it is satisfied that there is an adverse impact on one or more of the licensing objectives as a result of a significant number of licensed premises being concentrated in a defined locality. The effect of this impact will be, for example, a spike in incidents of crime, disorder or nuisance over and above what can be attributed to the operation of the individual premises.

15.2 By adopting a cumulative impact policy, a Licensing Authority creates a rebuttable presumption that future licence applications for premises within the area defined in the policy will be refused, unless applicants can demonstrate conclusively that their proposals will not adversely affect the issues being experienced. Policies may relate to any licensable activity, although the supply of alcohol is the most common subject of policies adopted nationwide.

15.3 Where a cumulative impact policy is adopted, the Licensing Authority's discretion to consider the rejection of an application is only engaged upon the receipt of relevant representations. In the absence of such representations, the duty to grant a licence in the terms applied for remains unchanged.

15.4 In determining whether to adopt a special policy for a particular area the Licensing Authority will:

- identify evidence of concerns about relating to a licensing objective;
- consider whether the evidence demonstrates that a cumulative impact caused by the customers of multiple licensed premises is adversely affecting a licensing objective;
- identify the precise area(s) where issues are occurring;
- undertake a public consultation on the proposed policy; and
- include and publish details of any special policy within this policy statement.

15.5 Having considered the available evidence, the Licensing Authority considers that there is no particular part of Three Rivers district experiencing cumulative impact on the promotion of any of the licensing objectives, at the present time, which would warrant the introduction of a cumulative impact policy.

15.6 The Licensing Authority will continue to monitor the entirety of the district for issues relating to cumulative impact, in conjunction with the responsible authorities and other members of the Three Rivers Community Safety Partnership. Should evidence of a cumulative impact issue emerge during the validity of this policy, the Licensing Authority may look to adopt a cumulative impact policy by way of an interim revision.

16. ADVICE AND GUIDANCE

16.1 The Licensing Authority recognises the valuable cultural, social and business importance that premises and events requiring a licence under the 2003 Act, as amended, provides and welcomes the diversity of activities that are provided by licence holders. In respect of new businesses and developments involving licensable activities, the Licensing Authority welcomes an early opportunity to offer advice and guidance whether before or after planning permission has been sought. At this stage, it is often easier and more cost effective to integrate issues such as crime and disorder, transport and public safety into the early design stages. With regard to existing businesses, discussions prior to submitting an application under the 2003 Act will be encouraged to assist applicants to develop their operating schedule. The Licensing Authority, Hertfordshire Police and/or Hertfordshire County Fire and Rescue Service will offer as much advice and guidance to applicants as resources permit.

16.2 The Licensing Authority will also seek to liaise with applicants, and/or mediate between applicants and others who may make representations, to achieve a satisfactory outcome for all involved, wherever possible and where resources permit. Where an applicant considers that mediation and liaison may be likely or probable, it is recommended that the applicant discuss his or her proposal with the Licensing Authority and those from whom they think representations are likely prior to submitting their application. Once an application has been lodged, there are statutory timescales imposed upon the application and determination process, which restrict the opportunity for such discussions, liaison and mediation.

Appendix B provides details of various organisations, trade associations and reference literature that an applicant may find useful in preparing an operating schedule and running a safe premises/event.

17. REVIEWS

17.1 Where possible and appropriate, the Licensing Authority, Hertfordshire Police and/or Hertfordshire County Fire and Rescue Service will give early warning to licence holders of any concerns about problems identified at premises and of the need for improvement.

Responsible authorities and/or interested parties living in the vicinity can trigger a review of a premises licence but an evidentiary basis would be required to be presented to the Licensing Authority.

17.2 No more than one review from interested parties will normally be permitted within any 12-month period on similar grounds except in exceptional and compelling circumstances.

18. TRADING HOURS

18.1 With regard to trading hours, the Licensing Authority proposes that proper consideration will always be given to the individual merits of an application. The Government strongly recommends that statements of licensing policy should recognise

that longer licensing hours with regard to the sale of alcohol are important to ensure that concentrations of customers leaving premises simultaneously are avoided, and the Licensing Authority supports this view in principle.

18.2 The Licensing Authority recognises the potential for additional crime and disorder and/or public nuisance arising from extended licensing hours. Consequently, the Licensing Authority will scrutinise very carefully applications for extended licensing hours and, if determined appropriate, will seek to attach any necessary licence conditions for the promotion of the Licensing Objectives. For example, stricter conditions with regard to noise control will be expected in areas where the venue is in the vicinity of people's homes, but this should not unduly limit opening hours without regard to the individual merits of any application.

18.3 With regard to shops, stores and supermarkets, the authority will normally approve a licence for such premises to provide sales of alcohol for consumption off the premises at any time when the retail outlet is open for shopping, unless there is good reason for restricting those hours.

18.4 In the interests of reducing crime, disorder and anti-social behaviour, the Licensing Authority will prefer that applications from public houses, night-clubs, off-licenses and clubs show in their operating schedules a responsible approach to alcohol sales by:

- ending alcohol sales at a designated time before they close, i.e. a closing time later than "a last orders" time for alcohol sales;
- specifying a time by which the premises will be emptied of patrons and closed;
- not taking part in discounted drinking promotions.
- how the premises intends to use their outside space (beer garden) and what measures will be put in place to minimise noise nuisance to the local residents. This may be by way of regular patrols of the perimeter of the premises and all checks documented in incident logbook.

19. PROMOTING THE LICENSING OBJECTIVES

19.1 The following sections set out the Licensing Authority's Policy relating specifically to the four Licensing Objectives:

- (a) The Prevention of Crime and Disorder
- (b) Public Safety
- (c) The Prevention of Public Nuisance
- (d) The Protection of Children from Harm.

19.2 In each section relating to the objectives, the Licensing Authority has defined its intended outcome (in bold type). Each section then lists the influencing factors on the achievement of that objective but, because of the wide variety of premises and activities to which this policy applies, the lists provided are not exhaustive. Applicants should know their premises best and will be expected to address all aspects relevant to the individual style and characteristics of their premises and events.

Further, in each section, a list of possible control measures is provided to be of assistance to applicants but again is not intended to be an exhaustive list. Many control measures achieve more than one objective but have not necessarily been listed under each objective. Similarly, applicants will not be required to mention a control measure more than once in their operating schedule.

19.3 The selection of control measures, referred to in the above, should be based upon a risk assessment of the premises, events, activities and the customers expected to attend (e.g. their age, number, etc.). Whilst the Licensing Authority cannot require such risk assessments to be documented, (other than where required by other legislation), it considers such documentation to be good practice and a useful tool in the instruction and training of staff, as well as a sound basis for review by the licence holder, in the event of him/her wishing to make application for variation or in response to changing circumstances/conditions at the premises.

Additional measures may be necessary on an occasional or specific basis such as when a special event (e.g. popular live band) or promotion (e.g. during major sporting occasions) is planned, which is intended to, or likely to, attract larger audiences and/or audiences of a different nature, and which can have a significant impact on the achievement of the Licensing Objectives. Reference must be made to an applicant's operating schedule, where applicable, for such occasions and the additional measures that are planned in order to achieve the Licensing Objectives.

19.4 The Licensing Authority considers the effective and responsible management of the premises, instruction, training and supervision of staff and the adoption of best practice to be amongst the most essential control measures for the achievement of all the Licensing Objectives. For this reason, these elements should be specifically considered and addressed within an applicant's operating schedule.

19.5 In addition, the occupancy capacity for premises, and events as appropriate, is also considered to be an essential factor in the achievement of the four Licensing Objectives, (except in respect of premises licensed exclusively for the consumption of food and/or alcohol off the premises). The Licensing Authority expects the issue of occupancy capacity to be considered and addressed, where necessary, within an applicant's operating schedule and, in most instances, will agree a maximum occupancy capacity, based on the applicant's assessment within their operating schedule.

19.6 The design and layout of premises are important in determining capacity, as is the availability and size of exits within recommended travel distances. Other factors should also be considered when assessing the appropriate capacity for premises or events.

These include: -

- (a) The nature of the premises or event;
- (b) The nature of the licensable activities being provided;
- (c) The provision or removal of such items as temporary structures, such as a stage, or furniture;
- (d) The number of staff available to supervise customers both ordinarily and in the event of an emergency;
- (e) The age of the customers;
- (f) The attendance by customers with disabilities, or whose first language is not English;
- (g) The availability of suitable and sufficient toilet facilities;
- (h) The nature and provision of facilities for ventilation.

19.7 The Licensing Authority will consider applications for minor variations to premises licences, provided that the Authority is satisfied that the variation will not adversely impact on the Licensing Objectives and the Licensing Authority will consult with Responsible Authorities whom they deem necessary to make such assessment.

19.8 The agreement to a capacity for premises or events should not be interpreted as a requirement to also provide permanent monitoring arrangements such as door staff, attendance clickers or maintenance of attendance records. The Licensing Authority

recognises that the person in charge of the premises can often readily assess the occupancy level of the premises without resorting to such measures. However, where the capacity is likely to be reached (such as on known busy evenings) and particularly where a special event or promotion is planned, the applicant will be expected to detail the additional arrangements that will be put in place to ensure that the capacity of the premises is not exceeded.

20. PREVENTION OF CRIME AND DISORDER

20.1 It is recommended that applicants for new premises licences and variations should discuss the crime prevention procedures in their premises with the responsible authorities and the licensing officer(s) before making a formal application.

20.2 Three Rivers District Council is committed to improving the quality of life for the people of the district by continuing to reduce crime and the fear of crime.

20.3 Section 17 of the Crime and Disorder Act 1998 introduced a wide range of measures for preventing crime and disorder and imposed a duty on the Licensing Authority, Police and County Councils amongst others to consider crime and disorder reduction in the exercise of all their duties. The 2003 Act, as amended, reinforces this duty for local authorities.

20.4 The promotion of the licensing objective, to prevent crime and disorder, places a responsibility on licence holders to become key partners in achieving this objective. Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and events.

20.5 When addressing the issue of crime and disorder, the applicant should demonstrate that those factors that impact crime and disorder have been considered. These may include:-

- (a) Underage drinking;
- (b) Drunkenness on premises;
- (c) Public drunkenness;
- (d) Drugs;
- (e) Violent behaviour;
- (f) Anti-social behaviour.
- (h) Additional risk assessments (where required)

19.6 Applicants will be required to adhere to all legislation that is made whilst their licence is in force. Such as during the Covid-19 pandemic in 2020 (where specific legislation was enacted on a temporary basis only) and any future extreme circumstances.

21. PREVENTION OF PUBLIC NUISANCE

21.1 With regard to the prevention of public nuisance, the Licensing Authority will determine all new or variations of licence applications considering all relevant factors, including:

- The nature of the activities at the premises;
- The hours of opening;
- Proximity to residential premises;
- Management of the premises;

- The history of the premises' effect on neighbours and others in the vicinity;

21.2 The Licensing Authority will consider all proposed control measures, including:

- a) Effective and responsible management;
- b) Staff training;
- c) Adoption of best practice on noise control;
- d) Installation of suitable acoustic control measures;
- e) Where relevant, door supervision and management of customers as they enter and leave the premises.

21.3 Three Rivers District has many licensed premises that are close to or even enclosed by residential areas. Most of these are traditional community public houses and are currently tolerated as the terminal hours are well established and neighbours know when they might expect any disturbances causing public nuisance to end.

21.4 Regular patrols of the outside space (e.g. beer garden or smoking area) may be required at regular intervals during busy periods and noted in the incident logbook at the premises. Measures must be put in place to ensure the prevention of public nuisance, failure to adhere to conditions may result in further action being taken against the premises licence.

21.5 Applicants may wish to consult a 'best practice guide' such as [Effective Management of Noise from Licensed Premises \(British Beer and Pub Association\)](#)

21.6 It follows that operators of licensed premises that are in the vicinity of domestic premises (and in the vicinity of business/commercial premises, places of learning and places of worship) may find applications for variations seeking:

- Extended hours of opening or trading;
- The provision of regulated entertainment;
- The provision of late night refreshment;
- The supply of alcohol;

may be subject to representations from such neighbours, their representative(s) and/or the Environmental Health Officer on the grounds that public nuisance might be caused by the intended activity. In most cases such representations will result in a hearing conducted by the Licensing Sub-Committee.

21.7 The Licensing Authority strongly encourages applicants to seek early discussions with the Environmental Health Officer at the Council (or the responsible officer for pollution) with the aim of resolving how potential public nuisances might be effectively controlled, so that agreed measures might be built into the operating schedule as mutually acceptable conditions. In this way representations from the Environmental Health Officer may be avoided. The Council also encourages local mediation in certain situations that might be amenable to such a solution.

21.8 Many, but not all, public nuisance issues can be resolved through reasonably practical and effective control measures. If such measures are not detailed in the operating schedule accompanying the application, and if then a local hearing takes place, the application may well be viewed unfavourably by the Licensing Committee.

21.9 Licensed premises have a significant potential to impact adversely on communities through public nuisances that arise from their operation. The Licensing Authority wishes to maintain and protect the amenity of residents and other businesses from the consequence of the operation of licensed premises whilst recognising the valuable cultural, social and business importance that such premises provide.

21.10 The Licensing Authority intends to interpret “public nuisance” in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area. Applicants need to be clear that the Licensing Authority will normally apply stricter conditions, including controls on licensing hours, where licensed premises are in residential areas and where relevant representations have been received. Conversely, premises for which it can be demonstrated they have effective measures planned to prevent public nuisance, may be suitable for 24-hour opening.

21.11 In the case of shops, stores and supermarkets selling alcohol, the Licensing Authority will normally permit the hours during which alcohol is sold to match the normal trading hours during which other sales take place, unless there are exceptional reasons relating to disturbance or disorder.

21.12 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance, relevant to the individual style and characteristics of their premises and events.

When addressing the issue of prevention of public nuisance, the applicant must demonstrate that those factors that impact on the likelihood of public nuisance have been considered. These may include:-

- (a) The location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices and places of worship;
- (b) The hours of opening, particularly between 23:00 and 07:00;
- (c) The nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises;
- (d) The design and layout of premises and in particular the presence of noise-limiting features;
- (e) The occupancy capacity of the premises;
- (f) The availability of public transport;
- (g) A 'wind-down period' between the end of the licensable activities and closure of the premises;
- (h) A last admission time.

22. PUBLIC SAFETY

22.1 The Licensing Authority is committed to ensuring that the safety of any person visiting or working in licensed premises is not compromised. To this end, applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety, relevant to the individual style and characteristics of their premises and events.

22.2 When addressing the issue of public safety, an applicant must demonstrate that those factors that impact on the standards of public safety have been considered. These may include:-

- (a) The occupancy capacity of the premises
- (b) The age, design and layout of the premises, including means of escape in the event of fire

- (c) The nature of the licensable activities to be provided, in particular the sale or supply of alcohol, and/or the provision of music and dancing and including whether those activities are of a temporary or permanent nature
- (d) The hours of operation (differentiating between the hours of opening from the hours when licensable activities are provided, if these are different)
- (e) The customer profile (e.g.; age, disability)
- (f) The use of special effects such as lasers, pyrotechnics, smoke machines, foam machines, etc.
- (g) Compliance with the Equalities Act etc.

22.3 Occupancy limits: With the introduction of the Fire Safety (Regulatory Reform) Order 2005, it is recognised that existing prescriptive controls such as Fire Certificates have been replaced with the duty to produce risk assessments. In accordance with the Secretary of State's guidance, the Council will avoid duplicating existing controls. Where a relevant representation is received in respect of capacity, the Council may impose conditions in relation to the maximum number of persons to attend premises where:

- It considers it to be appropriate for the purpose of reducing crime and disorder;
- It considers it to be appropriate for the purpose of safety of occupants.

The issue of capacity will be decided on a case-by-case basis and will only be applied where there is a clear and justifiable need to do so based upon the nature and style of the premises and the licensing objectives.

The purpose of imposing a maximum number of persons to be in the premises at any one time is to ensure the safety of those persons at the premises. Where relevant representations have been made, the Council will set occupancy limits in consultation with the responsible authority.

22.4 Health and Safety: Every applicant granted a licence, certificate or permission would also be under a duty to comply with the Health and Safety at Work etc. Act 1974 and regulations made under it. In many cases, the Council will also be the enforcing authority responsible for ensuring compliance with the Health and Safety at Work Act in licensed premises.

23. PROTECTION OF CHILDREN FROM HARM

23.1 The protection of children from harm is an important issue. It is hoped that family-friendly premises will thrive, but the risk of harm to children remains a paramount consideration when determining applications.

23.2 The general relaxation in the 2003 Act, as amended, giving accompanied children greater access to licensed premises is a positive step, aimed at bringing about a social change in family-friendly leisure. Clearly this relaxation places additional responsibilities upon licence holders. However, it is also recognised that parents and others accompanying children also have responsibilities.

23.3 Guidance from the Government states that licensing policies should make clear that conditions requiring the admission of children to any premises cannot be attached to licences or certificates. The Licensing Authority proposes that where no licensing restriction is necessary, this should remain a matter for the discretion of the individual licence holders or club or person who has given a temporary event notice.

23.4 Venue operators seeking premises licences and club premises certificates may also volunteer such prohibitions and restrictions in their operating schedules because their own risk assessments have determined that the presence of children is undesirable or inappropriate. Where no relevant representations are made to the Licensing Authority

concerned, these volunteered prohibitions and restrictions will become conditions attaching to the licence or certificate and will be enforceable as such. The Licensing Authority in these circumstances may impose no other conditions concerning the presence of children on premises.

23.5 The policy cannot attempt to anticipate every issue that could arise in respect of children; therefore general rules are avoided and each application will be considered on its merits.

23.6 The protection of children from harm includes the protection of children from moral, psychological and physical harm, when attending licensed premises.

23.7 There are a number of important areas that will give particular concern in respect of children these include but are not exhaustive to the following examples:-

- (a) Where entertainment or services of an adult or sexual nature are provided;
- (b) Where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking;
- (c) Where requirements for proof of age cards or other age identification to combat the purchase of alcohol by minors is not the norm;
- (d) Where there is a known association with drug-taking or dealing;
- (e) Where there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines), and
- (f) Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

23.8 Consequently the Licensing Authority proposes that there needs to be a range of alternatives, which will be considered for limiting the access of children where that is necessary for the prevention of harm to children. These, which can be adopted in isolation or combination, include:

- Limitations on the hours when children may be present;
- Limitations on the exclusion of the presence of children under certain ages;
- Age limitations (below 18);
- Requirements for accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult).
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

23.9 In the case of premises giving film exhibitions, the applicants should include in their operating schedule arrangements for restricting children from viewing age-restricted films. Similarly, in relation to such premises, a mandatory condition will be applied requiring that access will be restricted to only those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification, or in specific cases, the local authority.

23.10 The Licensing Authority expects that licence holders contribute to this element by ensuring that age related checks are carried out and that the recommendation is that the forms of proof of identification accepted would include passport, photocard, driving licence and the Proof of Age Standards Scheme (PASS card).

23.11 Where a large number of children are likely to be present within a licensed premises e.g. for a children's show or pantomime, the Licensing Authority may impose a condition requiring an adequate ratio of adults to children. This is to control the access

and egress of children and to protect them from harm. Such a ratio will be calculated by a formula which has regard to the number of children, the age of the children, and the nature of the venue itself. Guidance on such a ratio is given in Parts 3 & 5 of Annex D of the Revised Guidance, issued on 28 June 2007.

23.12 The Licensing Authority considers that, on the one hand, there should be no presumption of giving children access or, on the other hand, no presumption of preventing their access to licensed premises, unless this is necessary for the prevention of physical, moral or psychological harm to them. The Licensing Authority has no intention of imposing conditions requiring the admission of children and, where no licensing restriction is necessary, admission of children will remain entirely a matter for the discretion of the individual licensee or club, or person who has given a Temporary Event Notice.

23.13 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm, relevant to the individual style and characteristics of their premises and events.

23.14 Whilst children may be adequately protected from harm by the action taken to protect adults, they may also need special consideration, and no policy can anticipate every situation. When addressing the issue of protecting children from harm, the applicant must demonstrate that those factors that impact of harm to children have been considered.

