



WANDSWORTH BOROUGH COUNCIL

Administration Department

Environment and Community Services

STATEMENT OF LICENSING POLICY

UNDER

SECTION 5 LICENSING ACT 2003

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Statement of Licensing Policy v5 – Licensing Act 2003

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GLOSSARY

<i>The Council</i>	The London Borough of Wandsworth
<i>The Licensing Authority</i>	The capacity in which the Council acts when performing its roles and duties set out in the Licensing Act 2003. This capacity is delegated to officers in certain situations and circumstances detailed in the Policy
<i>Licensing Committee</i>	A Committee of 15 Members of the Licensing Authority formed under Section 6 of the Act
<i>Licensing Sub Committee</i>	The 3-member committee appointed from the 15 member Licensing Committee to consider and determine applications.
<i>The Act</i>	The Licensing Act 2003 and all Regulations made thereunder.
<i>Secretary of State's Guidance OR Statutory Guidance</i>	The Guidance issued by the Home Office under section 182 of the Licensing Act 2003
<i>Licensable activities</i>	Activities for which authorisation is required under the Act: <ul style="list-style-type: none">• 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, and• the provision of late night refreshment.
<i>Late Night Refreshment</i>	The supply of hot food or hot drink to members of the public between the hours of 11pm and 5am
<i>Designated Premises Supervisor (DPS)</i>	A person specified on the licence as the supervisor of the premises licensed for the sale of alcohol. The DPS must hold a personal licence
<i>Personal Licence</i>	A licence granted by a Licensing Authority to an individual, authorising that individual to sell, or authorise the sales of alcohol.
<i>Operating schedule</i>	The part of an application form in which the applicant sets out their proposed activities, the times which they wish to operate and the steps they propose to promote the licensing objectives.
<i>Relevant representation</i>	Relevant Representations are defined in the Act as being those that: <ul style="list-style-type: none">• are about the likely effect of the grant of the premises licence on the promotion of the licensing objectives• are made by any other person or responsible authority within the prescribed time period following an

application

- are not frivolous or vexatious (in the opinion of the Licensing Authority).

Responsible Authority

A Responsible Authority means any of the following:

- the Licensing Authority or any other Licensing Authority in whose area part of the premises is situated
- the Chief Officer of Police
- the Fire Authority
- the Public Health authority
- the Councils Health and Safety team or the Health & Safety Executive
- the Councils Planning Authority
- the Councils Environmental Health Team
- the Councils Trading Standards Team
- The Secretary of State for the Home Office
- A body responsible for the protection of children from harm
- in relation to a vessel:
 - a Navigation Authority
 - the Environment Agency
 - the Canal & River Trust
 - the Secretary of State

The contact details for Responsible Authorities are provided in Appendix 1

Other Person

Any person who is not a Responsible Authority

Cumulative Impact Assessment

A special policy in which the Licensing Authority considers that the number of relevant authorisations in respect of premises in one or more parts of its area described in the assessment is such that it is likely that it would be inconsistent with the authority's duty under section 4(1) to grant any further relevant authorisations in respect of premises in that part or those parts. The CIAs arise under 5A of the Licensing Act 2003.

Frivolous representations Those based on matters of limited seriousness, where the issues complained about are of a very minor nature and any action required would be disproportionate.

Frivolous representations Those based on matters of limited seriousness, where the issues complained about are of a very minor nature and any action required would be disproportionate.

Regulated entertainment The provision of regulated entertainment is defined as any of the following activities that takes place in the presence of an audience for the purpose of entertaining them and must fit into one of the following categories:

- it's provided for members of the public (anybody can buy a ticket or come to the event)
- it's exclusively for members of a (private) qualifying club and their guests
- it's arranged by someone who is trying to make a profit.
- **Boxing or wrestling** including mixed martial arts (this does not include Greco-Roman or Freestyle wrestling)
- **An exhibition of a film** (this does not include live feed television i.e. sporting events)
- **Adult entertainment** (for example lap-dancing)
- **Playing of recorded music** on premises licensed for the on-sale of alcohol or in 'community premises'
 - ○ Between 11pm and 8am
 - ○ At any time when the audience numbers are over 500 people
- **Unamplified live music**
 - ○ Between 11pm and 8am
- **Amplified live music** (including karaoke) on premises licensed for the on-sale of alcohol or in 'community premises':
 - ○ Between 11pm and 8am
 - ○ At any time when the audience numbers are over 500 people
- **Performance of dance**
 - ○ Between 11pm and 8am
 - ○ At any time when the audience numbers are over 500 people
- **Performance of a play**
 - ○ Between 11pm and 8am
 - ○ At any time when the audience numbers are over 500 people
- **Indoor Sporting Events**
 - ○ Between 11pm and 8am
 - ○ At any time when the audience numbers are over 1000 people
- **Entertainment of a similar description to that falling within the performance of live music, playing of recorded music or performance of dance**