23.15 Child Sexual Exploitation (CSE): Child sexual exploitation is a significant concern for licensing authorities nationwide, as demonstrated by a number of high-profile reported cases which revolved around licensed premises. Where the operation of licensed premises is causally or demonstrably linked to child sexual exploitation, the Licensing Authority will not hesitate to use the full range of powers at its disposal to promote this licensing objective. Further details regarding this issue are given later in this document.

24. CONTROL MEASURES

24.1 The following examples of control measures are given to assist applicants who may need to take account of them in their operating schedule, having regard to their particular type of premises and/or activities:-

- (a) Suitable and sufficient risk assessments
- (b) Effective and responsible management of premises
- (c) Provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons
- (d) Appropriate instruction, training and supervision of those employed or engaged to secure the safety of the premises and patrons
- (e) Adoption of best practice guidance (e.g.; Guide to Fire Precautions in Existing Places of Entertainment and Like Premises, The Event Safety Guide, Safety in Pubs published by the BBPA)
- (f) Provision of effective CCTV in and around premises
- (g) Provision of toughened or plastic drinking vessels
- (h) Implementation of crowd management measures
- (i) Proof of regular testing (and certification where appropriate) of procedures, appliances, systems etc., pertinent to safety.

These examples can be adopted in any combination.

25. LICENCE CONDITIONS

25.1 Licensing is about the appropriate control of licensed premises, qualifying clubs, temporary events and the people who manage them or hold personal licences within the terms of the 2003 Act. Where relevant representations are made, the Licensing Authority will seek to make objective judgments as to whether conditions may need to be attached to various authorisations in order to promote the Licensing Objectives. Any conditions arising from the operating schedule or as a result of representations, will primarily focus on the direct impact of the activities taking place at licensed premises, on those attending the premises and members of the public living, working or otherwise engaged in normal activity in the area concerned. These conditions will cover matters that are within the control of individual licensees and others with relevant responsibilities.

All premises licences and club premises certificates will have the mandatory conditions attached to the licence to ensure uniformity between all licensed premises. These mandatory conditions are non-negotiable and are set by central government.

In addition to the basic mandatory conditions there are also additional conditions that will be included in the licence dependent on the requirements of the applicant i.e.

- Door staff
- Showing of films

25.2 The Licensing Authority acknowledges that the licensing function cannot be used for the general control of nuisance or the anti-social behaviour of individuals once they are beyond the direct control of the licensee of any premises concerned. However, other mechanisms may be utilised, where appropriate, to tackle unruly or unlawful behaviour of consumers when beyond the control of the individual, club or business holding the licence, certificate or authorisation concerned. These include:

- (a) Planning controls
- (b) Positive measures to create a safe and clean town environment in partnership with local businesses, transport operators and other services within the Local Authority;
- (c) The provision of CCTV surveillance in town centres, ample taxi ranks, street cleaning and litter patrols
- (d) Powers of Local Authorities to restrict consumption of intoxicating liquor in designated public places other than Premises licensed for 'on' sales
- (e) Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices
- (f) The prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk
- (g) The confiscation of alcohol from children and adults in designated areas
- (h) The power of the Police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question
- (i) Action under the Violent Crime Reduction Act 2006.

25.3 In order to minimise problems and the necessity for hearings, it would be reasonable for applicants and clubs to consult with Responsible Authorities when operating schedules are being prepared to allow for proper liaison before representations prove necessary.

25.4 If an applicant volunteers a prohibition or restriction in their operating schedule because their own risk assessment has determined such prohibition or restriction to be appropriate, such volunteered prohibitions or restrictions will become conditions attached to the licence or certificate and will be enforceable as such.

25.5 The Licensing Authority recognises that all applications should be considered on an individual basis and any condition attached to such a licence will be tailored to each individual premises, in order to avoid the imposition of disproportionate and other burdensome conditions on those premises. Although the Licensing Authority may maintain a pool of conditions which may be produced to assist applicants and others, standard conditions, other than mandatory conditions, will be avoided and no condition will be imposed that cannot be shown to be appropriate and proportionate for the promotion of the Licensing Objectives.

The Licensing Authority will consider and, if necessary, tailor conditions listed in the pools of conditions provided in the Secretary of State's Guidance and attached to licences as appropriate. However, details of these are not included within this Policy because it would be impractical to try and envisage every conceivable scenario in advance. Consequently, tailored conditions will be drafted and attached to licences specific to the respective premises to which they need to apply and commensurate with the aim of promoting all or any one of the four Licensing Objectives.

25.6 The pools of licence conditions in the Secretary of State's Guidance are provided by way of example only and do not form part of this Policy. The Licensing Authority therefore reserves its right to make additions or alterations to them without prior notice.

26. TEMPORARY EVENTS

26.1 The Licensing Act 2003 provides that Temporary Event Notices (TENs) can temporarily authorise licensable activities upon premises, such as the sale or supply of alcohol, the provision of regulated entertainment or the supply of late-night refreshments which are not already authorised by either a premises licence or a club premises certificate. Temporary Event Notices (TENs) do not seek permission to carry on licensable activity and do not make application for it. TENs are a system of notification which the s182 guidance confirms is a light touch process.

. Organisers of these events are encouraged to submit their notification as soon as reasonably practicable to enable the Police and the Licensing Authority to work with them to identify and reduce the risk of crime and disorder, (see **Appendix C** for details regarding the application process and timescales for the submission of Temporary Event Notices).

26.2 With regard to permitted temporary events the Licensing Authority expects the co-operation of Personal Licence holders and other people serving Temporary Event Notices (TENs) in allowing more than the minimum required notice period of 10 working days. The Licensing Authority recommends that applicants for TENs endeavour to give at least two months' notice to hold all but the **smallest events**; this will allow the Licensing Authority and Police to help organisers plan their events safely and may mean the Police are less likely to object to the proposed event.

26.3 Organisers of events should be aware that, although a licence or authorisation may not be needed under the Licensing Act, other legislation might apply. This can include:

- Health and Safety at Work etc. Act 1974;
- The Regulatory Reform (Fire Safety) Order 2005;
- Environmental Protection Act 1990.

27. LARGE SCALE EVENTS

27.1 In the instance where a one-off event is likely to attract more than 499 people at any given time, a Premises Licence will be required. The standard process and consultation

period will be required.

It is advisable in these instances that organisers of events aiming to exceed 499 people contact the Licensing Authority at least 6 months prior the event taking place, although there is no statutory requirement to do so. Whilst a premises licence could be granted after 28 days of the application being served, applicants should be aware that the processing time for an application that has received relevant representations can be up to 2 months. The Authority encourages organisers to have early discussions with responsible authorities such as the Police, Environmental Health and Fire Protection Department of Hertfordshire Fire and Rescue Service.

27.2 The Licensing Authority encourages the organiser's participation in the Safety Advisory Group in order to discuss with the authorities concerned any issues that could potentially arise and control measures that may be appropriate to implement.

28. TABLE & CHAIRS/ PAVEMENT LICENCES

28.1 The placing of tables & chairs outside premises or on the highway can enhance a venue but can also contribute to nuisance or noise issues. The placing of table & chairs on the highway requires the consent of Three Rivers District Council.

A pavement licence is a licence granted or deemed to have been granted, which allows the licence-holder to place removable furniture over certain highways to the premises in relation to which the application was made. The Levelling Up and Regeneration Act 2023 has made the provisions set out originally in the Business and Planning Act 2000 permanent.

29 MOBILE, REMOTE AND INTERNET SALES

29.1 The Licensing Authority may receive applications for alcohol sales in cases where the location of ordering or payment differs from the location where the alcohol is assigned to the contract. This situation occurs when sales are made online, by telephone, or mail order. The sale of alcohol is to be treated as taking place where the alcohol is appropriated to the contract i.e. where the alcohol is identified, allocated to a customers order and dispatched from. It will be the premises at this location which need to be licensed.

29.2 In these cases, the Licensing Authority will ensure that the subsequent premises licence will be subject to appropriate conditions including the times of day during which alcohol may be sold

29.3 Premises providing 'alcohol delivery services' should advise the licensing authority that they are operating such a service in their operating schedule. Relevant conditions agreed between the applicant and the responsible authorities or following a licensing sub-committee, may be attached to the premises licence

29.4 Premises with an existing premises licence, which choose to operate such a service in addition to their existing licensable activities, should contact their licensing authority for its view on whether this form of alcohol sale is already permitted or whether an application to vary the licence will be required.

29.5 The Licensing Authority may also receive applications for mobile, remote, internet sales relating to late night refreshment. Applicants should be mindful of the impact of such applications on the licensing objectives particularly the prevention of public nuisance. For instance, there may be concerns of vehicles or noise created by waiting vehicles or drivers outside the premises for pick up. Applicants should put in place appropriate measures and address these issues in their operating schedule.

30. EQUALITY

30.1 The Licensing Authority in carrying out its functions under the 2003 Act is obliged to have 'due regard' to the need to eliminate unlawful discrimination harassment and victimisation, to advance equality of opportunity and to foster good relations between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Government Guidance advises that conditions should not be attached to authorisations which would duplicate existing statutory requirements. The Council therefore takes this opportunity to remind operators of premises of their duties towards disabled persons (including performers) on their premises under the Building Regulations and the Equality Act 2010. This includes a duty that any person who provides a service to the public must make reasonable adjustments to any physical feature that makes it impossible or unreasonably difficult for a disabled person to access a service, or to provide the services by a reasonable alternative means.

31. ENFORCEMENT AND INSPECTION

31.1 The Licensing Authority has developed and implemented joint enforcement protocols with the Police and Fire & Rescue Services in Hertfordshire and other enforcement agencies as necessary, such as Hertfordshire Trading Standards. These protocols will provide for the targeting of agreed problem areas and high-risk premises that require greater attention, while applying a lighter touch to low-risk premises.

31.2 The targeting and inspection of premises will be based upon these protocols and, in addition, driven by complaints about specific premises. As mentioned above, this also includes the targeting of inspections towards events being operated under the terms of a TEN.

31.3 There will be an inspection programme that will seek to visit and inspect all premises over time, dependent on their perceived risk. For example, high-capacity, late-night entertainment venues are likely to be inspected more frequently than, say, premises used very infrequently.

31.4 The use of the premises is not the only factor to be taken into consideration when judging the risk posed. The Licensing Authority proposes that equally (and sometimes more) important is the management of those premises i.e. the previous experience/qualifications of the licence holder and/or Designated Premises Supervisor, the systems and procedures in place to ensure adherence to the operating schedule and compliance with licence conditions etc.

31.5 All these and other necessary factors will be taken into account when developing a risk-based inspection programme. In any event, the overriding consideration will be the specific merits of individual premises and how they are managed and operated, rather than trying to categorise premises for inspection at arbitrary time intervals. It is likely that a nationally recommended risk assessment method will be developed within the life of the policy. The Licensing Authority reserves the right to trial and adopt any such method where that can be shown to be a useful tool in managing the routine inspection programme of licensed premises.

32. COMPLAINTS AGAINST LICENCED PREMISES

32.1 The Council will investigate relevant complaints against licensed premises. In the first instance, it is encouraged that complainants should raise the complaint directly with the licence holder or business concerned. All complaints will be investigated and if required enforcement action taken in accordance with the Council's Enforcement Policy

and Complaints Procedure within this policy. It is recognised that another agency may be the more appropriate body to investigate the complaint and, in such circumstances, the Council will maintain liaison with that agency in accordance with the Enforcement Protocol.

32.2 Where necessary, the Council will initially contact the licence holder to address, clarify and try to resolve the issues of concern.

32.3 This process will not override the right of any other person or responsible authority to request a review of a licence by the Licensing Sub-Committee at any stage following the grant of a premises licence or if the particular concerns are not addressed in a way that fulfils the licensing objectives.

33. LICENCE REVIEWS

33.1 At any stage following the grant of a premises licence a responsible authority (including the Council in its role as Licensing Authority) or another person may ask the Council to review the licence because of a matter arising at the premises in connection with one of the four licensing objectives. In addition, a review of the licence will follow any action to close the premises (for up to 24 hours) on the grounds of disorder or noise nuisance or as a result of a magistrates' court determination.

33.2 Where the Council has applied to the Licensing Authority to review an authorisation, there will be a clear separation of responsibilities to ensure procedural fairness and eliminate conflicts of interest.

33.3 Under the Violent Crime Reduction Act 2006, following an application from the chief officer of police, the Authority can attach interim steps to licences pending a full review. The 2003 Act includes an offence in relation to persistent alcohol sales to minors.

33.4 Any application for review must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of one or more of the licensing objectives. Representations must be in writing and may be amplified at the subsequent hearing or may stand in their own right. Applications will not be accepted if they are considered to be frivolous, vexatious or repetitive. Government Guidance suggests that more than one request originating from another person or responsible authority for a particular premises within a reasonable interval may be considered as repetitious.

33.5 Prior to the hearing, the licence holder will be made fully aware of the representations, the evidence supporting the request and will be given the opportunity to prepare a response.

33.6 The Council views particularly seriously applications for the review of any premises licence where there has been evidence of the following:

- a) use of licensed premises for the sale and distribution of drugs and/or the laundering of the proceeds of drug crimes;
- b) use of licensed premises for the sale and/or distribution of firearms;
- c) evasion of copyright in respect of pirated films and music;
- d) underage purchase and consumption of alcohol;
- e) use of licensed premises for prostitution or the sale of unlawful pornography;
- f) use of licensed premises for unlawful gaming;
- g) use of licensed premises as a base for criminal activity;
- h) use of licensed premises for the organisation of for example, racist,

- homophobic or sexual abuse or attacks;
- i) use of licensed premises for the sale of smuggled tobacco or goods;
- j) the use of licensed premises for the sale of stolen goods;
- k) where the police are frequently called to attend to incidents of disorder;
- l) prolonged and/or repeated instances of public nuisance;
- m) where serious risks to public safety have been identified and the management is unable or unwilling to correct those;
- n) where serious risks to children have been identified.

34. DELEGATION OF FUNCTIONS

34.1 With the exception of the approval and review of its Licensing Policy and the making of early morning alcohol restriction orders policy, decisions on licensing matters will be taken in accordance with an approved scheme of delegation aimed at underlining the principles of timely, efficient and effective decision-making. A table setting out how the Licensing Authority will approach its various functions is attached at Appendix D. The Licensing Committee will receive regular reports regarding licences determined by officers under delegated powers, in order to maintain an overview of the general situation.

34.2 Full details of the Council's Constitution can be found on the Council web site [Council constitution | Three Rivers District Council](#) and the terms and references and the delegation of functions of the Licensing Committee are described in full. In respect of responsibilities under the 2003 Act, the Council has delegated all aspects of licensing under the 2003 Act, other than the approval and publishing of a Licensing Policy Statement that will be approved by full Council. The Council will establish one or more sub-committees, each consisting of three members of the Licensing Committee and chaired by either the Chairman or Vice-Chairman of the Licensing Committee to deal with matters relating to licence for activities in accordance with any regulations made under the 2003 Act.

34.3 Although essentially a matter for Licensing Authorities to determine themselves, the Secretary of State recommends that delegation should be approached in accordance with the Guidance. The Licensing Authority accepts the delegations specified in the Guidance. Where, under the terms of the 2003 Act, there are no representations on an application to the grant of a premises licence or club premises certificate, these matters will be dealt with by officers in order to speed matters through the system. Any such matters delegated in this way will then be listed for information at the next Committee meeting, although there is no opportunity to reverse officers' decisions.

34.4 The full Licensing Committee shall comprise between 10 and 15 elected members, with hearings/reviews of licences taking place before sub-committees made up of three members of the Licensing Committee.

34.5 Members for Sub-Committees will be selected in order that no member will hear an application/appeal/review for a premises located in their own Ward. This is to avoid any perception that any member(s) sitting on a Sub-Committee may be biased towards or against the premises concerned.

34.6 This Policy includes provision for the review, by the Licensing Committee, of any future circumstances where the latent Cumulative Impact Policy may be brought into effect.

34.7 All functions proposed to be delegated to the Sub-Committee, or to officers, can be carried out by the Full Committee.

34.8 In certain circumstances (i.e. during a pandemic and Regulations enacted at such a time) a remote Licensing Committee/Sub-Committee may be required to take place.

Such hearings will comply with the Council's agreed protocols for remote hearings together with any Regulations relevant to remote hearings & the Licensing Act (Hearing) Regulations 2005

35. GLOSSARY OF TERMINOLOGY (AS USED IN THE 2003 ACT)

35.1 A child is defined under the Act as an individual aged under 16. Additionally a child is considered unaccompanied if he or she is not in the company of an individual aged 18 or over.

35.2 HOT FOOD OR HOT DRINK

Food or drink supplied on or from any premises is "hot" for the purposes of Schedule 2 to the 2003 Act if the food or drink, or any part of it:

- i) before it is supplied, is heated on the premises or elsewhere for the purpose of enabling it to be consumed at a temperature above the ambient air temperature and, at the time of supply, is above that temperature, or
- ii) after it is supplied, may be heated on the premises for the purpose of enabling it to be consumed at a temperature above the ambient air temperature.

35.3 LICENSABLE ACTIVITIES AND QUALIFYING CLUB ACTIVITIES are defined in the Licensing Act as:

- the retail sale of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- the provision of regulated entertainment;
- the provision of late-night refreshment.

For those purposes the following licensable activities are also qualifying club activities:

- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption on the premises where the supply takes place;
- the sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place;
- the provision of regulated entertainment where that provision is by or on behalf of a club for members of the club or members of the club and their guests.

35.4 PROVISION OF LATE-NIGHT REFRESHMENT is defined as:

- i) The provision of hot food refreshment or hot drink to members of the public, or a section of the public, on or from any premises, whether for consumption on or off the premises between 11:00 pm and 5:00 am or;
- ii) At any time between those hours when members of the public, or a section of the public, are admitted to any premises, a person supplies, or holds himself willing to supply, hot food or hot drink to any persons, or to persons of a particular description, on or from those premises, whether for consumption on or off the premises.

35.5 REGULATED ENTERTAINMENT is defined as:

- a) A performance of a play;
- b) An exhibition of film;
- c) An indoor sporting event;
- d) A boxing or wrestling entertainment;
- e) A performance of live music;
- f) Any playing of recorded music;
- g) A performance of dance;

h) Entertainment of a similar description to that falling within paragraph e), f) or g) where the entertainment takes place in the presence of an audience and is provided for the purpose, or for purposes which include the purpose, of entertaining that audience. Any reference to an audience includes a reference to spectators. This definition is subject to Part 3 of Schedule 1 to the 2003 Act (interpretation).

35.6 RESPONSIBLE AUTHORITY is defined as:

- i) the Chief Officer of Police for any Police area in which the premises are situated;
- ii) the Fire Authority for any area in which the premises are situated;
- iii) the enforcing authority within the meaning given by section 18 of the Health and Safety at Work etc. Act 1974 for any area in which the premises are situated;
- iv) the local Planning Authority within the meaning given by the Town and Country Planning Act 1990 (c.8) for any area in which the premises are situated;
- v) the local authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health;
- vi) a body which: a) represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the protection of children from harm, and b) is recognised by the Licensing Authority for that area for the purposes of this section as being competent to advise it on such matters.
- vii) the local Weights and Measures Authority;
- viii) any Licensing Authority (other than the relevant Licensing Authority) in whose area part of the premises is situated;
- ix) in relation to a vessel:
 - a) a navigation authority (within the meaning of section 221(1) of the Water Resources Act 1991 (c.57)) having functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is, or is proposed to be, navigated at a time when it is used for licensable activities
 - b) the Environment Agency
 - c) the British Waterways Board, or
 - d) the Secretary of State
 - e) a person prescribed for the purpose of this subsection.
- x) the Licensing Authority;
- xi) the Local Health Body
- xii) Home Office – Immigration Enforcement

35.7 TEMPORARY EVENT is defined as:

The use of premises for one or more of the licensable activities during a period not exceeding 168 hours usually where a premises licence covering the licensable activity is not in place. It is limited to events involving fewer than 500 people.

NOTE Temporary Event Notices (TENs) are limited to

- five temporary event applications per individual applicant per calendar year (1st January to 31st December),
- fifty per calendar year in the case of applicants who are personal licence holders,
- limited to fifteen per premises per calendar year, as long as the total length of events do not exceed a total number of twenty-one days per year, and
- a minimum of twenty-four hours must pass between consecutive Temporary Events on a particular premises.

36. VERSION CONTROL

Version	Date	Effective Date	Reason	Summary
1.0	January 2016	7 January 2016	Review	Full revised Policy
1.1	December 2020	24 February 2021	Review	Adopted revised Policy following Full Council on 23 rd February 2021
1.2	December 2025	25 February 2026	Review	tbc

This Statement of Licensing Policy was adopted by the Council on [tbc] and was published via our website, at [Licensing policies and consultations | Three Rivers District Council](#)

APPENDIX A

DETAILS OF THE APPLICATION PROCESS TO APPLY FOR A PREMISES LICENCE/CLUB PREMISES CERTIFICATE UNDER THE PROVISIONS OF SECTION 17/71 OF THE LICENSING ACT 2003.

(PREMISES LICENCE/CLUB CERTIFICATES)

- All applications must be submitted in electronic format either by way of downloading from our [website](#) and email to the licensing team
- or
- completing the online fillable form and emailing to licensing.team@threerivers.gov.uk

You should note that the forms are prescribed forms issued by the Government. The application form when submitted in paper form must be completed in BLACK INK. Please read any instructions and guidance notes before completing the form.

When submitting your application to Three Rivers District Council (Three Rivers House, Northway, Rickmansworth, WD3 1RL), you must also enclose:

- The appropriate application fee (based upon the rateable value of the premises). Note there is a fee for a Premises Licence/Club Certificate which is payable annually on the anniversary of the granting of the application. Non-payment of this fee will be treated by the Licensing Authority as a serious matter and will result in the suspension of the licence.
- A plan of the premises at a scale of 1:100 which complies with the Regulations.

If sale of alcohol is being applied for, the consent form completed by the proposed Premises Supervisor must also be submitted.

If submitting the application by post/in person you are required to serve a copy of your complete application on the Responsible Authorities:

Three Rivers District - Responsible Authorities under Licensing Act 2003

1. Chief Officer of Police

Police Licensing Officer
Community Safety Unit
Rickmansworth Police Station
Three Rivers House
Northway
Rickmansworth
Hertfordshire
WD3 1RL
Tel.: 01923 472284
Email: hayley.freeman@herts.pnn.police.uk

2. The Fire Authority

Hertfordshire Fire and Rescue Service
Fire Protection
Postal Point MU 103
Mundells
Welwyn Garden City
Hertfordshire
AL7 1FT

Tel: 01707 292496

Email: administration.cfs@hertfordshire.gov.uk

3. Enforcing Authority: Health & Safety at Work etc Act 1974

Environmental Health Officer
Three Rivers District Council
Northway
Rickmansworth
Hertfordshire
WD3 1RL

Tel: 01923 727005

Email: housingandwellbeing@watford.gov.uk

4 Local Planning Authority

Planning Enforcement Team
Three Rivers District Council
Northway
Rickmansworth
Hertfordshire
WD3 1RL

Tel: 01923 727115

Email: planning.enforcement@threeivers.gov.uk

5. Local Authority Officer responsible for the prevention of public nuisance

Environmental Health Residential Standards Section
Three Rivers District Council
Northway
Rickmansworth
Hertfordshire.
WD3 1RL

Tel: 01923 727006

Email: Environmental.Health@threeivers.gov.uk

6. Responsible body for the safeguarding of Children

HSCB Business Manager
Hertfordshire Safeguarding Children Board
Room 127
County Hall
Pegs Lane
Hertford
SG13 8DE

Tel: 01992 588757

Email: admin.hscb@hertfordshire.gov.uk

7. Trading Standards

Chief Trading Standards Officer
FAO Alice Nugent
Hertfordshire Trading Standards
Mundells
Welwyn Garden City
Hertfordshire
AL7 1FT

Tel.: 01707 292429

Email: tradingstandards@hertfordshire.gov.uk

8. Hertfordshire County Council Public Health Team

Public Health
Postal Point SFAR232
Herts County Council
Farnham House
Six Hills Way
Stevenage
Hertfordshire
SG1 2FQ

Email: publichealth@hertfordshire.gov.uk

9. Home Office (Immigration Enforcement)

Alcohol Licensing Team
Lunar House
40 Wellesey Road
Croydon
CR9 2BY

Email: IE.licensing.applications@homeoffice.gov.uk

These must be served on the same day that the application is given to the Licensing Authority.

You are also required to publish a notice in a local newspaper or, if there is none, in a local newsletter, circular or similar document circulating in the vicinity of the premises on at least one occasion during the period of ten working days after the day on which the application was given to the Licensing Authority. The published notice must contain the prescribed information below:

In the cases of an application for a Premises Licence - Section 17, or for a Club Premises Certificate - Section 71, the notices shall contain a statement of the relevant licensable activities or relevant qualifying club activities, as the case may require, which is proposed will be carried on or from the premises.

(i) In the case of an application for a Provisional Statement, the necessary notices:

- a) shall state that representatives are restricted after the issue of a Provisional Statement; and
- b) where known, may state the relevant licensable activities which it is proposed will be carried out on or from the premises.

(ii) In the case of an application to vary a Premises Licence or a Club Premises Certificate, the required notices shall briefly describe the proposed variation.

(iii) In all cases the required notices shall state:

- a) the name of the applicant or club;
- b) the postal address of the premises or club premises, if any; or if there is not postal address for the premises, a description of those premises sufficient to enable the location and extent of the premises to be identified;

Failure to comply with any of the above requirements will mean that your application is not valid and cannot be considered.

Additionally, you are required to display a notice prominently at or on the premises to which the application relates where it can be conveniently read from the exterior of the

premises. This notice must be in the prescribed format on pale blue paper and contain the required information. It must be displayed for a period of no fewer than 28 consecutive days starting on the day after the day on which the application was given to the Licensing Authority.

The Notice on the premises must be:

- (a) of a size equal to or larger than A4;
- (b) of a pale blue colour in the case of variations and new applications and white colour in the case of minor variations
- (c) printed legibly in black, in a font of a size equal to or larger than 16.

In all cases, the notice must be displayed prominently at or on the premises to which the application relates. The notice must be conveniently read from the exterior of the premises, covering a distance exceeding 50m square, a further notice must be displayed in the same form and subjected to the same requirements, every 50m along the external perimeter of the premises abutting any highway.

The Local Authority must also advertise by way of a notice on its website, all applications for the following:

- (a) Premises licences under section 12;
- (b) Provisional statements under section 29;
- (c) Variations of a premises licence under section 34 (except where the only variation sought is the inclusion of an alternative licence condition);
- (d) Club premises certificate under section 71;
- (e) Vary a club premises certificate under section 84.

This notice must remain on the website for a period no less than 28 consecutive days starting on the day after the day on which the application was given to the relevant licensing authority.

MINOR VARIATIONS

Minor variations will generally fall into the following categories:

- i) Minor changes to the structure or layout of a premises;
- ii) Small adjustments to licensing hours;
- iii) The removal of out of date, irrelevant or unenforceable conditions or addition of volunteered conditions; and
- iv) The addition of certain licensable activities.

Applications to reduce licensing hours for the sale of alcohol or to move (without increasing) the licensed hours between 07.00 and 23.00 will be normally classed as minor variations. However variations to:

- i) extend licensing hours for the sale or supply of alcohol for consumption on or off the premises between the hours of 23.00 and 07.00; or
- ii) increase the amount of time on any day during which alcohol may be sold or supplied for consumption on or off the premises are excluded from the minor variations process and must be treated as full variations in all cases.

It is strongly recommended that applicants for variations discuss their proposals with the Licensing Authority to ensure the correct application is made.

VARIATION OF PREMISES LICENCE (DESIGNATED PREMISES SUPERVISOR)

An application to vary a premises licence where there has been a change of the designated premises supervisor must: be in the prescribed form and accompanied by the premises licence; include a form of consent in the prescribed form given by the individual whom the applicant wishes to have specified in the premises licence as the premises

supervisor; include the fee.

A copy of the application and all accompanying documents must also be sent to the Police.

CLUB PREMISES CERTIFICATE

The process of applying to convert a Club Registration to a Club Premises Certificate and / or for variation to that Certificate is similar to that for a Premises Licence except that neither a Designated Premises Supervisor nor a Personal Licence Holder is required, because there is no 'sale of alcohol' involved, only a 'supply' that is managed by or on behalf of the club.

ELECTRONIC APPLICATIONS

In accordance with the EU Services Directive and the Provision of Services Regulations 2009 as currently in force, the Licensing Authority will accept online and electronic applications, however all relevant documents must be supplied together with the appropriate fee. All hard copy applications will be treated in line with the relevant regulations and all applications and relevant documentation must continue to be submitted in their entirety and not in stages to avoid the potential for any errors. This Authority will continue to assist the applicant in correcting any minor factual errors in their applications. However, the Licensing Authority shall not consider errors to fall within this category which, if permitted, could potentially breach relevant regulations nor errors which could result in changes to consultation dates. The interpretation of obvious factual errors shall rest with the Licensing Authority.

APPENDIX B

DETAILS OF VARIOUS ORGANISATIONS, TRADE ASSOCIATIONS AND REFERENCE LITERATURE (Note this is not an exhaustive list)

1. Arts Council England

21 Bloomsbury Street
Bloomsbury
London
WC1B 3HF
Tel: 0161 934 4317
Email: enquiries@artscouncil.org.uk
Web: www.artscouncil.org.uk

2. Restaurant

William Reed Ltd
Broadfield Park
Crawley
West Sussex
RH11 9RT
Web: www.bighospitality.co.uk

3. BBPA - British Beer & Pub Association Market Towers

Ground floor
61 Queen Street
London
EC4R 1EB
Tel: 020 7627 9191
Email: contact@beerandpub.com
Web: www.beerandpub.com

4. British Board of Film Classification

3 Soho Square
London
W1D 3HD
Tel: 020 7440 0299
Email: helpline@bbfc.co.uk
Web: www.bbfc.co.uk

5. British Institute of Inn keeping

Sentinel House
Ancells Business Park
Harvest Crescent
Fleet
GU51 2UZ
Tel: 01276 684449
Email: enquiries@bii.org
Web: www.bii.org

6. Community Safety Partnership

Three Rivers District Council
Three Rivers House
Northway
Rickmansworth
Hertfordshire
WD3 1RL

Shivani Davé
Email: shivani.dave@threerivers.gov.uk
Tel: 01923 776611

7. Trading Standards
Chief Trading Standards Officer
Hertfordshire Trading Standards
Mundells
Welwyn Garden City
Hertfordshire
AL7 1FT
Tel: 01707 292429
Email: hcc.tradstad@hertscc.gov.uk

8. Institute of Acoustics
1974-2020 Silbury Court
406 Silbury Boulevard
Milton Keynes
MK9 2AF Tel: 0300 999 9675
Email: ioa@ioa.org.uk
Web: www.ioa.org.uk

9. Security Industry Authority (SIA)
PO Box 74957
London
E14 1UG
Web: www.sia.homeoffice.gov.uk

10. The Portman Group
201 Borough High Street
London
SE1 1JA
Tel: 07730525701
Email: info@portmangroup.org.uk

11. The Governments Alcohol Strategy
www.gov.uk/government/publications/alcohol-strategy

12. Home Office - Supporting Guidance Pool of Conditions
www.gov.uk/government/publications/pools-of-conditions-supporting-guidance

13. Guidance issued under Section 182 of the 2003 Act
[Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK](http://www.gov.uk/government/publications/revised-guidance-issued-under-section-182-of-the-2003-act)

14. Information Commissioner (ICO) www.ico.org.uk

APPENDIX C

DETAILS OF THE TEMPORARY EVENT NOTICE APPLICATION PROCESS

The Licensing Act 2003 provides for certain occasions when small, occasional events (no more than 499 people at a time and lasting no more than 168 hours) need to be licenced and must submit a Temporary Event Notice (TEN). This is providing that a minimum of 10 working days' notice is given to the Police, Environmental Health Service and Licensing Authority. This does not include the day of the event or the day of submission. A TEN is not considered valid unless the satisfactory form and fee are submitted. TENs must be submitted using the electronic application form on the GOV.UK website.

The aim of aTENs is to minimise the regulatory burden on such events, many of which will be run by community groups. The process involves sending notification of an event, in the form of a TEN, to the Police, Environmental Health Service and Council in whose area the event is being held. This notification must be submitted at least 10 working days before the day on which the event begins. The Council must issue an acknowledgement (if the TEN is valid) by the end of the next working day after receiving it. Hertfordshire Police and Environmental Health Service can object to a TEN if the event is likely to undermine the Licensing Objectives. Where the Police or Environmental Health Service submits an objection to the notice, the Licensing Authority will hold a hearing to consider the objection. Licensing authorities will be given discretion to apply existing licence conditions to a TEN if there are objections from Police or the Council's Environmental Health Service.

Activities that can be covered by a Temporary Event Notice are:

- Provision of regulated entertainment
- Retail sale of alcohol
- The supply of alcohol by or on behalf of a club
- Provision of late-night refreshment

To ensure TENs benefit small events only, they are subject to certain limitations. These are:

- No more than 499 people (including staff/organisers) attending at any one time.
- An individual is limited to giving 5 TENs in a calendar year, unless they are a personal licence holder, in which case they can give 50.
- A limit of 15 temporary event notices may be given in respect of any particular premises in a calendar year. An event may last no longer than 168 hours.
- The maximum aggregate duration of the periods covered by temporary event notices at any individual premises is 21 days.

Organisers of TENs are strongly advised to contact the Licensing Authority, the Environmental Health Service and Hertfordshire Police for advice at the earliest opportunity when planning events, to avoid any unnecessary objections being made that may arise from misunderstandings or confusion as to what is being proposed.

The Licensing Act 2003 allows event organisers to submit up to 10 "late notices" per year if they hold a personal licence and 2 "late notices" if they do not hold a personal licence. These "late notices" can be submitted to the Licensing Authority, Police and the Environmental Health department between 5 and 9 days before the event (not including the day of the event or the day of submission). However, the Secretary of

State's Guidance states that "They should not be used save in exceptional circumstances". It should be noted that, if either the Police or the Council's Environmental Protection team submits an objection to a late notice, the Council will issue a counter-notice prohibiting licensable activities for the duration of the TEN. Due to the time scale of a late notice, there will not be a hearing should a representation be made. Late TENs are included within the maximum allowance for a premises.

It should be noted that giving a Temporary Event Notice does not relieve the premises' user from any requirement, under planning law, for appropriate planning permission where it is required. (Please contact the Planning Department to seek further guidance.)

TEMPORARY EVENT NOTICE CONDITIONS

If the Licensing Authority receives an objection notice from the Police or Environmental Health that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection. The Licensing Committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at a licensed premises, the Licensing Authority may also impose one or more of the existing licence conditions on the TEN (in so far as such conditions are not inconsistent with the event) if it considers it that this is appropriate for the promotion of the Licensing Objectives.

APPENDIX D
DELEGATION OF FUNCTIONS

<u>Matters to be dealt with</u>	<u>Sub Committee</u>	<u>Officers</u>
Application for a Personal Licence	If a police objection	If no objection made
Application for a Personal Licence with unspent convictions	All cases	
Application for premises licence/club premises certificate	If a relevant representation made	In no relevant representation made
Application for provisional statement	If a relevant representation made	In no relevant representation made
Application to vary a premises licence/ club premises certificate	If a relevant representation made	In no relevant representation made
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of a premises licence	If a police objection	All other cases
Applications for interim authorities	If a police objection	All other cases
Application to review a premises licence/club premises certificate	All cases	
Decision on whether a representation is irrelevant, frivolous, vexatious etc.		All cases
Decision to object when a local authority is a consultee and not the relevant authority considering the applicant	All cases	
Determination of an objection to a temporary event notice	All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition	If a police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
Determination of minor variation application		All cases

APPENDIX E

HERTFORDSHIRE FIRE SERVICE GUIDE TO ORGANISED EVENTS

Relevant Conditions for a Premises Licence and details to be accounted for within an Event Management Plan Conditions suggested by Fire Authority, in their role as a responsible authority, deemed appropriate for the promotion of the public safety licensing objective relating to the Licensing Act 2003

- 1.** The premises licence holder will notify the Fire Authority of the dates of each year's event no later than (insert number) calendar months prior to the commencement of the event
- 2.** The premises licence holder will provide draft copies of the Event Management Plan and Risk Assessments to the Fire Authority no later than (insert number) calendar months prior to the commencement of each year's event
- 3.** The premises licence holder will provide a final copy of the Event Management Plan to the Fire Authority no later than six (6) weeks prior to the commencement of the event build-up on site of each year's event. The final Event Management Plan will form part of the premises licence operating schedule conditions for each year's event
- 4.** The premises licence holder will ensure that the Event Management Plan covers the following areas to the complete satisfaction of Fire Authority
 - 4.1** A scaled electronic site plan showing how each part of the area will be used, identification of all structures, access routes and ingress/egress points
 - 4.2** Capacities and evacuation plans for all areas of the event;
 - 4.3** Roles and responsibilities of all key personnel responsible for managing the event, including names, contact telephone numbers and back-up contact details in the event of non-availability
 - 4.4** Risk assessments for all activities relating to public safety, including fire
 - 4.5** Full details of security and stewarding arrangements
 - 4.6** Details of any proposed special effects and the proposed safety arrangements associated with their use;
 - 4.7** Details for managing all traffic and vehicle movements on site, including within parking areas, during the event build-up phase, during the event and during the site breakdown phase;
 - 4.8** Management arrangements for site access and egress, including specific arrangements for emergency services
 - 4.9** Details of any camping and provided sleeping accommodation, in respect of event attendees, staff and volunteers;
 - 4.10** Details of power supplies, including all generators; Provision of artificial lighting, including emergency escape lighting
 - 4.11** Provision of adequate fire-fighting cover including facilities, personnel and water supplies

- 4.12** Technical details for all proposed temporary demountable structures;
- 4.13** Details of all proposed safety barriers and fencing to be erected on site, including the positioning
- 4.14** Relevant independent certification or manufacturers' details to demonstrate that any fabric, or other material, used in the construction of, or in conjunction with, tents, marquees and similar structures, roof coverings, weather protection covers, curtains, drapes, backdrops, scrims and other materials used in, or upon, structures shall be rendered flame resistant to the current applicable British Standard;
- 4.15** Identification of competent persons, including proof of competence, in relation to the construction of structures and the continual monitoring of them during the event;
- 4.16** Details of the proposed maximum occupancy of each area, the method of controlling numbers therein;
- 4.17** An event running order should be made available including times for when artists appear on stage and expected time of completion of set;
- 4.18** Details of a suitable communication network;
- 4.19** Means for giving warning of an emergency, including the initiating and effecting of any evacuation, including from structures;
- 4.20** Provision of adequate emergency exit routes and emergency exits, both within structures and externally, and suitable provision of emergency signage;
- 4.21** The profiles of the performers and the anticipated attendees;
- 4.22** Contingencies for degraded systems.
- 4.23** Contingencies in respect of points 4.1 to 4.22 inclusive above regarding the effects of adverse weather conditions including, but not limited to, wind, rain and heat.
- 5.** In the event that the premises licence holder requires the attendance of a representative from the Fire Authority within the Emergency Liaison Team, other than in the event of an emergency response, the cost of the attendee will be paid by the premises licence holder.
- 6.** If the premises licence holder, due to exceptional or unforeseen circumstances, wishes to make any amendment to the final Event Management Plan (that being the version that forms part of the premises licence operating schedule conditions) that would impact upon any public safety issue covered by conditions 1 to 5 inclusive above, he may only do so with written consent from the Fire Authority.

Joint Protective Services –

Fire Protection, Mundells – MU 103, Welwyn Garden City, Hertfordshire, AL7 1FT

Email – administration.cfs@hertfordshire.gov.uk

Telephone – 01707 292310

APPENDIX F CONTACT DETAILS

For information on this statement of licensing policy, or for informal advice on making an application or whether a particular activity is likely to require authorisation, please contact:

Licensing Team
Three Rivers House
Northway
Rickmansworth
Hertfordshire
WD3 1RL

Email: licensing.team@threerivers.gov.uk

Telephone: 01923 776611*

*Calls will be taken by the Customer Service Team during certain times of the day and passed onto the Licensing Team.

Please note that, due to the complexity of the legislation that governs these activities, we can only give basic advice about which activities do and do not require authorisation, and about application processes.