De-regulated Entertainment: The Legislative Reform (Entertainment Licensing) Order 2014 came into force on 6 April 2015 with the effect that the following forms of entertainment are no longer licensable:

- Performances of plays between 8am and 11pm, provided that the audience does not exceed 500.
- Performances of dance between 8am and 11pm, provided that the audience does not exceed 500.
- Not-for-profit' film exhibitions held in community premises between 8am and 11pm, provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises, and (b) ensures that each such screening abides by age classification ratings
- Indoor sporting events between 8am and 11pm, provided that those present do not exceed 1,000.
- Any contest, exhibition or display of Greco-Roman wrestling or freestyle wrestling between 8am and 11pm, provided that the audience does not exceed 1,000.
- Performances of unamplified live music between 8am and 11pm, on any premises.
- Performances of amplified live music between 8am and 11pm:
 - On premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500 - In a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500. - In a church hall, village hall, community hall, or other similar community premises, that is not licensed by a Premises Licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises. - At the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Playing of recorded music between 8am and 11pm:
 - On premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - In a church hall, village hall, community hall, or other similar community premises, that is not licensed by a Premises Licence to sell alcohol,

- provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- At the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Any entertainment taking place on the premises of the local authority between 8am and 11pm, with no limit on audience size, where the entertainment is provided by or on behalf of the local authority
 - Any entertainment taking place on the hospital premises of the health care provider between 8am and 11pm, with no limit on audience size, where the entertainment is provided by or on behalf of the health care provider.
 - Any entertainment taking place on the premises of the school between 8am and 11pm, with no limit on audience size, where the entertainment is provided by or on behalf of the school proprietor.
 - Any entertainment (excluding films and boxing or wrestling entertainment) taking place at a travelling circus between 8am and 11pm, with no limit on audience size, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) the travelling circus has not been located on the same site for more than 28 consecutive days.

Responsible Authority

Means the:

- the Chief Officer of Police
- the Fire Authority
- the Public Health authority
- the Enforcing Authority within the meaning given by section 18 of the Health and Safety at Work etc. Act 197,
- the Local Planning Authority within the meaning given by the Town and Country Planning Act 1990
- the Local Authority by which statutory functions are exercisable in relation to minimising or preventing the risk of pollution of the environment or of harm to human health,

- a body which— 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 is recognised by the licensing authority for that area for the purposes of this section as being competent to advise it on such matters,
- the relevant licensing authority and any other licensing authority in whose area part of the premises is situated
- the Primary Care Trust or Local Health Board for any area in which the premises are situated
- the Trading Standards Authority,
- the Secretary of State for the Home Office,
- any Licensing Authority (other than the relevant licensing authority) in whose area part of the premises is situated,

in relation to a vessel:

- a Navigation Authority (within the meaning of section 221(1) of the Water Resources Act 1991) 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,
- the Environment Agency,
- the British Waterways Board, or
- the Secretary of State.

The contact details for Responsible Authorities are provided in Appendix 1

PART 1

OVERVIEW

1 Background and status of the statement of licensing policy

1.1 The London Borough of Wandsworth is the Licensing Authority under the Licensing Act 2003 (“the Act”) responsible for the processing of premises licences, club premises certificates, temporary events notices and personal licences in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late-night refreshment in premises within the Borough.

1.2 The Licensing Authority is required to carry out its functions under the Act with a view to promoting the following four licensing objectives:

- **the prevention of crime and disorder;**
- **public safety;**
- **the prevention of public nuisance; and**
- **the protection of children from harm.**

Each of these licensing objectives is of equal importance. It is important to note that there are no other licensing objectives.

1.3 These are the only matters that can be taken into account by the Authority when determining an application and any conditions attached to a licence must be appropriate to achieve them.

1.4 Where no representations have been received about an application it is the duty of the Licensing Authority to grant the licence or certificate subject only to conditions that are consistent with the operating schedule and any mandatory conditions prescribed in the Act.

1.5 As well as the statutory objectives, the Act and guidance support a number of other key aims and purposes linked to the licensable activities that are considered to be vitally important. They include:

- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact on them.
- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises.