If you are unsure as to the legality of a particular activity or require more detailed information or advice, we can offer a consultation service or recommend that you consult an independent specialist advisor or a legal representative.

Statement of Licensing Policy 2026 – 2031

As required by the Licensing Act 2003

Date of publication	<i>24 February 2021</i>
Version no.	1.1
Review by date	<i>February 2026</i>
Date of expiry	<i>24 February 2026</i>

Statement of Licensing Policy

2026 - 2031

**As required by the
Licensing Act 2003**



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Statement of Licensing Policy 2026-2031

Statement of Licensing Policy

This Statement of Licensing Policy (“the Policy”) adopted by Three Rivers District Council (“the Council”) has been produced in line with the requirements of Section 5 of the Licensing Act 2003 (as amended) (“the 2003 Act”) having regard to guidance issued by the Secretary of State under Section 182 of the 2003 Act and supplementary legislation. It has been widely consulted upon and will remain in place for a period of not more than 5 years.

It sets out the policies and principles that we will follow when exercising our powers under that Act, particularly in respect of considering applications in respect of licences and other authorisations. It also gives details of our expectations of applicants and licence-holders. This statement must be published on at least one occasion in each five-year period. The statement must also be kept under review during its validity period, and revised if required, with any revisions published prior to taking effect.

This policy has been reviewed and updated to reflect the authority’s experiences in exercising its power since the imposition of the last Policy.

The Licensing Authority may only have regard to matters in respect of the Licensing Objectives and must aim to protect and promote these objectives. These are:

- a) The Prevention of Crime and Disorder
- b) Public Safety
- c) The Prevention of Public Nuisance
- d) The Protection of Children from Harm.

Each objective has equal importance, and they are explained in greater detail later on within the Policy.

The purpose of this statement is to provide guidance to committees and officers determining matters under delegated authority, to provide consistency to our decision-making. However, where the circumstances justify doing so, we may depart from any provision of this statement, or of the Government’s Guidance, to make an appropriate decision based upon the individual circumstances of a particular case. In any such case, we will give a clear explanation and reasons as to why we have done so.

Licensing Applications

Upon receipt of an application, the Licensing Authority will consult the other Responsible Authorities. In considering applications, the Licensing Authority will have regard to the 2003 Act as amended, the Licensing Objectives, Government guidance issued under Section 182 of the 2003 Act, supporting regulations and the amendments to the licensing regime resulting from ancillary and other relevant legislation and regulations. This legislation and regulations will not undermine the rights of any person to make an application under the 2003 Act. Every matter to be determined by the Council, in its role as Licensing Authority, will be considered on its own merits and in accordance with the statutory requirements of the 2003 Act.

Representations

Representations to an application may be made by the Responsible Authorities, local residents, businesses, their representatives or any other person. Representations will only be considered ‘relevant’ if they relate to the effect of the grant of the licence on the

promotion of at least one of the Licensing Objectives. When relevant (and not frivolous or vexatious) representations are received, the Licensing Authority will hold a Licensing Sub-Committee hearing. Licensing Sub-Committee hearings may be held remotely in accordance with the relevant protocols in place by the Council.

The Licensing Authority will seek to encourage direct contact between parties to achieve agreement, through mediation and conciliation but this does not override the right for a responsible authority or person to ask the Licensing Sub-Committee to consider their representation.

Propensity is to grant a licence but failure to illustrate adequate promotion of the Licensing Objectives may lead to refusal. Both applicants and those making a representation have the right to appeal to the Magistrates' Court against decisions of the Licensing Authority.

Personal Licences

Holders of personal licences are responsible for the sale of alcohol on their premises. The Authority recognises that the regulations do not require the holder to be physically present, however, they or the recognised deputy should be ready and easily contactable.

Applications for personal licences will be scrutinised and, should the applicant have unspent relevant convictions, the Authority reserves the right to refuse, suspend or revoke a licence on this basis. There is no longer a requirement to renew a personal licence.

Premises Licences

Operating schedules are to be prepared by an applicant to address the Licensing Objectives. These operating schedules usually translate into licence conditions. If operating schedules do not address the four Licensing Objectives they are likely to attract representations, which may result in additional conditions being imposed at a hearing or refusal of the application. Any premises from which alcohol is sold must have a Designated Premises Supervisor (DPS).

Consulting the Licensing Officer and Responsible Authorities at an early stage is encouraged prior to submitting an application. The Licensing Authority expects applicants to demonstrate regard for the promotion of the Licensing Objectives and demonstrate control measures for each within their operating schedule.

A review of a licence may be held should a Responsible Authority or other person (including residents) trigger a review on an evidentiary basis which is required to be presented to the Licensing Authority.

Live Music, Dancing, Theatre

Only conditions necessary for promoting the Licensing Objectives will be attached to licences of this nature. Live and recorded music are deregulated on alcohol licensed premises between 0800 and 2300 hours provided that the premises is authorised to sell and is actually selling alcohol at the time of the musical entertainment.

There are also a number of deregulated forms of entertainment. These are deregulated between the hours of 0800 and 2300 hours and are dependent upon audience size. Full details are contained within the full statement of Licensing Policy.

Licence Conditions

Licence conditions may be added to a licence to promote the Licensing Objectives, however, the licensing function may not be used to control general nuisance or behaviour once this falls outside the direct control of the individual, club or business holding the licence or certificate. Conditions may not have regard to matters which are controlled by other non-licensing legislation.

Temporary Events

The Licensing Act 2003 provides that Temporary Event Notices (TENs) can temporarily authorise licensable activities upon premises, such as the sale or supply of alcohol, the provision of regulated entertainment or the supply of late-night refreshments which are not already authorised by either a premises licence or a club premises certificate.

Temporary Event Notices (TENs) do not seek permission to carry on licensable activity and do not make application for it. TENs are a system of notification which the s182 guidance confirms is a light touch process.

The Police and the Council's Environmental Health Service are the only bodies that can make representations regarding TENs.

Enforcement and Inspection

The Licensing Authority has joint enforcement protocols with other enforcement agencies and inspections of every licensed premises will be carried out over time in line with these protocols.

FOREWORD

“It has now been 22 years since the implementation of the 2003 Act which brought in sweeping changes in the way that premises are regulated. The 2003 Act has brought new opportunities, enabled greater flexibilities and freedoms to businesses across our district. The importance of licenced premises cannot be underestimated and today more than ever given the COVID-19 pandemic in 2020, we must continue to support them whilst safeguarding our residents.

This review of the Statement of Licensing Policy will set out how the Licensing Authority will approach making licensing decisions during the five year period up to 2031.

The Licensing Authority recognises its key role in dealing with such issues and, by working with our partner organisations, has achieved some notable successes in this area

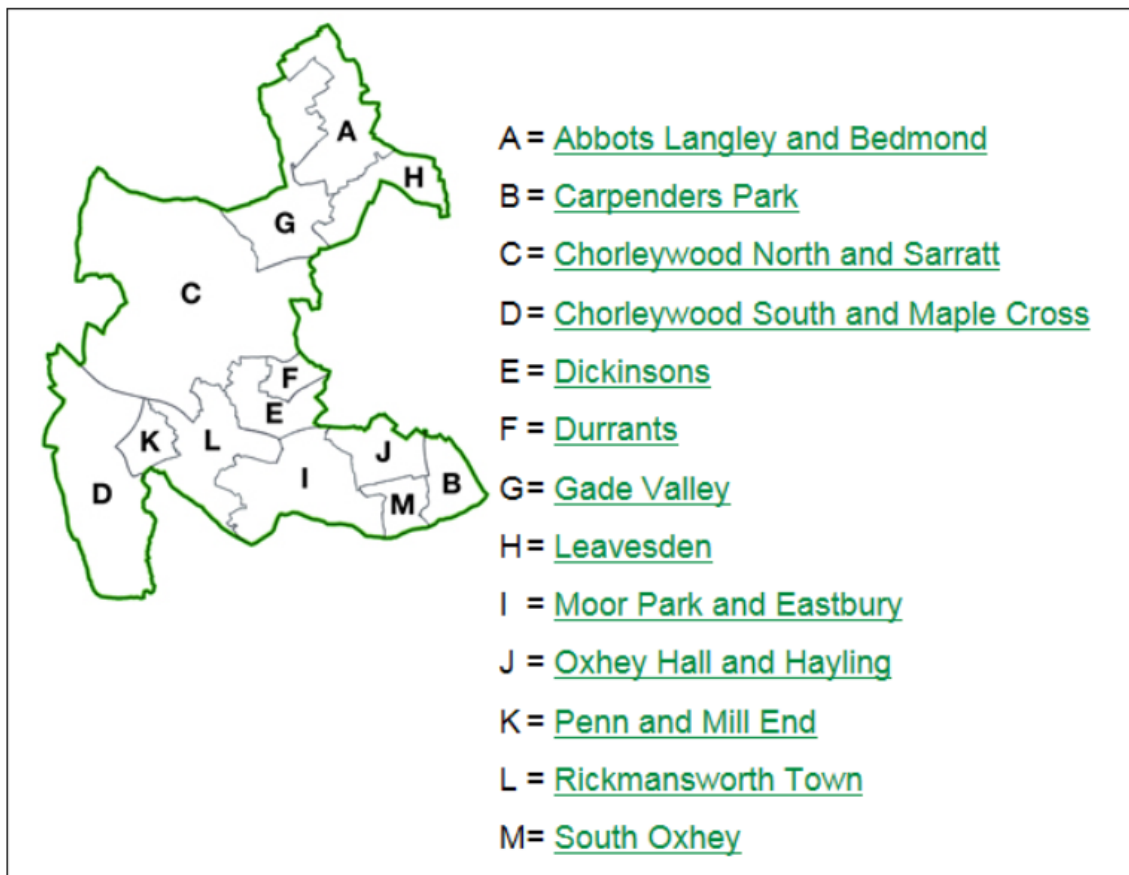
Officers will continue to work closely with the Police, Pubwatch and other well established and emerging partnership approaches to ensure Three Rivers continues to thrive.

This Policy will be kept under regular review, and it will change, as required, to reflect local issues and circumstances.

The Licensing Authority will seek, through the licensing process and the decisions it takes, to make Three Rivers District a safe and welcoming place for people to live, work and visit.”

Councillor Harry Davies, Chair of the Licensing Committee.

THE DISTRICT OF THREE RIVERS



Three Rivers District Council is situated in the county of Hertfordshire, which contains 13 district councils in total.

Three Rivers District covers an area spanning approximately 34 square miles and has approximately 89,500 residents (based upon figures from 2013).

The main populated areas in the district are Rickmansworth, Mill End and Maple Cross, Moor Park and parts of Northwood, Chorleywood, Croxley Green, Abbots Langley and South Oxhey/Carpenders Park.

INTRODUCTION

Three Rivers District Council is the Licensing Authority under the 2003 Act (as amended) and is responsible for granting premises licences, club premises certificates, temporary events notices and personal licences within the district of Three Rivers in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late-night refreshment. The Council currently has approximately 188 licensed premises and 30 club premises certificate holders within the district.

Since the 2003 Act came into effect, it has been subject to a number of amendments.

In this policy the Licensing Authority has outlined matters that it considers to be of particular importance for applicants to consider in preparing an application. Passages of text that are not in bold under the respective heading or sub-heading are provided to assist applicants to understand what the Licensing Authority is seeking to achieve, the factors that influence the achievement of Licensing Objectives and the control measures that could be implemented by the applicant to achieve that outcome.

It should be recognised that this policy covers a wide variety of premises and activities carried on in them including theatres, cinemas, restaurants, pubs, nightclubs, private members' clubs, village halls and community centers, as well as off-licences and late night food premises (including vehicles selling hot food or hot drink after 23:00 hours up until 05:00 hours). For this reason, this policy cannot detail all the factors that influence the achievement of the Licensing Objectives nor can this policy detail all the control measures that may be appropriate. This policy is meant as a guide to the various aspects of applications under the 2003 Act.

While this Licensing Policy sets out a general approach to the making of licensing decisions, it does not ignore nor is it inconsistent with the provisions in the 2003 Act. For example, nothing in our Policy undermines the right of any individual to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its individual merits.

It must be noted that nothing in this Statement of Policy should be regarded or interpreted as an indication that any requirement of law may be over-ridden; each application will be considered and treated on its own merits.

1. FUNDAMENTAL PRINCIPLES

1.1 THE LICENSING OBJECTIVES

In carrying out its licensing functions the Licensing Authority will promote the 2003 Act's four Licensing Objectives, which are:

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

Each of these objectives is to be considered equally. No one objective carries more importance or weight than another.

In considering premises licenses the Licensing Authority must consider the four objectives, the Licensing Policy, the Licensing Act 2003 and the section 182 guidance.

In respect of each of the four Licensing Objectives, applicants will need to provide evidence to the Licensing Authority that suitable and sufficient measures, as detailed in their operating schedule, will be implemented and maintained, relevant to the individual style and characteristics of their premises and events. Reference will need to be made as to whether additional measures will be taken on an occasional or specific basis such as when a special event or promotion is planned, which is intended to, or likely to, attract larger audiences.

1.2 PURPOSE OF LICENSING POLICY

The licensing policy has four main purposes. These are:-

- To support and to provide guidance to elected Members on the Licensing Committee and those who will be making decisions in the capacity as a Local Licensing Authority on the boundaries and power of the Committee;
- To inform licence applicants upon how the Licensing Authority will make licence decisions and therefore how a licensed premises is likely to be able to operate within the Three Rivers district (noting of course that each case must be examined on an individual basis and considered on its own merits);
- To inform residents and businesses upon how the authority will make licence decisions and therefore how their needs will be addressed. This will assist those parties when making representations in relation to various application and
- To support decisions made by the Licensing Authority if these decisions are challenged in the Magistrates' Court. (The Court must have regard to the local policy in deciding appeals).

2. STATEMENT OF LICENSING POLICY

2.1 The 2003 Act requires that the Council publishes a 'Statement of Licensing Policy' that sets out the policies the Licensing Authority will generally apply to promote the Licensing Objectives when making decisions on applications made under the 2003 Act. This Statement of Policy fulfils this requirement.

2.2 In determining the Council's 'Statement of Licensing Policy', it has been prepared and reviewed in accordance with and in regard to the provisions of the 2003 Act and to the Secretary of State's Statutory Guidance (as amended) issued under Section 182 of the 2003 Act. Referring to the Statutory Guidance is important for consistency, particularly where Licensing Authority boundaries meet.

2.3 This Policy Statement took effect on [tbc] and will remain in force for a period of not more than 5 years. It will be subject to regular review and further consultation.

2.4 The Government reserves the right from time to time to update the Regulations and Guidance made under the 2003 Act. In having regard to these changes that may be made by the Government, it is possible that this Policy will need to undergo further interim reviews to take account of and implement any relevant changes.

3. LINKS TO OTHER POLICIES, STRATEGIES AND PLANNING

3.1 In preparing this Statement of Licensing Policy, the Licensing Authority has had regard to and consulted those involved in its local strategies on crime prevention, planning, transport, culture, equality and diversity, tourism and regeneration, to ensure the proper co-ordination and integration of the aims and actions of these strategies. Review and amendment of these strategies will be considered for their impact on this Statement of Licensing Policy.

3.2 Further, arrangements will be made for the Licensing Committee to receive reports, when appropriate, on the needs of the local tourist economy to ensure that these are reflected in their considerations. The Licensing Committee will also be appraised of the local employment situation and the need for new investment and employment, where appropriate.

3.3 To ensure proper integration with the Council's planning policies, the Licensing Committee will provide reports to the Planning Committee, where appropriate, on the situation regarding licensed premises in the area, including the general impact of alcohol-related crime and disorder, to enable the Development Control Committee to have regard to such matters when making its decisions.

3.4 The Council recognises its responsibilities under the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000, the Equality Act 2010, and other related legislation. The impact of this policy on race relations, equality issues and disabled people will be monitored through the Council's equality and diversity policies and strategies, and the Licensing Authority will take these responsibilities into account when dealing with applications.

3.5 The Licensing Authority's Licensing Enforcement Policy, which embodies the principles of the "Regulators' Code" (<https://www.gov.uk/government/publications/regulators-code>), adheres to Crown Prosecution Service (CPS) guidelines, most notably whether formal action is in the public interest'.

3.6 One of the Licensing Objectives is 'the prevention of crime and disorder', so it follows that any conditions attached to licences will, so far as possible, reflect the key priorities arising from the consultation on the community safety strategy.

3.7 It is the Licensing Authority's view that responsible licence holders can significantly contribute towards some community safety aims directly and indirectly, through the

proper management of their premises and by supporting the Police in their efforts to detect crimes and their perpetrators.

3.8 The responsible authorities are key in assisting the Licensing Authority to deliver its licensing service and the Licensing Objectives under the 2003 Act and the policy will develop and foster these relationships. The Licensing Authority will take into account the advice of the local Health Authority via consultation or as part of continuous review of this policy.

3.9 The Licensing Authority will monitor the impact of licensing on the provision of regulated entertainment, live music and dancing. Particular care will be taken to ensure that only necessary, proportionate and reasonable licensing conditions impose restrictions on such events. Where there is any indication that licensing requirements are deterring such events, the policy will be re-visited with a view to investigating how the situation might be reversed.

3.10 The Licensing Authority expects applicants to obtain all other required permissions and consents necessary (such as planning permission and building control approval). The obtaining of such permissions and consents will not be a pre-requirement for the granting of any licence under the 2003 Act. Applicants should be aware that planning permission may impose more rigorous or less permissive restrictions than those granted by the Licensing Authority. Where this is the case, the licence holder cannot use as a defence in any proceedings brought by another agency that he/she was permitted to open, or carry on the activity, by virtue of a premises licence or club premises certificate. In terms of complying with the law, all provisions must be complied with at all times, to avoid risk of prosecution.

4. CONSULTATION

4.1 There are a number of groups who have a stake in the leisure industry, including providers, customers, residents and enforcers, all of whom have views and concerns that require consideration as part of the licensing function and promotion of the Licensing Objectives.

4.2 In developing this Policy Statement, the Licensing Authority consulted widely. Along with the statutory consultees (including the Chief Police Officer for the District, the Hertfordshire County Fire and Rescue Service and persons/bodies representative of existing licence holders) the views of Town and Parish Councils were also sought. Due consideration was given to the views of all those who responded to the consultation process.

5. APPLICATIONS

5.1 Three Rivers District Council will upon receipt of a premises application, new, variation and minor variation consult with responsible authorities (Appendix A) namely:

- The Chief Officer of Police
- The Fire Authority
- The relevant enforcing authority under Health & Safety at Work etc Act 1974
- TRDC Local Planning Authority
- TRDC Environmental Health department for the prevention of public nuisance
- Responsible body for the safeguarding of Children - Child Protection Authority
- Hertfordshire Trading Standards
- Hertfordshire Public Health

- The Licensing Authority
- Home Office Immigration Enforcement

5.2 When considering applications, the Licensing Authority will have regard to:-

- (a) The 2003 Act, as amended and the Licensing Objectives.
- (b) Government guidance issued under Section 182 of the 2003 Act, as amended.
- (c) Any supporting regulations.
- (d) This Statement of Licensing Policy.
- (e) Amendments to the licensing regime brought about by such legislation as:
 - The Police Reform and Social Responsibility Act 2011;
 - The Live Music Act 2012;
 - The Police and Crime Act 2009;
 - The Deregulation Act 2015;
 - The Policing and Crime Act 2017
 - The Coronavirus Act 2020 and related enactments;
 - Various regulations as published or as may be enacted from time to time.

This does not, however, undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have the application considered on its individual merits, nor does it override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act.

5.3 When the Licensing Authority is considering any application, it will avoid duplication with other regulatory regimes, so far as possible, and does not intend to use the licensing regime to achieve outcomes that can be achieved by other legislation. For example, legislation governing health and safety at work and fire safety places a range of general and specific duties on employers and operators of venues both in respect of employees and of the public when on the premises in question. Similarly, many aspects of fire safety will be covered by existing and future legislation. In particular, its licensing functions will be discharged separately from the Authority's functions as the Local Planning Authority. However, applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned. (Other permissions may be applicable to licensed premises and applicants are expected to ensure that such permissions are obtained where necessary).

5.4 When one part of the Council seeks a premises licence from the Licensing Authority, the Licensing Committee and its officers will consider the matter from an entirely neutral standpoint. If relevant representations are made, for example, by local residents or the Police, they will be considered fairly by the committee. Those making representations that are aggrieved by a positive decision in favour of a Local Authority application by the Licensing Authority will be entitled to appeal to the Magistrates' Court and thereby receive an independent review of any decision made.

5.5 In all cases, applicants and those making representations in respect of applications to the Licensing Authority have a right to appeal to the Magistrates' Court against the decisions of the Licensing Authority.

5.6 Appendix A provides applicants with the details of the application process, having regard to the 2003 Act, as amended, the regulations, statutory guidance and local practice and procedures. It should be noted that an incomplete or incorrect application will not be accepted but will be returned with an explanation of why it is incomplete or incorrect.

An application will only be deemed to be properly served if it has been given as follows:-

(a) Has been sent to the Licensing Authority by electronic means (to licensing.team@threerivers.gov.uk; or

(b) Has been submitted electronically via Gov.uk website; or

(c) Paper application will only be accepted if there are no other means to submit the application electronically. The applicant MUST have exhausted all avenues and attempted to submit their application electronically. The Council reserves the right to refuse to accept paper applications in exceptional circumstances such as;

- A pandemic
- Closure of the Council offices

The Council will send copies of the application to all the responsible authorities on behalf of the applicant in the case of electronic submissions.

Should the applicant submit a hard copy of their application it will be their responsibility to send a copy to all the responsible authorities.

5.7 It must be noted that, upon the grant of a premises licence or club premises certificate application, an annual fee will be payable on the first anniversary of the grant of the premises licence or club certificate and every year subsequently thereafter until such time as the licence is surrendered or revoked or if the licence lapses. Failure to pay within the respected timeframe may result in suspension of the licence or certificate under the 2003 Act.

6. REPRESENTATIONS

6.1 The Chief Officer of Police, the Fire and Rescue Authority, the Enforcing Authority for health and safety purposes, the Local Planning Authority, the authority responsible for Environmental Health (Noise and Pollution), Trading Standards, Child Protection Authority, The Director of Public Health in England, Home Office Immigration Enforcement and the Licensing Authority are all known as 'Responsible Authorities'. These responsible authorities may make representations on applications, so far as they relate to the promotion of the four Licensing Objectives, and can request reviews once licences have been granted.

6.2 Local residents and businesses in the vicinity of the premises subject to the application, or their representatives, or any other person, are free to raise relevant representations. Members of the Licensing Authority may also make representations.

6.3 A representation would only be 'relevant' if it relates to the effect on at least one of the licensing objectives, relates to the application under consideration and is received within the relevant timescales. In addition, the representation must not be frivolous or vexatious, and in the case of reviews not repetitious.

- a frivolous representation can be categorised by a lack of seriousness or concerning very minor issues which would not warrant any steps being taken
- a vexatious representation arises where it is intended to cause aggravation or annoyance to another person or business without any justification (e.g. disputes between rival businesses).

It is only when relevant representations are received that the Licensing Authority may hold a hearing. Whilst there is a propensity to grant a application, failure to illustrate that the Licensing Objectives will be adequately promoted may lead to refusal. If granting the application, the Licensing Authority will pay particular attention at a hearing on whether

to impose extra conditions in addition to any that may already be included in the operating schedule with a view to promoting the Licensing Objectives.

Where no representations are received, the application must be granted on the terms sought by the applicant.

6.4 Nothing in our Policy will override the right of any relevant person or body to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act. (A review means to make a complaint that a premises is not adhering to its licence conditions or is causing problems locally which contravene one or more of the four Licensing Objectives).

6.5 Conditions attached to various licences will be focused on matters which are within the control of individual licence holders and others granted relevant authorisations. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places. Whether or not incidents can be regarded as being in the 'vicinity' of licensed premises or places is a question of fact and will depend on the particular circumstances of each case.

6.6 In cases of dispute, both applicants and those making representation in respect of applications to the Licensing Authority have a right of appeal to the Magistrates' Court against the decisions of the Licensing Authority.

This does not however undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have the application considered on its individual merits, nor does it override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act.

6.7 The Licensing Authority will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned. Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are away from the premises and is, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless licensing law is key to providing a holistic approach to the management of the evening and night-time economies of town centres.

The expectation is that licensed premises will take responsibility for managing the quiet dispersal of their customers to the best of their ability.

Conditions in respect of public safety will only be attached to premises licences and club premises certificates that are necessary for the promotion of that licensing objective. Conditions will not be considered necessary when they relate to issues covered by other legislation. Where no such legislation exists, licence conditions will be used as appropriate.

6.8 MEDIATION

Where a responsible authority or another person (such as a member of the public, local resident or residents' association) has made a valid representation regarding an application or for a licence to be reviewed, the Licensing Authority will seek to encourage direct contact between the parties to try and achieve agreement. This process will not override the right of any responsible authority or other person to ask that the Licensing Sub-Committee consider a valid representation. Furthermore, this process will not undermine the rights of others under data protection law.

6.9 MAKING A REPRESENTATION

Any person can make relevant representations about any application for a new licence or variations to a licence. Specifically, representations for an application may be made by the responsible authorities, experts and by local residents and businesses.

Representations that are deemed by the Council as being vexatious or frivolous will not be accepted.

The Council has provided a simple guide to making licensing representations which is available to view and download from the council's website.

Representations must take into account the four Licensing Objectives in the 2003 Act and must be demonstrated based upon the individual premises concerned and in relation to the likely effect of the application on these objectives. The Council will expect examples to be given and will not consider applications that list the Licensing Objectives without demonstrating cause behind this. Irrelevant representations cannot be accepted.

A representation may only be accepted should the objector provide their name and address which will be made available to the applicant, although the Council may, in exceptional circumstances, allow objections with anonymity should there be significant concern for the person making said representation as a result of a genuine and well-founded fear of intimidation or threat of violence.

Representations must be made by midnight on the final day of the consultation period, 28 days starting from the date the application is submitted to the local licensing authority in the case of a new premises licence or club premises certificate or variation of such licence or certificate. The consultation period in the case of minor variations is 10 working days starting from the date the application is submitted to the local licensing authority.

The Council holds the right to start over the consultation period should the statutory process be jeopardized if an advertisement has not been displayed in the paper at all or within the specified time period of the required notice has not been displayed in the prescribed manner on or at the premises at all, or for the specified 28 consecutive days. The 28-day consultation process is so that all responsible authorities and other persons are given the right to make a representation.

In matters where consultation is disputed, if it is evident that a number of people are aware of the application by volume of representations received then, the benefit of the doubt may be given to the applicant.

7. PARTNERSHIP WORKING

The Licensing Authority will encourage local Pubwatch schemes in Three Rivers; Pubwatch is a voluntary body with the key aim of achieving a safe, secure, social drinking environment in all licensed premises that are committed to helping reduce drink-related crime.

The Licensing Authority is committed to empowering local community action and meeting the needs of its communities through close partnership working with others. The Licensing Authority recognises that licensed entertainment can provide a valuable contribution towards the economy of the district and seeks to balance the needs of the local business holders and licensees, whilst protecting those of residents.

8. PERSONAL LICENCES

8.1 The Licensing Authority will scrutinise applicants for personal licences very carefully who are found to have unspent convictions for relevant offences and will, in all cases, notify the Chief Officer of Police for the area, as prescribed by the 2003 Act. The Authority reserves the right to refuse a licence, suspend a licence or revoke a licence on this basis. Consideration will also be given to the Immigration Act 2016 and all applicants will be required to provide details of their right to work in the UK by means of;

- Valid UK passport

Right to work share code or eligible immigration documents

8.2 The Licensing Authority recognises that the holders of personal licences are responsible in law for authorising the sale of alcohol in accordance with a premises licence. The 2003 Act and the Licensing Regulations do not require the holder of the personal licence to be physically present on the premises during the hours that alcohol is to be sold but the holder, or recognised deputy, should be readily and easily contactable.

8.3 Should it be necessary to do so following any investigation into problem premises, an action plan or review of conditions may be imposed around personal licence holders' presence on premises.

8.4 The Licensing Authority also recognises that there are a number of qualifications to help licence holders understand and meet the Licensing Objectives. The Act requires all applicants for a personal licence to obtain such qualifications prior to applying for a personal licence. The Authority reserves the right to request further training or qualifications as deemed required following the outcome of an investigation into a problematic premises.

8.5 The Licensing Authority expects that, where retail sales of alcohol are to be allowed, licence holders observe and comply with the Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. Retailers should ensure that they are able to receive and comply with Retailer Alert Bulletins issued by the Portman Group, available from: advice@portmangroup.org.uk

8.6 In view of the Deregulation Act 2015, the Licensing Authority no longer requires a holder of a Personal Licence to renew their licence but the Authority expects that the licence card must hold a true likeness to the licensed individual. Under the 2003 Act, licence holders are required to notify the Licensing Authority as soon as reasonably practicable of any change in their name or address as well as if they are convicted of any relevant offence(s).

8.7 The Policing & Crime Act 2017 gave Licensing Authorities the power to revoke or suspend licences with effect from 6 April 2017 as a discretionary power. The Licensing Authority may therefore, when made aware that a holder of a Personal Licence has been convicted of a relevant or foreign offence or immigration penalty, determine to revoke or suspend the licence. Should the Licensing Authority choose to use this power, the process that must be undertaken is set out at section 132A of the Licensing Act 2003.

9. PRE APPLICATION

9.1 Prior to submitting an application, applicants may wish to consider the following when drafting their operating schedule in order to demonstrate how they intend to uphold the four licensing objectives:

- a) the steps to prevent noise and vibration escaping from the premises, including music; noise from ventilation equipment, and human voices. Such measures may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices. Please note that where relevant representations have been made, a condition may be imposed requiring the assessment by the applicant, of potential noise sources which could cause disturbance to those in the vicinity and the identification and installation of appropriate control measures;
- b) the steps to prevent disturbance by customers arriving at or leaving the premises. This will be of greater importance between 23:00 hours and 07:00 hours than at other times of the day;
- c) the steps to prevent queuing (either by pedestrian or vehicular traffic). If some queuing is inevitable then queues could be diverted away from neighbouring premises or be otherwise managed to prevent disturbance or obstruction;
- d) the steps to ensure staff and patrons leave the premises quietly;
- e) whether licensed taxis or private hire vehicles are likely to disturb local residents;
- f) the installation of any special measures where licensed premises are or are proposed to be located near sensitive premises such as nursing homes, hospitals, hospices, places of worship, residential dwellings;
- g) the use of gardens and other open-air areas;
- h) delivery and collection areas and times at the premises;
- i) the siting of external lighting, including security lighting that is installed inappropriately;
- j) steps to minimise the impact of increased refuse storage or disposal problems, or additional litter (including fly posters and illegal placards) in the vicinity of the premises;
- k) any previous nuisance complaints or representations against the premises;
- l) steps taken to reduce litter (e.g. bottles, cans) in the immediate vicinity of the premises.

9.2 Applicants only need to consider those measures they feel are appropriate to their premises and locality. Conditions will only be attached to a licence which are consistent with their operating schedule unless representations are received and additional conditions are considered appropriate.

9.3 Three Rivers District Council licensing department has introduced a pre-application service which allows prospective applicants to seek advice and assistance from the Licensing Authority in relation to submitting the following types of applications:

- Applications for new premises licences/club premises certificates
- Applications for full/minor variations of premises licences/club premises certificates
- Applications to transfer premises licences

This service does not constitute legal advice and does not guarantee a licence/club

premises certificate will be granted nor does it prevent a responsible authority or any other interested party from objecting to the application. No guarantee can be given about the decision that will be made in relation to applications. The final decision regarding any application is made either under delegated authority (after the application has been subject to a consultation period if required), or by councillors if any valid objections are received during the consultation period (where applicable).

It is highly recommended that prospective applicants seek advice from an licensing expert or legal advisor.

Applicants should also consult the Home Office Section 182 Guidance of the 2003 Act: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

9.4 It is highly recommended that applicants describe the steps they take to promote the objectives as if they do not and the responsible authority for one of those objectives consider that the applicant must do more then, they will have grounds to make a representation'

9.5 Where an applicant has listed additional steps within the Operating Schedule these will normally translate into licence conditions. Careful thought must be given to these steps as the conditions must be achievable, realistic, appropriate, proportionate and within your control.

9.6 Applicants for new premises licences and those seeking variations to existing premises licences will be strongly advised to consult at the earliest opportunity with the Licensing Authority's licensing officers and the various other appropriate responsible authorities (e.g. Police, Fire & Rescue, and Environmental Health). This will provide an opportunity for the responsible authorities to comment on aspects of the Operating Schedule that they may feel are likely to give rise to objections, either from themselves as a statutory consultee to applications or, alternatively, from the public. Given this opportunity, the authorities may then be able to prevent such objections being raised, which is likely to be to the mutual advantage of both the applicant and the Licensing Authority.

10. DESIGNATED PREMISES SUPERVISOR (DPS)

10.1 Within the operating schedule for premises from which alcohol will be sold, with the exception of qualifying community premises, an individual must be designated ('Designated Premises Supervisor') and such person must be in possession of a current personal licence. The Licensing Authority will normally expect the Designated Premises Supervisor to have an active role in the day-to-day operation of the premises and, whilst they are not required to be on site at all time, they should normally be present on the licensed premises on a regular basis.

10.2 In addition to the DPS holding a personal licence, the Licensing Authority would strongly encourage the DPS to undergo additional training and to have experience within the nature and style of entertainment provided and the capacity of the premises.

10.3 The 2003 Act does not require a DPS or any other Personal Licence Holder to be present on the premises at all times when alcohol is sold. However, the DPS and the Premises Licence Holder remain responsible for the premises at all times and have a duty to comply with the terms of the Licensing Act and any conditions, including the matters set out in the premises' Operating Schedule, in order to promote the Licensing

Objectives. To that end, the Licensing Authority will be mindful of the Guidance issued by the Secretary of State, which recommends that a Personal Licence Holder/DPS gives specific written authorisations to those individuals they are authorising to retail alcohol.

10.4 Although written authorisation is not a requirement of the 2003 Act and the Designated Premises Supervisor/Personal Licence Holder remain ultimately responsible for ensuring compliance with the 2003 Act and licensing conditions, this action could assist in demonstrating due diligence should any issues arise with regard to enforcement. The Licensing Authority will therefore expect that, where the Personal Licence Holder/DPS does not have the premises under their immediate day to day control, written authorisations will be issued to staff acting on their behalf, such authorisations being made available for inspection by a responsible officer of the Licensing Authority or the Police upon request.

11. LIVE MUSIC, DANCING AND THEATRE

The Licensing Authority proposes that only conditions necessary for the promotion of the Licensing Objectives will be attached to licences for activities of this nature. The Licensing Authority is aware of the need to avoid measures imposing indirect costs of a substantial nature that deters live music, dancing and theatre. Many events which consist solely of these activities will now fall outside of licensing requirements, following deregulation on 1 October 2012.

11.1 LIVE MUSIC ACT 2012

Under the 2003 Act, a licence is not required to stage a performance of live music, or the playing of recorded music if:

- it takes place between 8AM and 11PM; and
- it takes place at an alcohol on-licensed premises; and
- the audience is no more than 500 people

A licence is also not required:

- to put on unamplified live music at any place between the same hours; or
- to put on amplified live music at a workplace between the same hours and provided the audience is no more than 500 people.

The Authority reserves the right to work with its partners and act on evidence as appropriate in cases of noise nuisance and those in which other aspects of the Licensing Objectives are in jeopardy in order to secure exemption orders from the privileges secured under the Deregulation Act.

12. DEREGULATION OF ENTERTAINMENT

12.1 In 2012 the Government introduced further changes to the 2003 Act. One such change is the deregulation of Schedule 1. In 2012, the Government launched a consultation on the deregulation of most entertainment activities that require a licence under the 2003 Act. As a result of this, the following activities are no longer licensable between the hours of 8am and 11pm;

- Performances of plays for an audience of no more than 500 people;
- Performances of dance for an audience of no more than 500 people;
- Films that are 'not-for-profit' and held in a community premises for an audience of no more than 500 people (where the organiser has consent from the person responsible for the premises and as long as the screening abides by age classification ratings)
- Indoor sporting event for an audience of no more than 1000 people;

- Boxing and Wrestling entertainment – a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling for an audience of no more than 1000 people

12.2 Note that Combined Fighting Sports and Adult Entertainment remains a licensable activity irrespective of audience numbers and the time of the event.

There are also certain exemptions in relation to community venues such as council-run halls, schools, hospitals and nurseries.

13. THE NEED FOR LICENSED PREMISES

There can be confusion about the difference between “need” and the “cumulative impact” of premises on the Licensing Objectives. “Need” concerns the commercial demand for another pub or restaurant or hotel. This is not a matter for a Licensing Authority in discharging its licensing functions or for its Statement of Licensing Policy.

14 CUMULATIVE IMPACT OF A CONCENTRATION OF LICENSED PREMISES

14.1 Cumulative impact is the term used to describe the impact, potential or actual, of a large number of licensed premises concentrated in a single locality. In terms of the licensing objectives, this may be evidenced by an increase in incidents of crime, disorder or public nuisance, over and above the impact of the individual premises themselves.

14.2 The cumulative impact of licensed premises on the promotion of any of the licensing objectives is a matter that the Licensing Authority can take into account in determining its licensing policy. This should not, however, be confused with any question of ‘need’ which relates to the commercial demand for a particular type of premises (for example, a pub, restaurant or hotel). The issue of ‘need’ is a matter for market forces to influence and for the planning authority to regulate and so does not form part of this policy statement.

14.3 The Licensing Authority will not seek to introduce quotas of licensed premises, nor will it seek to impose general limitations on trading hours in particular areas. Instead, consideration will be given to the individual characteristics of the premises concerned within a given area. It is recognised that a wide variety of venues sell alcohol, serve food and provide entertainment, but with contrasting styles and characteristics. Proper regard will be had to those differences and the impact they are likely to have on the local community.

14.4 The Licensing Authority notes that, in accordance with the Guidance, it may adopt a special policy in response to a cumulative impact issue in a defined area. Consideration of such a policy may be prompted by submissions from responsible authorities or other persons, evidenced appropriately and linked to one or more of the licensing objectives. Where such a policy has been adopted, the issue of cumulative impact can be taken into account when considering the individual merits of any application within the area defined within that policy. Further details regarding this power are given in the special licensing policies section of this Statement.

14.5 When dealing with cumulative impact issues, the Licensing Authority recognises that, as well as licensing functions, there are a number of other mechanisms for addressing issues of nuisance, disorder and anti-social behaviour occurring away from licensed premises. These may include:-

- planning controls;
- measures to provide a safer and cleaner environment in partnership with local businesses, transport operators and other departments of the Council;

- the provision of CCTV surveillance in town centers, taxi ranks, street cleaning and litter patrols;
- powers for a local authority to protect public spaces from the effects of anti-social consumption of alcohol, enabling police and accredited persons to confiscate alcohol;
- enforcement of the law relating to disorder and anti-social behaviour, including the issue of fixed penalty notices or other sanctions under the Anti-Social Behaviour, Crime and Policing Act 2014;
- the prosecution of any personal licence holder or member of staff at licensed premises who is selling alcohol to children or people who are drunk;
- powers to close down instantly any premises or temporary event on grounds of disorder, the likelihood of disorder or noise emanating from premises causing a nuisance;
- the power for responsible authorities or other persons to apply for a review of a premises licence or club premises certificate; or
- other local initiatives that similarly address these problems.

15. CUMULATIVE IMPACT ASSESSMENT

15.1 The authority may adopt a special policy, known as a cumulative impact policy, if it is satisfied that there is an adverse impact on one or more of the licensing objectives as a result of a significant number of licensed premises being concentrated in a defined locality. The effect of this impact will be, for example, a spike in incidents of crime, disorder or nuisance over and above what can be attributed to the operation of the individual premises.

15.2 By adopting a cumulative impact policy, a Licensing Authority creates a rebuttable presumption that future licence applications for premises within the area defined in the policy will be refused, unless applicants can demonstrate conclusively that their proposals will not adversely affect the issues being experienced. Policies may relate to any licensable activity, although the supply of alcohol is the most common subject of policies adopted nationwide.