- giving the police and licensing authorities the powers they need to effectively manage and police the social economy
 - recognising the important role that pubs and other licensed premises play in our communities by minimising the regulatory burden on businesses, encouraging innovation and supporting responsible premises, and
 - providing a regulatory framework that reflects the needs of local communities and empowers them to make and enforce decisions about the most responsible licensing strategies for their local area
- 1.6 Licensing Authorities are required to publish a Licensing Policy and to review it at least every five years but a review can be undertaken whenever it feels appropriate. This is the sixth policy published by Wandsworth and will take effect from the 12th May 2024. It has been prepared in accordance with Section 5 of the Licensing Act 2003 and having regard to the amended Government Guidance issued under Section 182 of the Licensing Act 2003 by the Home Secretary in December 2022.
- 1.7 The main activities which require a licence under the provisions of the Licensing Act 2003 and which are covered by this policy statement include:
- The retail sale of alcohol;
 - The supply of alcohol to members of a club;
 - The provision of entertainment to the public or to members of a club and their guests; and
 - The supply of any hot food or drink between 23.00 hours and 05.00 hours.
- 1.8 Entertainment includes:
- Plays;
 - The showing of films;
 - All indoor sporting events;
 - Outdoor boxing and wrestling matches;
 - The performance of live music;
 - The playing of recorded music; and
 - A 'dance' performance.
- 1.9 The definitions of licensable activities are laid out in the glossary terms at the start of this policy. The exemptions to these licensable activities can be found in Part 2 Schedule 1 of the Licensing Act 2003 and associated Regulations.
- 1.10 This statement does not cover other licensing/registration functions vested with the Local Authority.

- 1.11 The Licensing Authority will monitor the effect of its licensing policy upon the Council's overall objectives and will amend the policy if it is seen to be having a negative impact upon related priorities.
- 1.12 This statement of policy sets out the general approach to the making of licensing decisions. However, every application will be considered on its individual merits, taking into account all relevant matters. In relation to any particular application, therefore, where its discretion is engaged it will always be appropriate for the Licensing Authority to consider whether the circumstances of the application justify allowing an exception to the policy and whether granting the application would damage the objects of the general policy. The facts of a particular application may outweigh the presumptions within this policy thus allowing an exception.
- 1.13 This statement of policy will not override the right of any person to make representation on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act

2.0 Integrating Strategies

- 2.1 In formulating the licensing policy the Licensing Authority has had regard to the Council's Corporate Plan, arts and cultural strategy, night-time economy strategy, adult social care policy and strategy, children and young people's plan and strategies, health and wellbeing Board plans and strategy, the community safety partnership plan as well as planning, cultural partnership and equality and diversity plans and strategies and seeks to complement the aim of those strategies. Detailed information about the Council's strategies can be found on the Council's website at:

<https://www.wandsworth.gov.uk/>

3.0 Other visions

- 3.1 This policy aims to 'achieve the right balance' through consideration of the needs of businesses, residents, visitors and other stakeholders. One of the purposes of this Policy is to ensure that local people and visitors to the Borough will have better opportunities to enjoy their leisure time safely without fear of violence, intimidation or disorder. Another intention of the policy is to ensure that local residents are not unreasonably disturbed, whether in the street or at home, by activities within licensed premises or by customers arriving at, or leaving, licensed premises.
- 3.2 The Licensing Authority is keen to promote the cultural life of our borough and licensing will be approached with a view to encouraging all forms of licensable activity that are carried out in ways consistent with the four Licensing Objectives.

- 3.3 We aim to focus on premises which are causing problems within our communities. We will have a lighter touch for most businesses and community activities which enhance peoples' lives and their enjoyment of leisure time without having a negative impact. Premises that are associated with any crime or disorder, threaten public safety, generate public nuisance or threaten the wellbeing of children, will be targeted for enforcement action.
- 3.4 An effective Licensing Policy, alongside other initiatives, can work towards promoting positive aspects of the licensed economy, such as increasing the leisure industry provision for the community, encouraging regeneration of town centres and providing communal hubs, as well as controlling the negative impacts which affect residents, such as an increase in noise, nuisance, anti- social behaviour and crime and disorder.
- 3.5 To this end the Council encourages applications from premises wishing to provide:
- Entertainment (such as live music, dancing, theatre and plays);
 - Cultural diversity;
 - Choice;
 - Family friendly environments.
 - Focus on food;
 - Quality standards; and
 - Environmentally responsible premises.
- 3.6 The Council encourages a diverse range of services beyond the sale of alcohol.
- 3.7 In support of the Night-Time Strategy, the Council will encourage applications for premises where a comprehensive operating schedule is offered to demonstrate that there will be no negative impact to the local area and which offers a positive contribution to the Night Time Economy, which may include:
- Providing safe spaces for people late at night.
 - Policies and proposals on how customers will arrive and leave the premises and the use of public transport, taxis etc.
 - Providing a robust Dispersal Policy to ensure minimum disruption to residents, using staff and door security outside the premises, directing customers in an orderly manner away from the premises and remaining outside until all customers have left the vicinity.
 - The adequacy of the applicant's proposals to prevent crime and disorder utilising CCTV and door supervisors as necessary.
 - Providing clear robust management plans for outdoor areas of licensed premises to reduce noise, odour, and smoke pollution to residents.