15.3 Where a cumulative impact policy is adopted, the Licensing Authority's discretion to consider the rejection of an application is only engaged upon the receipt of relevant representations. In the absence of such representations, the duty to grant a licence in the terms applied for remains unchanged.

15.4 In determining whether to adopt a special policy for a particular area the Licensing Authority will:

- identify evidence of concerns about relating to a licensing objective;
- consider whether the evidence demonstrates that a cumulative impact caused by the customers of multiple licensed premises is adversely affecting a licensing objective;
- identify the precise area(s) where issues are occurring;
- undertake a public consultation on the proposed policy; and
- include and publish details of any special policy within this policy statement.

15.5 Having considered the available evidence, the Licensing Authority considers that there is no particular part of Three Rivers district experiencing cumulative impact on the promotion of any of the licensing objectives, at the present time, which would warrant the introduction of a cumulative impact policy.

15.6 The Licensing Authority will continue to monitor the entirety of the district for issues relating to cumulative impact, in conjunction with the responsible authorities and other members of the Three Rivers Community Safety Partnership. Should evidence of a cumulative impact issue emerge during the validity of this policy, the Licensing Authority may look to adopt a cumulative impact policy by way of an interim revision.

16. ADVICE AND GUIDANCE

16.1 The Licensing Authority recognises the valuable cultural, social and business importance that premises and events requiring a licence under the 2003 Act, as amended, provides and welcomes the diversity of activities that are provided by licence holders. In respect of new businesses and developments involving licensable activities, the Licensing Authority welcomes an early opportunity to offer advice and guidance whether before or after planning permission has been sought. At this stage, it is often easier and more cost effective to integrate issues such as crime and disorder, transport and public safety into the early design stages. With regard to existing businesses, discussions prior to submitting an application under the 2003 Act will be encouraged to assist applicants to develop their operating schedule. The Licensing Authority, Hertfordshire Police and/or Hertfordshire County Fire and Rescue Service will offer as much advice and guidance to applicants as resources permit.

16.2 The Licensing Authority will also seek to liaise with applicants, and/or mediate between applicants and others who may make representations, to achieve a satisfactory outcome for all involved, wherever possible and where resources permit. Where an applicant considers that mediation and liaison may be likely or probable, it is recommended that the applicant discuss his or her proposal with the Licensing Authority and those from whom they think representations are likely prior to submitting their application. Once an application has been lodged, there are statutory timescales imposed upon the application and determination process, which restrict the opportunity for such discussions, liaison and mediation.

Appendix B provides details of various organisations, trade associations and reference literature that an applicant may find useful in preparing an operating schedule and running a safe premises/event.

17. REVIEWS

17.1 Where possible and appropriate, the Licensing Authority, Hertfordshire Police and/or Hertfordshire County Fire and Rescue Service will give early warning to licence holders of any concerns about problems identified at premises and of the need for improvement.

Responsible authorities and/or interested parties living in the vicinity can trigger a review of a premises licence but an evidentiary basis would be required to be presented to the Licensing Authority.

17.2 No more than one review from interested parties will normally be permitted within any 12-month period on similar grounds except in exceptional and compelling circumstances.

18. TRADING HOURS

18.1 With regard to trading hours, the Licensing Authority proposes that proper consideration will always be given to the individual merits of an application. The Government strongly recommends that statements of licensing policy should recognise that longer licensing hours with regard to the sale of alcohol are important to ensure that concentrations of customers leaving premises simultaneously are avoided, and the Licensing Authority supports this view in principle.

18.2 The Licensing Authority recognises the potential for additional crime and disorder and/or public nuisance arising from extended licensing hours. Consequently, the Licensing Authority will scrutinise very carefully applications for extended licensing hours and, if determined appropriate, will seek to attach any necessary licence conditions for the promotion of the Licensing Objectives. For example, stricter conditions with regard to noise control will be expected in areas where the venue is in the vicinity of people's homes, but this should not unduly limit opening hours without regard to the individual merits of any application.

18.3 With regard to shops, stores and supermarkets, the authority will normally approve a licence for such premises to provide sales of alcohol for consumption off the premises at any time when the retail outlet is open for shopping, unless there is good reason for restricting those hours.

18.4 In the interests of reducing crime, disorder and anti-social behaviour, the Licensing Authority will prefer that applications from public houses, night-clubs, off-licenses and clubs show in their operating schedules a responsible approach to alcohol sales by:

- ending alcohol sales at a designated time before they close, i.e. a closing time later than "a last orders" time for alcohol sales;
- specifying a time by which the premises will be emptied of patrons and closed;
- not taking part in discounted drinking promotions.
- how the premises intends to use their outside space (beer garden) and what measures will be put in place to minimise noise nuisance to the local residents. This may be by way of regular patrols of the perimeter of the premises and all checks documented in incident logbook.

19. PROMOTING THE LICENSING OBJECTIVES

19.1 The following sections set out the Licensing Authority's Policy relating specifically to the four Licensing Objectives:

- (a) The Prevention of Crime and Disorder
- (b) Public Safety
- (c) The Prevention of Public Nuisance
- (d) The Protection of Children from Harm.

19.2 In each section relating to the objectives, the Licensing Authority has defined its intended outcome (in bold type). Each section then lists the influencing factors on the achievement of that objective but, because of the wide variety of premises and activities to which this policy applies, the lists provided are not exhaustive. Applicants should know their premises best and will be expected to address all aspects relevant to the individual style and characteristics of their premises and events.

Further, in each section, a list of possible control measures is provided to be of assistance to applicants but again is not intended to be an exhaustive list. Many control measures achieve more than one objective but have not necessarily been listed under each objective. Similarly, applicants will not be required to mention a control measure more than once in their operating schedule.

19.3 The selection of control measures, referred to in the above, should be based upon a risk assessment of the premises, events, activities and the customers expected to attend (e.g. their age, number, etc.). Whilst the Licensing Authority cannot require such risk assessments to be documented, (other than where required by other legislation), it considers such documentation to be good practice and a useful tool in the instruction and training of staff, as well as a sound basis for review by the licence holder, in the event of him/her wishing to make application for variation or in response to changing circumstances/conditions at the premises.

Additional measures may be necessary on an occasional or specific basis such as when a special event (e.g. popular live band) or promotion (e.g. during major sporting occasions) is planned, which is intended to, or likely to, attract larger audiences and/or audiences of a different nature, and which can have a significant impact on the achievement of the Licensing Objectives. Reference must be made to an applicant's operating schedule, where applicable, for such occasions and the additional measures that are planned in order to achieve the Licensing Objectives.

19.4 The Licensing Authority considers the effective and responsible management of the premises, instruction, training and supervision of staff and the adoption of best practice to be amongst the most essential control measures for the achievement of all the Licensing Objectives. For this reason, these elements should be specifically considered and addressed within an applicant's operating schedule.

19.5 In addition, the occupancy capacity for premises, and events as appropriate, is also considered to be an essential factor in the achievement of the four Licensing Objectives, (except in respect of premises licensed exclusively for the consumption of food and/or alcohol off the premises). The Licensing Authority expects the issue of occupancy capacity to be considered and addressed, where necessary, within an applicant's operating schedule and, in most instances, will agree a maximum occupancy capacity, based on the applicant's assessment within their operating schedule.

19.6 The design and layout of premises are important in determining capacity, as is the availability and size of exits within recommended travel distances. Other factors should also be considered when assessing the appropriate capacity for premises or events. These include: -

- (a) The nature of the premises or event;
- (b) The nature of the licensable activities being provided;
- (c) The provision or removal of such items as temporary structures, such as a stage, or furniture;
- (d) The number of staff available to supervise customers both ordinarily and in the event of an emergency;
- (e) The age of the customers;
- (f) The attendance by customers with disabilities, or whose first language is not English;
- (g) The availability of suitable and sufficient toilet facilities;
- (h) The nature and provision of facilities for ventilation.

19.7 The Licensing Authority will consider applications for minor variations to premises licences, provided that the Authority is satisfied that the variation will not adversely impact on the Licensing Objectives and the Licensing Authority will consult with Responsible Authorities whom they deem necessary to make such assessment.

19.8 The agreement to a capacity for premises or events should not be interpreted as a requirement to also provide permanent monitoring arrangements such as door staff, attendance clickers or maintenance of attendance records. The Licensing Authority recognises that the person in charge of the premises can often readily assess the occupancy level of the premises without resorting to such measures. However, where the capacity is likely to be reached (such as on known busy evenings) and particularly where a special event or promotion is planned, the applicant will be expected to detail the additional arrangements that will be put in place to ensure that the capacity of the premises is not exceeded.

20. PREVENTION OF CRIME AND DISORDER

20.1 It is recommended that applicants for new premises licences and variations should discuss the crime prevention procedures in their premises with the responsible authorities and the licensing officer(s) before making a formal application.

20.2 Three Rivers District Council is committed to improving the quality of life for the people of the district by continuing to reduce crime and the fear of crime.

20.3 Section 17 of the Crime and Disorder Act 1998 introduced a wide range of measures for preventing crime and disorder and imposed a duty on the Licensing Authority, Police and County Councils amongst others to consider crime and disorder reduction in the exercise of all their duties. The 2003 Act, as amended, reinforces this duty for local authorities.

20.4 The promotion of the licensing objective, to prevent crime and disorder, places a responsibility on licence holders to become key partners in achieving this objective. Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and events.

20.5 When addressing the issue of crime and disorder, the applicant should demonstrate that those factors that impact crime and disorder have been considered. These may include:-

- (a) Underage drinking;
- (b) Drunkenness on premises;
- (c) Public drunkenness;
- (d) Drugs;
- (e) Violent behaviour;
- (f) Anti-social behaviour.
- (h) Additional risk assessments (where required)

19.6 Applicants will be required to adhere to all legislation that is made whilst their licence is in force. Such as during the Covid-19 pandemic in 2020 (where specific legislation was enacted on a temporary basis only) and any future extreme circumstances.

21. PREVENTION OF PUBLIC NUISANCE

21.1 With regard to the prevention of public nuisance, the Licensing Authority will determine all new or variations of licence applications considering all relevant factors, including:

- The nature of the activities at the premises;
- The hours of opening;
- Proximity to residential premises;
- Management of the premises;
- The history of the premises' effect on neighbours and others in the vicinity;

21.2 The Licensing Authority will consider all proposed control measures, including:

- a) Effective and responsible management;
- b) Staff training;
- c) Adoption of best practice on noise control;
- d) Installation of suitable acoustic control measures;
- e) Where relevant, door supervision and management of customers as they enter and leave the premises.

21.3 Three Rivers District has many licensed premises that are close to or even enclosed by residential areas. Most of these are traditional community public houses and are currently tolerated as the terminal hours are well established and neighbours know when they might expect any disturbances causing public nuisance to end.

21.4 Regular patrols of the outside space (e.g. beer garden or smoking area) may be required at regular intervals during busy periods and noted in the incident logbook at the premises. Measures must be put in place to ensure the prevention of public nuisance, failure to adhere to conditions may result in further action being taken against the premises licence.

21.5 Applicants may wish to consult a 'best practice guide' such as [Effective Management of Noise from Licensed Premises \(British Beer and Pub Association\)](#)

21.6 It follows that operators of licensed premises that are in the vicinity of domestic premises (and in the vicinity of business/commercial premises, places of learning and places of worship) may find applications for variations seeking:

- Extended hours of opening or trading;
- The provision of regulated entertainment;
- The provision of late night refreshment;
- The supply of alcohol;

may be subject to representations from such neighbours, their representative(s) and/or the Environmental Health Officer on the grounds that public nuisance might be caused by the intended activity. In most cases such representations will result in a hearing conducted by the Licensing Sub-Committee.

21.7 The Licensing Authority strongly encourages applicants to seek early discussions with the Environmental Health Officer at the Council (or the responsible officer for pollution) with the aim of resolving how potential public nuisances might be effectively controlled, so that agreed measures might be built into the operating schedule as mutually acceptable conditions. In this way representations from the Environmental Health Officer may be avoided. The Council also encourages local mediation in certain situations that might be amenable to such a solution.

21.8 Many, but not all, public nuisance issues can be resolved through reasonably practical and effective control measures. If such measures are not detailed in the operating schedule accompanying the application, and if then a local hearing takes place, the application may well be viewed unfavourably by the Licensing Committee.

21.9 Licensed premises have a significant potential to impact adversely on communities through public nuisances that arise from their operation. The Licensing Authority wishes to maintain and protect the amenity of residents and other businesses from the consequence of the operation of licensed premises whilst recognising the valuable cultural, social and business importance that such premises provide.

21.10 The Licensing Authority intends to interpret “public nuisance” in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area. Applicants need to be clear that the Licensing Authority will normally apply stricter conditions, including controls on licensing hours, where licensed premises are in residential areas and where relevant representations have been received. Conversely, premises for which it can be demonstrated they have effective measures planned to prevent public nuisance, may be suitable for 24-hour opening.

21.11 In the case of shops, stores and supermarkets selling alcohol, the Licensing Authority will normally permit the hours during which alcohol is sold to match the normal trading hours during which other sales take place, unless there are exceptional reasons relating to disturbance or disorder.

21.12 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance, relevant to the individual style and characteristics of their premises and events.

When addressing the issue of prevention of public nuisance, the applicant must demonstrate that those factors that impact on the likelihood of public nuisance have been considered. These may include:-

- (a) The location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices and places of worship;
- (b) The hours of opening, particularly between 23:00 and 07:00;
- (c) The nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises;
- (d) The design and layout of premises and in particular the presence of noise-limiting features;
- (e) The occupancy capacity of the premises;
- (f) The availability of public transport;
- (g) A 'wind-down period' between the end of the licensable activities and closure of the premises;
- (h) A last admission time.

22. PUBLIC SAFETY

22.1 The Licensing Authority is committed to ensuring that the safety of any person visiting or working in licensed premises is not compromised. To this end, applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety, relevant to the individual style and characteristics of their premises and events.

22.2 When addressing the issue of public safety, an applicant must demonstrate that those factors that impact on the standards of public safety have been considered. These may include:-

- (a) The occupancy capacity of the premises
- (b) The age, design and layout of the premises, including means of escape in the event of fire
- (c) The nature of the licensable activities to be provided, in particular the sale or supply of alcohol, and/or the provision of music and dancing and including whether those activities are of a temporary or permanent nature
- (d) The hours of operation (differentiating between the hours of opening from the hours when licensable activities are provided, if these are different)
- (e) The customer profile (e.g.; age, disability)
- (f) The use of special effects such as lasers, pyrotechnics, smoke machines, foam machines, etc.
- (g) Compliance with the Equalities Act etc.

22.3 Occupancy limits: With the introduction of the Fire Safety (Regulatory Reform) Order 2005, it is recognised that existing prescriptive controls such as Fire Certificates have been replaced with the duty to produce risk assessments. In accordance with the Secretary of State's guidance, the Council will avoid duplicating existing controls. Where a relevant representation is received in respect of capacity, the Council may impose conditions in relation to the maximum number of persons to attend premises where:

- It considers it to be appropriate for the purpose of reducing crime and disorder;
- It considers it to be appropriate for the purpose of safety of occupants.

The issue of capacity will be decided on a case-by-case basis and will only be applied where there is a clear and justifiable need to do so based upon the nature and style of the premises and the licensing objectives.

The purpose of imposing a maximum number of persons to be in the premises at any one time is to ensure the safety of those persons at the premises. Where relevant representations have been made, the Council will set occupancy limits in consultation with the responsible authority.

22.4 Health and Safety: Every applicant granted a licence, certificate or permission would also be under a duty to comply with the Health and Safety at Work etc. Act 1974 and regulations made under it. In many cases, the Council will also be the enforcing authority responsible for ensuring compliance with the Health and Safety at Work Act in licensed premises.

23. PROTECTION OF CHILDREN FROM HARM

23.1 The protection of children from harm is an important issue. It is hoped that family-friendly premises will thrive, but the risk of harm to children remains a paramount consideration when determining applications.

23.2 The general relaxation in the 2003 Act, as amended, giving accompanied children greater access to licensed premises is a positive step, aimed at bringing about a social change in family-friendly leisure. Clearly this relaxation places additional responsibilities upon licence holders. However, it is also recognised that parents and others accompanying children also have responsibilities.

23.3 Guidance from the Government states that licensing policies should make clear that conditions requiring the admission of children to any premises cannot be attached to licences or certificates. The Licensing Authority proposes that where no licensing restriction is necessary, this should remain a matter for the discretion of the individual licence holders or club or person who has given a temporary event notice.

23.4 Venue operators seeking premises licences and club premises certificates may also volunteer such prohibitions and restrictions in their operating schedules because their own risk assessments have determined that the presence of children is undesirable or inappropriate. Where no relevant representations are made to the Licensing Authority concerned, these volunteered prohibitions and restrictions will become conditions attaching to the licence or certificate and will be enforceable as such. The Licensing Authority in these circumstances may impose no other conditions concerning the presence of children on premises.

23.5 The policy cannot attempt to anticipate every issue that could arise in respect of children; therefore general rules are avoided and each application will be considered on its merits.

23.6 The protection of children from harm includes the protection of children from moral, psychological and physical harm, when attending licensed premises.

23.7 There are a number of important areas that will give particular concern in respect of children these include but are not exhaustive to the following examples:-

- (a) Where entertainment or services of an adult or sexual nature are provided;
- (b) Where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking;
- (c) Where requirements for proof of age cards or other age identification to combat the purchase of alcohol by minors is not the norm;
- (d) Where there is a known association with drug-taking or dealing;
- (e) Where there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines), and
- (f) Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

23.8 Consequently the Licensing Authority proposes that there needs to be a range of alternatives, which will be considered for limiting the access of children where that is necessary for the prevention of harm to children. These, which can be adopted in isolation or combination, include:

- Limitations on the hours when children may be present;
- Limitations on the exclusion of the presence of children under certain ages;
- Age limitations (below 18);
- Requirements for accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult).
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

23.9 In the case of premises giving film exhibitions, the applicants should include in their operating schedule arrangements for restricting children from viewing age-restricted films. Similarly, in relation to such premises, a mandatory condition will be applied requiring that access will be restricted to only those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification, or in specific cases, the local authority.

23.10 The Licensing Authority expects that licence holders contribute to this element by ensuring that age related checks are carried out and that the recommendation is that the forms of proof of identification accepted would include passport, photocard, driving licence and the Proof of Age Standards Scheme (PASS card).

23.11 Where a large number of children are likely to be present within a licensed premises e.g. for a children's show or pantomime, the Licensing Authority may impose a condition requiring an adequate ratio of adults to children. This is to control the access and egress of children and to protect them from harm. Such a ratio will be calculated by a formula which has regard to the number of children, the age of the children, and the nature of the venue itself. Guidance on such a ratio is given in Parts 3 & 5 of Annex D of the Revised Guidance, issued on 28 June 2007.

23.12 The Licensing Authority considers that, on the one hand, there should be no presumption of giving children access or, on the other hand, no presumption of preventing their access to licensed premises, unless this is necessary for the prevention of physical, moral or psychological harm to them. The Licensing Authority has no intention of imposing conditions requiring the admission of children and, where no licensing restriction is necessary, admission of children will remain entirely a matter for the discretion of the individual licensee or club, or person who has given a Temporary Event Notice.

23.13 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm, relevant to the individual style and characteristics of their premises and events.

23.14 Whilst children may be adequately protected from harm by the action taken to protect adults, they may also need special consideration, and no policy can anticipate every situation. When addressing the issue of protecting children from harm, the applicant must demonstrate that those factors that impact of harm to children have been considered.

23.15 Child Sexual Exploitation (CSE): Child sexual exploitation is a significant concern for licensing authorities nationwide, as demonstrated by a number of high-profile reported cases which revolved around licensed premises. Where the operation of licensed premises is causally or demonstrably linked to child sexual exploitation, the Licensing Authority will not hesitate to use the full range of powers at its disposal to promote this licensing objective. Further details regarding this issue are given later in this document.

24. CONTROL MEASURES

24.1 The following examples of control measures are given to assist applicants who may need to take account of them in their operating schedule, having regard to their particular type of premises and/or activities:-

- (a) Suitable and sufficient risk assessments

- (b) Effective and responsible management of premises
- (c) Provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons
- (d) Appropriate instruction, training and supervision of those employed or engaged to secure the safety of the premises and patrons
- (e) Adoption of best practice guidance (e.g.; Guide to Fire Precautions in Existing Places of Entertainment and Like Premises, The Event Safety Guide, Safety in Pubs published by the BBPA)
- (f) Provision of effective CCTV in and around premises
- (g) Provision of toughened or plastic drinking vessels
- (h) Implementation of crowd management measures
- (i) Proof of regular testing (and certification where appropriate) of procedures, appliances, systems etc., pertinent to safety.