- Providing robust staff training manuals and code of conduct to delivery drivers/riders for premises that are applying to primarily offer a delivery service, to minimise noise and disturbance.
- A strong commitment to preventing violence against women and promoting women's safety at night, with steps to include and sufficient numbers of appropriately trained staff, and
- Robust steps are proposed to prevent vertical drinking with restaurant style conditions to restrict alcohol to be ancillary to the service of meals.

4.0 Consultation

4.1 Before publishing the policy, the Council will consult widely with stakeholders and interested parties. The consultation will be carried out over a period of 12 weeks commencing on 30th October 2023 and ending on the 22nd January 2024. A list of consultees, including the following, will be published on the Council's website

- The Chief Officer of Police for the area;
- The London Fire and Emergency Planning Authority;
- Director of Public Health
- Persons/bodies representative of local holders of premises licences;
- Persons/bodies representative of local holders of club premises certificates;
- Persons/bodies representative of local holders of personal licences;
- Persons/bodies representing performers, businesses and residents of Wandsworth;
- Wandsworth alcohol advisory group;
- Other Council departments

4.2 The following organisations or individuals were also consulted:

- Local Children's Safeguarding Board;
- All Ward Councillors; and
- local business organisations

5.0 Profile of the Borough

5.1 The Borough of Wandsworth occupies an area of 34 square kilometres (3,426 hectares) stretching from Vauxhall in the east to the edge of Richmond Park in the west. It is bordered by the boroughs of Westminster, Kensington and Chelsea, Lambeth, Merton, Hammersmith and Fulham and Richmond upon Thames. The Borough is largely residential with a population at the 2021 census of 327,500. The Borough population grew by 20,505 residents from 2011 to 2021. Since the last Census, Wandsworth population has increased by +6.7%. The previous increase between 2001 and 2011 was +17.9%. More than half of population increase in

Wandsworth came from just 4 wards - Nine Elms, St Mary's, Wandsworth Town and Thamesfield wards. Wandsworth is the 10th most densely populated local authority in London with 9,559 persons per km², but the second least densely populated in Inner London. Wandsworth remains as the 8th largest borough in London; it is the 2nd largest borough in Inner London (after Newham).

- 5.2 The age structure of residents differs significantly from both the national and the Greater London average. Wandsworth is a popular place to live among young adults. Wandsworth currently has the 3rd highest percentage of 20-44 year olds in London (50%). 5% of the population are under the age of 19 and 16% over the age of 65. 2021 census showed the biggest increase in 45-64 age group with a +25% increase (Since 2011), indicating that the population is getting older. Wandsworth is a multi-racial Borough with 67.8% of the population White British and overall the Black, Asian and ethnic minority population has increased by +3.6% points since 2011 to 32.2%. In 2021, 62% (203,322) of residents in Wandsworth were born in the UK compared to 65% in 2011. The proportion of non-UK born residents increased to 38% (124,184) since 2011.
- 5.3 There is a significant concentration of logistical, service and commercial activity in Nine Elms and East Battersea, in the Wandle Valley and in the town centres. There are six town centres (Clapham Junction and Battersea, Putney, Wandsworth, Tooting, Balham and Nine Elms-Battersea Power Station) which are, themselves, residential in character. These currently provide a focus for employment, shopping and leisure activities. In addition, there are nine local centres and twenty three important local parades. The 2021 census which took place during the coronavirus pandemic, shows there are approximately 190,441 people working in the borough. The proportion of Wandsworth residents working from home (56.5%) was the 4th highest in London (excluding City of London). Although national lockdown was in place on census day, this indicates that more Wandsworth residents have the ability to work from home compared to other London boroughs. The areas with higher proportions of residents working from home were Clapham Common West, Nightingale Lane and Balham. Of those still travelling to work the largest proportion (36%) travelled between 5km and 10km.
- 5.4 Demand and development pressure for new housing is a major issue in the borough, exacerbated by the increased popularity of Wandsworth as a place to live. The resident population has increased by +6.7% since 2011. Residential development is leading the regeneration of brownfield sites and opening up the riverside. Mixed use development will continue to be a feature of the Borough, in particular the large-scale developments along Nine Elms Lane. Locally, in 2021, there were 137,393 households, in which 327,500 usual residents lived. Since 2011, the number of households increased by 5.3%. Over the last decade, Wandsworth saw an increase of purpose-built flats and flat conversions. There was a slight decrease of households in detached dwellings and terraced housing.