These examples can be adopted in any combination.

25. LICENCE CONDITIONS

25.1 Licensing is about the appropriate control of licensed premises, qualifying clubs, temporary events and the people who manage them or hold personal licences within the terms of the 2003 Act. Where relevant representations are made, the Licensing Authority will seek to make objective judgments as to whether conditions may need to be attached to various authorisations in order to promote the Licensing Objectives. Any conditions arising from the operating schedule or as a result of representations, will primarily focus on the direct impact of the activities taking place at licensed premises, on those attending the premises and members of the public living, working or otherwise engaged in normal activity in the area concerned. These conditions will cover matters that are within the control of individual licensees and others with relevant responsibilities.

All premises licences and club premises certificates will have the mandatory conditions attached to the licence to ensure uniformity between all licensed premises. These mandatory conditions are non-negotiable and are set by central government.

In addition to the basic mandatory conditions there are also additional conditions that will be included in the licence dependent on the requirements of the applicant i.e.

- Door staff
- Showing of films

25.2 The Licensing Authority acknowledges that the licensing function cannot be used for the general control of nuisance or the anti-social behaviour of individuals once they are beyond the direct control of the licensee of any premises concerned. However, other mechanisms may be utilised, where appropriate, to tackle unruly or unlawful behaviour of consumers when beyond the control of the individual, club or business holding the licence, certificate or authorisation concerned. These include:

- (a) Planning controls
- (b) Positive measures to create a safe and clean town environment in partnership with local businesses, transport operators and other services within the Local Authority;
- (c) The provision of CCTV surveillance in town centres, ample taxi ranks, street cleaning and litter patrols
- (d) Powers of Local Authorities to restrict consumption of intoxicating liquor in designated public places other than Premises licensed for 'on' sales
- (e) Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices

- (f) The prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk
- (g) The confiscation of alcohol from children and adults in designated areas
- (h) The power of the Police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question
- (i) Action under the Violent Crime Reduction Act 2006.

25.3 In order to minimise problems and the necessity for hearings, it would be reasonable for applicants and clubs to consult with Responsible Authorities when operating schedules are being prepared to allow for proper liaison before representations prove necessary.

25.4 If an applicant volunteers a prohibition or restriction in their operating schedule because their own risk assessment has determined such prohibition or restriction to be appropriate, such volunteered prohibitions or restrictions will become conditions attached to the licence or certificate and will be enforceable as such.

25.5 The Licensing Authority recognises that all applications should be considered on an individual basis and any condition attached to such a licence will be tailored to each individual premises, in order to avoid the imposition of disproportionate and other burdensome conditions on those premises. Although the Licensing Authority may maintain a pool of conditions which may be produced to assist applicants and others, standard conditions, other than mandatory conditions, will be avoided and no condition will be imposed that cannot be shown to be appropriate and proportionate for the promotion of the Licensing Objectives.

The Licensing Authority will consider and, if necessary, tailor conditions listed in the pools of conditions provided in the Secretary of State's Guidance and attached to licences as appropriate. However, details of these are not included within this Policy because it would be impractical to try and envisage every conceivable scenario in advance. Consequently, tailored conditions will be drafted and attached to licences specific to the respective premises to which they need to apply and commensurate with the aim of promoting all or any one of the four Licensing Objectives.

25.6 The pools of licence conditions in the Secretary of State's Guidance are provided by way of example only and do not form part of this Policy. The Licensing Authority therefore reserves its right to make additions or alterations to them without prior notice.

26. TEMPORARY EVENTS

26.1 The Licensing Act 2003 provides that Temporary Event Notices (TENs) can temporarily authorise licensable activities upon premises, such as the sale or supply of alcohol, the provision of regulated entertainment or the supply of late-night refreshments which are not already authorised by either a premises licence or a club premises certificate. Temporary Event Notices (TENs) do not seek permission to carry on licensable activity and do not make application for it. TENs are a system of notification which the s182 guidance confirms is a light touch process.

. Organisers of these events are encouraged to submit their notification as soon as reasonably practicable to enable the Police and the Licensing Authority to work with them to identify and reduce the risk of crime and disorder, (see **Appendix C** for details regarding the application process and timescales for the submission of Temporary Event Notices).

26.2 With regard to permitted temporary events the Licensing Authority expects the co-operation of Personal Licence holders and other people serving Temporary Event Notices (TENs) in allowing more than the minimum required notice period of 10 working days. The Licensing Authority recommends that applicants for TENs endeavour to give at least two months' notice to hold all but the **smallest events**; this will allow the Licensing Authority and Police to help organisers plan their events safely and may mean the Police are less likely to object to the proposed event.

26.3 Organisers of events should be aware that, although a licence or authorisation may not be needed under the Licensing Act, other legislation might apply. This can include:

- Health and Safety at Work etc. Act 1974;
- The Regulatory Reform (Fire Safety) Order 2005;
- Environmental Protection Act 1990.

27. LARGE SCALE EVENTS

27.1 In the instance where a one-off event is likely to attract more than 499 people at any given time, a Premises Licence will be required. The standard process and consultation period will be required.

It is advisable in these instances that organisers of events aiming to exceed 499 people contact the Licensing Authority at least 6 months prior the event taking place, although there is no statutory requirement to do so. Whilst a premises licence could be granted after 28 days of the application being served, applicants should be aware that the processing time for an application that has received relevant representations can be up to 2 months. The Authority encourages organisers to have early discussions with responsible authorities such as the Police, Environmental Health and Fire Protection Department of Hertfordshire Fire and Rescue Service.

27.2 The Licensing Authority encourages the organiser's participation in the Safety Advisory Group in order to discuss with the authorities concerned any issues that could potentially arise and control measures that may be appropriate to implement.

28. TABLE & CHAIRS/ PAVEMENT LICENCES

28.1 The placing of tables & chairs outside premises or on the highway can enhance a venue but can also contribute to nuisance or noise issues. The placing of table & chairs on the highway requires the consent of Three Rivers District Council.

28.2 A pavement licence is a licence granted or deemed to have been granted, which allows the licence-holder to place removable furniture over certain highways to the premises in relation to which the application was made. *The Levelling Up and Regeneration Act 2023* has made the provisions set out originally in the Business and Planning Act 2000 permanent.

29. MOBILE, REMOTE AND INTERNET SALES

29.1 The Licensing Authority may receive applications for alcohol sales in cases where the location of ordering or payment differs from the location where the alcohol is assigned to the contract. This situation occurs when sales are made online, by telephone, or mail order. The sale of alcohol is to be treated as taking place where the alcohol is appropriated to the contract i.e. where the alcohol is identified, allocated to a customers

order and dispatched from. It will be the premises at this location which need to be licensed.

29.2 In these cases, the Licensing Authority will ensure that the subsequent premises licence will be subject to appropriate conditions including the times of day during which alcohol may be sold

29.3 Premises providing 'alcohol delivery services' should advise the licensing authority that they are operating such a service in their operating schedule. Relevant conditions agreed between the applicant and the responsible authorities or following a licensing sub-committee, may be attached to the premises licence

29.4 Premises with an existing premises licence, which choose to operate such a service in addition to their existing licensable activities, should contact their licensing authority for its view on whether this form of alcohol sale is already permitted or whether an application to vary the licence will be required.

29.5 The Licensing Authority may also receive applications for mobile, remote, internet sales relating to late night refreshment. Applicants should be mindful of the impact of such applications on the licensing objectives particularly the prevention of public nuisance. For instance, there may be concerns of vehicles or noise created by waiting vehicles or drivers outside the premises for pick up. Applicants should put in place appropriate measures and address these issues in their operating schedule.

30. EQUALITY

30.1 The Licensing Authority in carrying out its functions under the 2003 Act is obliged to have 'due regard' to the need to eliminate unlawful discrimination harassment and victimisation, to advance equality of opportunity and to foster good relations between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Government Guidance advises that conditions should not be attached to authorisations which would duplicate existing statutory requirements. The Council therefore takes this opportunity to remind operators of premises of their duties towards disabled persons (including performers) on their premises under the Building Regulations and the Equality Act 2010. This includes a duty that any person who provides a service to the public must make reasonable adjustments to any physical feature that makes it impossible or unreasonably difficult for a disabled person to access a service, or to provide the services by a reasonable alternative means.

31. ENFORCEMENT AND INSPECTION

31.1 The Licensing Authority has developed and implemented joint enforcement protocols with the Police and Fire & Rescue Services in Hertfordshire and other enforcement agencies as necessary, such as Hertfordshire Trading Standards. These protocols will provide for the targeting of agreed problem areas and high-risk premises that require greater attention, while applying a lighter touch to low-risk premises.

31.2 The targeting and inspection of premises will be based upon these protocols and, in addition, driven by complaints about specific premises. As mentioned above, this also includes the targeting of inspections towards events being operated under the terms of a TEN.

31.3 There will be an inspection programme that will seek to visit and inspect all premises over time, dependent on their perceived risk. For example, high-capacity, late-night

entertainment venues are likely to be inspected more frequently than, say, premises used very infrequently.

31.4 The use of the premises is not the only factor to be taken into consideration when judging the risk posed. The Licensing Authority proposes that equally (and sometimes more) important is the management of those premises i.e. the previous experience/qualifications of the licence holder and/or Designated Premises Supervisor, the systems and procedures in place to ensure adherence to the operating schedule and compliance with licence conditions etc.

31.5 All these and other necessary factors will be taken into account when developing a risk-based inspection programme. In any event, the overriding consideration will be the specific merits of individual premises and how they are managed and operated, rather than trying to categorise premises for inspection at arbitrary time intervals. It is likely that a nationally recommended risk assessment method will be developed within the life of the policy. The Licensing Authority reserves the right to trial and adopt any such method where that can be shown to be a useful tool in managing the routine inspection programme of licensed premises.

32. COMPLAINTS AGAINST LICENCED PREMISES

32.1 The Council will investigate relevant complaints against licensed premises. In the first instance, it is encouraged that complainants should raise the complaint directly with the licence holder or business concerned. All complaints will be investigated and if required enforcement action taken in accordance with the Council's Enforcement Policy and Complaints Procedure within this policy. It is recognised that another agency may be the more appropriate body to investigate the complaint and, in such circumstances, the Council will maintain liaison with that agency in accordance with the Enforcement Protocol.

32.2 Where necessary, the Council will initially contact the licence holder to address, clarify and try to resolve the issues of concern.

32.3 This process will not override the right of any other person or responsible authority to request a review of a licence by the Licensing Sub-Committee at any stage following the grant of a premises licence or if the particular concerns are not addressed in a way that fulfils the licensing objectives.

33. LICENCE REVIEWS

33.1 At any stage following the grant of a premises licence a responsible authority (including the Council in its role as Licensing Authority) or another person may ask the Council to review the licence because of a matter arising at the premises in connection with one of the four licensing objectives. In addition, a review of the licence will follow any action to close the premises (for up to 24 hours) on the grounds of disorder or noise nuisance or as a result of a magistrates' court determination.

33.2 Where the Council has applied to the Licensing Authority to review an authorisation, there will be a clear separation of responsibilities to ensure procedural fairness and eliminate conflicts of interest.

33.3 Under the Violent Crime Reduction Act 2006, following an application from the chief officer of police, the Authority can attach interim steps to licences pending a full review. The 2003 Act includes an offence in relation to persistent alcohol sales to minors.

33.4 Any application for review must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of one or more of the licensing objectives. Representations must be in writing and may be amplified at the subsequent hearing or may stand in their own right. Applications will not be accepted if they are considered to be frivolous, vexatious or repetitive. Government Guidance suggests that more than one request originating from another person or responsible authority for a particular premises within a reasonable interval may be considered as repetitious.

33.5 Prior to the hearing, the licence holder will be made fully aware of the representations, the evidence supporting the request and will be given the opportunity to prepare a response.

33.6 The Council views particularly seriously applications for the review of any premises licence where there has been evidence of the following:

- a) use of licensed premises for the sale and distribution of drugs and/or the laundering of the proceeds of drug crimes;
- b) use of licensed premises for the sale and/or distribution of firearms;
- c) evasion of copyright in respect of pirated films and music;
- d) underage purchase and consumption of alcohol;
- e) use of licensed premises for prostitution or the sale of unlawful pornography;
- f) use of licensed premises for unlawful gaming;
- g) use of licensed premises as a base for criminal activity;
- h) use of licensed premises for the organisation of for example, racist, homophobic or sexual abuse or attacks;
- i) use of licensed premises for the sale of smuggled tobacco or goods;
- j) the use of licensed premises for the sale of stolen goods;
- k) where the police are frequently called to attend to incidents of disorder;
- l) prolonged and/or repeated instances of public nuisance;
- m) where serious risks to public safety have been identified and the management is unable or unwilling to correct those;
- n) where serious risks to children have been identified.

34. DELEGATION OF FUNCTIONS

34.1 With the exception of the approval and review of its Licensing Policy and the making of early morning alcohol restriction orders policy, decisions on licensing matters will be taken in accordance with an approved scheme of delegation aimed at underlining the principles of timely, efficient and effective decision-making. A table setting out how the Licensing Authority will approach its various functions is attached at Appendix D. The Licensing Committee will receive regular reports regarding licences determined by officers under delegated powers, in order to maintain an overview of the general situation.

34.2 Full details of the Council's Constitution can be found on the Council web site [Council constitution | Three Rivers District Council](#) and the terms and references and the delegation of functions of the Licensing Committee are described in full. In respect of responsibilities under the 2003 Act, the Council has delegated all aspects of licensing under the 2003 Act, other than the approval and publishing of a Licensing Policy Statement that will be approved by full Council. The Council will establish one or more sub-committees, each consisting of three members of the Licensing Committee and chaired by either the Chairman or Vice-Chairman of the

Licensing Committee to deal with matters relating to licence for activities in accordance with any regulations made under the 2003 Act.

34.3 Although essentially a matter for Licensing Authorities to determine themselves, the Secretary of State recommends that delegation should be approached in accordance with the Guidance. The Licensing Authority accepts the delegations specified in the Guidance. Where, under the terms of the 2003 Act, there are no representations on an application to the grant of a premises licence or club premises certificate, these matters will be dealt with by officers in order to speed matters through the system. Any such matters delegated in this way will then be listed for information at the next Committee meeting, although there is no opportunity to reverse officers' decisions.

34.4 The full Licensing Committee shall comprise between 10 and 15 elected members, with hearings/reviews of licences taking place before sub-committees made up of three members of the Licensing Committee.

34.5 Members for Sub-Committees will be selected in order that no member will hear an application/appeal/review for a premises located in their own Ward. This is to avoid any perception that any member(s) sitting on a Sub-Committee may be biased towards or against the premises concerned.

34.6 This Policy includes provision for the review, by the Licensing Committee, of any future circumstances where the latent Cumulative Impact Policy may be brought into effect.

34.7 All functions proposed to be delegated to the Sub-Committee, or to officers, can be carried out by the Full Committee.

34.8 In certain circumstances (i.e. during a pandemic and Regulations enacted at such a time) a remote Licensing Committee/Sub-Committee may be required to take place. Such hearings will comply with the Council's agreed protocols for remote hearings together with any Regulations relevant to remote hearings & the Licensing Act (Hearing) Regulations 2005

35. GLOSSARY OF TERMINOLOGY (AS USED IN THE 2003 ACT)

35.1 A child is defined under the Act as an individual aged under 16. Additionally a child is considered unaccompanied if he or she is not in the company of an individual aged 18 or over.

35.2 HOT FOOD OR HOT DRINK

Food or drink supplied on or from any premises is "hot" for the purposes of Schedule 2 to the 2003 Act if the food or drink, or any part of it:

- i) before it is supplied, is heated on the premises or elsewhere for the purpose of enabling it to be consumed at a temperature above the ambient air temperature and, at the time of supply, is above that temperature, or
- ii) after it is supplied, may be heated on the premises for the purpose of enabling it to be consumed at a temperature above the ambient air temperature.

35.3 LICENSABLE ACTIVITIES AND QUALIFYING CLUB ACTIVITIES are defined in the Licensing Act as:

- the retail sale of alcohol;

- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- the provision of regulated entertainment;
- the provision of late-night refreshment.

For those purposes the following licensable activities are also qualifying club activities:

- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption on the premises where the supply takes place;
- the sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place;
- the provision of regulated entertainment where that provision is by or on behalf of a club for members of the club or members of the club and their guests.

35.4 PROVISION OF LATE-NIGHT REFRESHMENT is defined as:

- i) The provision of hot food refreshment or hot drink to members of the public, or a section of the public, on or from any premises, whether for consumption on or off the premises between 11:00 pm and 5:00 am or;
- ii) At any time between those hours when members of the public, or a section of the public, are admitted to any premises, a person supplies, or holds himself willing to supply, hot food or hot drink to any persons, or to persons of a particular description, on or from those premises, whether for consumption on or off the premises.

35.5 REGULATED ENTERTAINMENT is defined as:

- a) A performance of a play;
- b) An exhibition of film;
- c) An indoor sporting event;
- d) A boxing or wrestling entertainment;
- e) A performance of live music;
- f) Any playing of recorded music;
- g) A performance of dance;
- h) Entertainment of a similar description to that falling within paragraph e), f) or g) where the entertainment takes place in the presence of an audience and is provided for the purpose, or for purposes which include the purpose, of entertaining that audience. Any reference to an audience includes a reference to spectators. This definition is subject to Part 3 of Schedule 1 to the 2003 Act (interpretation).

35.6 RESPONSIBLE AUTHORITY is defined as:

- i) the Chief Officer of Police for any Police area in which the premises are situated;
- ii) the Fire Authority for any area in which the premises are situated;
- iii) the enforcing authority within the meaning given by section 18 of the Health and Safety at Work etc. Act 1974 for any area in which the premises are situated;
- iv) the local Planning Authority within the meaning given by the Town and Country Planning Act 1990 (c.8) for any area in which the premises are situated;
- v) the local authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health;
- vi) a body which: a) represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the protection of children from harm, and b) is recognised by the Licensing Authority for that area for the purposes of this section as being competent to advise it on such matters.
- vii) the local Weights and Measures Authority;
- viii) any Licensing Authority (other than the relevant Licensing Authority) in whose area part of the premises is situated;

ix) in relation to a vessel:

a) a navigation authority (within the meaning of section 221(1) of the Water Resources Act 1991 (c.57)) having functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is, or is proposed to be, navigated at a time when it is used for licensable activities

b) the Environment Agency

c) the British Waterways Board, or

d) the Secretary of State

e) a person prescribed for the purpose of this subsection.

x) the Licensing Authority;

xi) the Local Health Body

xii) Home Office – Immigration Enforcement

35.7 TEMPORARY EVENT is defined as:

The use of premises for one or more of the licensable activities during a period not exceeding 168 hours usually where a premises licence covering the licensable activity is not in place. It is limited to events involving fewer than 500 people.

NOTE Temporary Event Notices (TENs) are limited to

- five temporary event applications per individual applicant per calendar year (1st January to 31st December),
- fifty per calendar year in the case of applicants who are personal licence holders,
- limited to fifteen per premises per calendar year, as long as the total length of events do not exceed a total number of twenty-one days per year, and
- a minimum of twenty-four hours must pass between consecutive Temporary Events on a particular premises.

36. VERSION CONTROL

Version	Date	Effective Date	Reason	Summary
1.0	January 2016	7 January 2016	Review	Full revised Policy
1.1	December 2020	24 February 2021	Review	Adopted revised Policy following Full Council on 23 rd February 2021
1.2	December 2025	25 February 2026	Review	tbc

This Statement of Licensing Policy was adopted by the Council on [tbc] and was published via our website, at [Licensing policies and consultations | Three Rivers District Council](#)

APPENDIX A

DETAILS OF THE APPLICATION PROCESS TO APPLY FOR A PREMISES LICENCE/CLUB PREMISES CERTIFICATE UNDER THE PROVISIONS OF SECTION 17/71 OF THE LICENSING ACT 2003.

(PREMISES LICENCE/CLUB CERTIFICATES)

- All applications must be submitted in electronic format either by way of downloading from our [website](#) and email to the licensing team
- or
- completing the online fillable form and emailing to licensing.team@threerivers.gov.uk

You should note that the forms are prescribed forms issued by the Government. The application form when submitted in paper form must be completed in BLACK INK. Please read any instructions and guidance notes before completing the form.

When submitting your application to Three Rivers District Council (Three Rivers House, Northway, Rickmansworth, WD3 1RL), you must also enclose:

- The appropriate application fee (based upon the rateable value of the premises). Note there is a fee for a Premises Licence/Club Certificate which is payable annually on the anniversary of the granting of the application. Non-payment of this fee will be treated by the Licensing Authority as a serious matter and will result in the suspension of the licence.
- A plan of the premises at a scale of 1:100 which complies with the Regulations.

If sale of alcohol is being applied for, the consent form completed by the proposed Premises Supervisor must also be submitted.

If submitting the application by post/in person you are required to serve a copy of your complete application on the Responsible Authorities:

Three Rivers District - Responsible Authorities under Licensing Act 2003

1. Chief Officer of Police

Police Licensing Officer
Community Safety Unit
Rickmansworth Police Station
Three Rivers House
Northway
Rickmansworth
Hertfordshire
WD3 1RL
Tel.: 01923 472284
Email: hayley.freeman@herts.pnn.police.uk

2. The Fire Authority

Hertfordshire Fire and Rescue Service
Fire Protection
Postal Point MU 103
Mundells
Welwyn Garden City
Hertfordshire
AL7 1FT

Tel: 01707 292496

Email: administration.cfs@hertfordshire.gov.uk

3. Enforcing Authority: Health & Safety at Work etc Act 1974

Environmental Health Officer
Three Rivers District Council
Northway
Rickmansworth
Hertfordshire
WD3 1RL

Tel: 01923 727005

Email: housingandwellbeing@watford.gov.uk

4 Local Planning Authority

Planning Enforcement Team
Three Rivers District Council
Northway
Rickmansworth
Hertfordshire
WD3 1RL

Tel: 01923 727115

Email: planning.enforcement@threeivers.gov.uk

5. Local Authority Officer responsible for the prevention of public nuisance

Environmental Health Residential Standards Section
Three Rivers District Council
Northway
Rickmansworth
Hertfordshire.
WD3 1RL

Tel: 01923 727006

Email: Environmental.Health@threeivers.gov.uk

6. Responsible body for the safeguarding of Children

HSCB Business Manager
Hertfordshire Safeguarding Children Board
Room 127
County Hall
Pegs Lane
Hertford
SG13 8DE

Tel: 01992 588757

Email: admin.hscb@hertfordshire.gov.uk

7. Trading Standards

Chief Trading Standards Officer
FAO Alice Nugent
Hertfordshire Trading Standards
Mundells
Welwyn Garden City
Hertfordshire
AL7 1FT

Tel.: 01707 292429

Email: tradingstandards@hertfordshire.gov.uk

8. Hertfordshire County Council Public Health Team

Public Health
Postal Point SFAR232
Herts County Council
Farnham House
Six Hills Way
Stevenage
Hertfordshire
SG1 2FQ

Email: publichealth@hertfordshire.gov.uk

9. Home Office (Immigration Enforcement)

Alcohol Licensing Team
Lunar House
40 Wellesey Road
Croydon
CR9 2BY

Email: IE.licensing.applications@homeoffice.gov.uk

These must be served on the same day that the application is given to the Licensing Authority.

You are also required to publish a notice in a local newspaper or, if there is none, in a local newsletter, circular or similar document circulating in the vicinity of the premises on at least one occasion during the period of ten working days after the day on which the application was given to the Licensing Authority. The published notice must contain the prescribed information below:

In the cases of an application for a Premises Licence - Section 17, or for a Club Premises Certificate - Section 71, the notices shall contain a statement of the relevant licensable activities or relevant qualifying club activities, as the case may require, which is proposed will be carried on or from the premises.

(i) In the case of an application for a Provisional Statement, the necessary notices:

- a) shall state that representatives are restricted after the issue of a Provisional Statement; and
- b) where known, may state the relevant licensable activities which it is proposed will be carried out on or from the premises.

(ii) In the case of an application to vary a Premises Licence or a Club Premises Certificate, the required notices shall briefly describe the proposed variation.

(iii) In all cases the required notices shall state:

- a) the name of the applicant or club;
- b) the postal address of the premises or club premises, if any; or if there is not postal address for the premises, a description of those premises sufficient to enable the location and extent of the premises to be identified;

Failure to comply with any of the above requirements will mean that your application is not valid and cannot be considered.

Additionally, you are required to display a notice prominently at or on the premises to which the application relates where it can be conveniently read from the exterior of the

premises. This notice must be in the prescribed format on pale blue paper and contain the required information. It must be displayed for a period of no fewer than 28 consecutive days starting on the day after the day on which the application was given to the Licensing Authority.

The Notice on the premises must be:

- (a) of a size equal to or larger than A4;
- (b) of a pale blue colour in the case of variations and new applications and white colour in the case of minor variations
- (c) printed legibly in black, in a font of a size equal to or larger than 16.

In all cases, the notice must be displayed prominently at or on the premises to which the application relates. The notice must be conveniently read from the exterior of the premises, covering a distance exceeding 50m square, a further notice must be displayed in the same form and subjected to the same requirements, every 50m along the external perimeter of the premises abutting any highway.

The Local Authority must also advertise by way of a notice on its website, all applications for the following:

- (a) Premises licences under section 12;
- (b) Provisional statements under section 29;
- (c) Variations of a premises licence under section 34 (except where the only variation sought is the inclusion of an alternative licence condition);
- (d) Club premises certificate under section 71;
- (e) Vary a club premises certificate under section 84.

This notice must remain on the website for a period no less than 28 consecutive days starting on the day after the day on which the application was given to the relevant licensing authority.

MINOR VARIATIONS

Minor variations will generally fall into the following categories:

- i) Minor changes to the structure or layout of a premises;
- ii) Small adjustments to licensing hours;
- iii) The removal of out of date, irrelevant or unenforceable conditions or addition of volunteered conditions; and
- iv) The addition of certain licensable activities.

Applications to reduce licensing hours for the sale of alcohol or to move (without increasing) the licensed hours between 07.00 and 23.00 will be normally classed as minor variations. However variations to:

- i) extend licensing hours for the sale or supply of alcohol for consumption on or off the premises between the hours of 23.00 and 07.00; or
- ii) increase the amount of time on any day during which alcohol may be sold or supplied for consumption on or off the premises are excluded from the minor variations process and must be treated as full variations in all cases.

It is strongly recommended that applicants for variations discuss their proposals with the Licensing Authority to ensure the correct application is made.

VARIATION OF PREMISES LICENCE (DESIGNATED PREMISES SUPERVISOR)

An application to vary a premises licence where there has been a change of the designated premises supervisor must: be in the prescribed form and accompanied by the premises licence; include a form of consent in the prescribed form given by the individual whom the applicant wishes to have specified in the premises licence as the premises

supervisor; include the fee.

A copy of the application and all accompanying documents must also be sent to the Police.

CLUB PREMISES CERTIFICATE

The process of applying to convert a Club Registration to a Club Premises Certificate and / or for variation to that Certificate is similar to that for a Premises Licence except that neither a Designated Premises Supervisor nor a Personal Licence Holder is required, because there is no 'sale of alcohol' involved, only a 'supply' that is managed by or on behalf of the club.

ELECTRONIC APPLICATIONS

In accordance with the EU Services Directive and the Provision of Services Regulations 2009 as currently in force, the Licensing Authority will accept online and electronic applications, however all relevant documents must be supplied together with the appropriate fee. All hard copy applications will be treated in line with the relevant regulations and all applications and relevant documentation must continue to be submitted in their entirety and not in stages to avoid the potential for any errors. This Authority will continue to assist the applicant in correcting any minor factual errors in their applications. However, the Licensing Authority shall not consider errors to fall within this category which, if permitted, could potentially breach relevant regulations nor errors which could result in changes to consultation dates. The interpretation of obvious factual errors shall rest with the Licensing Authority.

APPENDIX B

DETAILS OF VARIOUS ORGANISATIONS, TRADE ASSOCIATIONS AND REFERENCE LITERATURE (Note this is not an exhaustive list)

1. Arts Council England

21 Bloomsbury Street
Bloomsbury
London
WC1B 3HF
Tel: 0161 934 4317
Email: enquiries@artscouncil.org.uk
Web: www.artscouncil.org.uk

2. Restaurant

William Reed Ltd
Broadfield Park
Crawley
West Sussex
RH11 9RT
Web: www.bighospitality.co.uk

3. BBPA - British Beer & Pub Association Market Towers

Ground floor
61 Queen Street
London
EC4R 1EB
Tel: 020 7627 9191
Email: contact@beerandpub.com
Web: www.beerandpub.com

4. British Board of Film Classification

3 Soho Square
London
W1D 3HD
Tel: 020 7440 0299
Email: helpline@bbfc.co.uk
Web: www.bbfc.co.uk

5. British Institute of Inn keeping

Sentinel House
Ancells Business Park
Harvest Crescent
Fleet
GU51 2UZ
Tel: 01276 684449
Email: enquiries@bii.org
Web: www.bii.org

6. Community Safety Partnership

Three Rivers District Council
Three Rivers House
Northway
Rickmansworth
Hertfordshire
WD3 1RL

Shivani Davé
Email: shivani.dave@threerivers.gov.uk
Tel: 01923 776611

7. Trading Standards
Chief Trading Standards Officer
Hertfordshire Trading Standards
Mundells
Welwyn Garden City
Hertfordshire
AL7 1FT
Tel: 01707 292429
Email: hcc.tradstad@hertscc.gov.uk

8. Institute of Acoustics
1974-2020 Silbury Court
406 Silbury Boulevard
Milton Keynes
MK9 2AF Tel: 0300 999 9675
Email: ioa@ioa.org.uk
Web: www.ioa.org.uk

9. Security Industry Authority (SIA)
PO Box 74957
London
E14 1UG
Web: www.sia.homeoffice.gov.uk

10. The Portman Group
201 Borough High Street
London
SE1 1JA
Tel: 07730525701
Email: info@portmangroup.org.uk

11. The Governments Alcohol Strategy
www.gov.uk/government/publications/alcohol-strategy

12. Home Office - Supporting Guidance Pool of Conditions
www.gov.uk/government/publications/pools-of-conditions-supporting-guidance

13. Guidance issued under Section 182 of the 2003 Act
[Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK](http://www.gov.uk/government/publications/revised-guidance-issued-under-section-182-of-the-2003-act)

14. Information Commissioner (ICO) www.ico.org.uk

APPENDIX C

DETAILS OF THE TEMPORARY EVENT NOTICE APPLICATION PROCESS

The Licensing Act 2003 provides for certain occasions when small, occasional events (no more than 499 people at a time and lasting no more than 168 hours) need to be licenced and must submit a Temporary Event Notice (TEN). This is providing that a minimum of 10 working days' notice is given to the Police, Environmental Health Service and Licensing Authority. This does not include the day of the event or the day of submission. A TEN is not considered valid unless the satisfactory form and fee are submitted. TENs must be submitted using the electronic application form on the GOV.UK website.

The aim of aTENs is to minimise the regulatory burden on such events, many of which will be run by community groups. The process involves sending notification of an event, in the form of a TEN, to the Police, Environmental Health Service and Council in whose area the event is being held. This notification must be submitted at least 10 working days before the day on which the event begins. The Council must issue an acknowledgement (if the TEN is valid) by the end of the next working day after receiving it. Hertfordshire Police and Environmental Health Service can object to a TEN if the event is likely to undermine the Licensing Objectives. Where the Police or Environmental Health Service submits an objection to the notice, the Licensing Authority will hold a hearing to consider the objection. Licensing authorities will be given discretion to apply existing licence conditions to a TEN if there are objections from Police or the Council's Environmental Health Service.

Activities that can be covered by a Temporary Event Notice are:

- Provision of regulated entertainment
- Retail sale of alcohol
- The supply of alcohol by or on behalf of a club
- Provision of late-night refreshment

To ensure TENs benefit small events only, they are subject to certain limitations. These are:

- No more than 499 people (including staff/organisers) attending at any one time.
- An individual is limited to giving 5 TENs in a calendar year, unless they are a personal licence holder, in which case they can give 50.
- A limit of 15 temporary event notices may be given in respect of any particular premises in a calendar year. An event may last no longer than 168 hours.
- The maximum aggregate duration of the periods covered by temporary event notices at any individual premises is 21 days.

Organisers of TENs are strongly advised to contact the Licensing Authority, the Environmental Health Service and Hertfordshire Police for advice at the earliest opportunity when planning events, to avoid any unnecessary objections being made that may arise from misunderstandings or confusion as to what is being proposed.

The Licensing Act 2003 allows event organisers to submit up to 10 "late notices" per year if they hold a personal licence and 2 "late notices" if they do not hold a personal licence. These "late notices" can be submitted to the Licensing Authority, Police and the Environmental Health department between 5 and 9 days before the event (not including the day of the event or the day of submission). However, the Secretary of

State's Guidance states that "They should not be used save in exceptional circumstances". It should be noted that, if either the Police or the Council's Environmental Protection team submits an objection to a late notice, the Council will issue a counter-notice prohibiting licensable activities for the duration of the TEN. Due to the time scale of a late notice, there will not be a hearing should a representation be made. Late TENs are included within the maximum allowance for a premises.

It should be noted that giving a Temporary Event Notice does not relieve the premises' user from any requirement, under planning law, for appropriate planning permission where it is required. (Please contact the Planning Department to seek further guidance.)

TEMPORARY EVENT NOTICE CONDITIONS

If the Licensing Authority receives an objection notice from the Police or Environmental Health that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection. The Licensing Committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at a licensed premises, the Licensing Authority may also impose one or more of the existing licence conditions on the TEN (in so far as such conditions are not inconsistent with the event) if it considers it that this is appropriate for the promotion of the Licensing Objectives.

APPENDIX D
DELEGATION OF FUNCTIONS

<u>Matters to be dealt with</u>	<u>Sub Committee</u>	<u>Officers</u>
Application for a Personal Licence	If a police objection	If no objection made
Application for a Personal Licence with unspent convictions	All cases	
Application for premises licence/club premises certificate	If a relevant representation made	In no relevant representation made
Application for provisional statement	If a relevant representation made	In no relevant representation made
Application to vary a premises licence/ club premises certificate	If a relevant representation made	In no relevant representation made
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of a premises licence	If a police objection	All other cases
Applications for interim authorities	If a police objection	All other cases
Application to review a premises licence/club premises certificate	All cases	
Decision on whether a representation is irrelevant, frivolous, vexatious etc.		All cases
Decision to object when a local authority is a consultee and not the relevant authority considering the applicant	All cases	
Determination of an objection to a temporary event notice	All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition	If a police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
Determination of minor variation application		All cases

APPENDIX E

HERTFORDSHIRE FIRE SERVICE GUIDE TO ORGANISED EVENTS

Relevant Conditions for a Premises Licence and details to be accounted for within an Event Management Plan Conditions suggested by Fire Authority, in their role as a responsible authority, deemed appropriate for the promotion of the public safety licensing objective relating to the Licensing Act 2003

- 1.** The premises licence holder will notify the Fire Authority of the dates of each year's event no later than (insert number) calendar months prior to the commencement of the event
- 2.** The premises licence holder will provide draft copies of the Event Management Plan and Risk Assessments to the Fire Authority no later than (insert number) calendar months prior to the commencement of each year's event
- 3.** The premises licence holder will provide a final copy of the Event Management Plan to the Fire Authority no later than six (6) weeks prior to the commencement of the event build-up on site of each year's event. The final Event Management Plan will form part of the premises licence operating schedule conditions for each year's event
- 4.** The premises licence holder will ensure that the Event Management Plan covers the following areas to the complete satisfaction of Fire Authority
 - 4.1** A scaled electronic site plan showing how each part of the area will be used, identification of all structures, access routes and ingress/egress points
 - 4.2** Capacities and evacuation plans for all areas of the event;
 - 4.3** Roles and responsibilities of all key personnel responsible for managing the event, including names, contact telephone numbers and back-up contact details in the event of non-availability
 - 4.4** Risk assessments for all activities relating to public safety, including fire
 - 4.5** Full details of security and stewarding arrangements
 - 4.6** Details of any proposed special effects and the proposed safety arrangements associated with their use;
 - 4.7** Details for managing all traffic and vehicle movements on site, including within parking areas, during the event build-up phase, during the event and during the site breakdown phase;
 - 4.8** Management arrangements for site access and egress, including specific arrangements for emergency services
 - 4.9** Details of any camping and provided sleeping accommodation, in respect of event attendees, staff and volunteers;
 - 4.10** Details of power supplies, including all generators; Provision of artificial lighting, including emergency escape lighting
 - 4.11** Provision of adequate fire-fighting cover including facilities, personnel and water supplies

- 4.12** Technical details for all proposed temporary demountable structures;
- 4.13** Details of all proposed safety barriers and fencing to be erected on site, including the positioning
- 4.14** Relevant independent certification or manufacturers' details to demonstrate that any fabric, or other material, used in the construction of, or in conjunction with, tents, marquees and similar structures, roof coverings, weather protection covers, curtains, drapes, backdrops, scrims and other materials used in, or upon, structures shall be rendered flame resistant to the current applicable British Standard;
- 4.15** Identification of competent persons, including proof of competence, in relation to the construction of structures and the continual monitoring of them during the event;
- 4.16** Details of the proposed maximum occupancy of each area, the method of controlling numbers therein;
- 4.17** An event running order should be made available including times for when artists appear on stage and expected time of completion of set;
- 4.18** Details of a suitable communication network;
- 4.19** Means for giving warning of an emergency, including the initiating and effecting of any evacuation, including from structures;
- 4.20** Provision of adequate emergency exit routes and emergency exits, both within structures and externally, and suitable provision of emergency signage;
- 4.21** The profiles of the performers and the anticipated attendees;
- 4.22** Contingencies for degraded systems.
- 4.23** Contingencies in respect of points 4.1 to 4.22 inclusive above regarding the effects of adverse weather conditions including, but not limited to, wind, rain and heat.
- 5.** In the event that the premises licence holder requires the attendance of a representative from the Fire Authority within the Emergency Liaison Team, other than in the event of an emergency response, the cost of the attendee will be paid by the premises licence holder.
- 6.** If the premises licence holder, due to exceptional or unforeseen circumstances, wishes to make any amendment to the final Event Management Plan (that being the version that forms part of the premises licence operating schedule conditions) that would impact upon any public safety issue covered by conditions 1 to 5 inclusive above, he may only do so with written consent from the Fire Authority.

Joint Protective Services –

Fire Protection, Mundells – MU 103, Welwyn Garden City, Hertfordshire, AL7 1FT

Email – administration.cfs@hertfordshire.gov.uk

Telephone – 01707 292310

APPENDIX F CONTACT DETAILS

For information on this statement of licensing policy, or for informal advice on making an application or whether a particular activity is likely to require authorisation, please contact:

Licensing Team
Three Rivers House
Northway
Rickmansworth
Hertfordshire
WD3 1RL

Email: licensing.team@threerivers.gov.uk

Telephone: 01923 776611*

*Calls will be taken by the Customer Service Team during certain times of the day and passed onto the Licensing Team.

Please note that, due to the complexity of the legislation that governs these activities, we can only give basic advice about which activities do and do not require authorisation, and about application processes.

If you are unsure as to the legality of a particular activity or require more detailed information or advice, we can offer a consultation service or recommend that you consult an independent specialist advisor or a legal representative.

LICENSING COMMITTEE WORK PROGRAMME

No.	Item to be considered	Date of Next Meeting	Purpose of the Report	How the work will be done	Responsible Officer	Outcome Expected
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1.	Review of Statement of Licensing Policy 2021-2026	December 2025	Review	Written report	Lead Licensing Officer/Licensing Team Leader	To consider any recommendations
2.	Review of Statement of Licensing Policy is required to be reviewed every 5 years (statutory requirement)	2030	Review	Written report	Lead Licensing Officer/Licensing Team Leader	To consider any recommendations

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