- 5.5 The Borough is served by rail links to London Victoria and London Waterloo, through Clapham Junction, by the Northern and District Underground lines and by a range of bus and over ground train services. There are a number of arterial roads running through the Borough including the A205 (South Circular), A3/A3205 and A24 and eight Thames bridges link the borough to the north side of the river. You can view the borough profile [here](#).
- 5.6 The Borough also has extensive areas of commons, heathlands and other open spaces, with public open spaces accounting for one sixth of the Borough's area, as well as some 8km of Thames riverside. Many buildings and spaces are of particularly distinctive character and there are 45 conservation areas.
- 5.7 There are some 1240 premises in the Borough holding premises licences and club premises certificates (a marginal increase compared to approximately 1220 in 2018) The tables below compare the position in 2023 to that in 2018), setting out the total number of premises holding a licence under the Licensing Act 2003 and the number with late licences, broken down by licence type.

(a) Premises selling alcohol for consumption off the premises only

Year	Total Number of premises	Terminal hour 23.00-00.00 hours on 1 or more nights	Hours beyond 00.00 hours on 1 or more nights	Of which hours beyond policy on 1 or more nights	Of which 24 hour trading on 1 or more nights
2023	357	21 (6%)	50 (14%)	25 (7%)	20 (6%)
2018	361	20 (6%)	84(23%)	34 (9%)	17 (5%)

In 2023 - 36 premises (10%) hold a licence allowing the sale of alcohol to commence at 06.00 (compared to 34 in 2018 (9%)).

(b) Premises selling alcohol for consumption on the premises only

Year	Total Number of premises	Hours beyond 00.00 hours on 1 or more nights	Of which hours beyond policy on 1 or more nights	Of which 24 hour trading on 1 or more nights
2023	250	53 (21%)	7 (3%)	2 (0.8%)
2018	246	51 (21%)	5 (2%)	1 (0.4%)

In 2023 - 23 premises (9%) hold a licence allowing the sale of alcohol to commence before 10.00 (compared to 20 in 2018 8%).

(c) Premises selling alcohol for consumption on and off the premises

Year	Total Number of premises	Hours beyond 00.00 hours on 1 or more nights	Of which hours beyond policy on 1 or more nights	24 hour trading on 1 or more nights
2023	518	184 (36%)	19 (4%)	1(0.2%)
2018	500	184 (37 %)	22 (4%)	1 (0.2%)

In 2023 – 103 premises (19%) hold a licence allowing the sale of alcohol to commence before 10.00 (compared to 96 in 2018 19%).

(d) Premises providing late night refreshment only

Year	Total Number of premises	Hours beyond 00.00 hours on 1 or more nights	Of which hours beyond policy on 1 or more nights
2023	108	93 (86%)	19 (18%)
2018	112	96 (86%)	20 (18%)

5.8 42 premises hold club premises certificates (compared to 42 in 2018) and 4 provide regulated entertainment only (compared to 5 in 2018).

5.9 Prior to the introduction of the Licensing Act 2003 a total of 50 premises held licences allowing the sale of alcohol beyond midnight (some 9% of the total). This had risen to 165 in 2007 (19% of the total), to 213 in 2010 (24% of the total), to 221 in 2014 (25% of the total), 319 in 2018 (29%) and 287 in 2023 (26%).

PART 2

THE POLICIES

6 Introduction

- 6.1 Wandsworth Council recognises that the leisure sector is a major contributor to the economy. The sector is very dynamic and increasingly diverse. The Council recognises that the diversity of premises selling alcohol, serving food and providing entertainment covers a wide range of contrasting styles and characteristics, e.g. nightclubs, private member clubs, pubs, restaurants, take-aways, off-licences, concert halls, cinemas, theatres and outdoor festivals and understands that they all have a differing impact on the local community. The sector attracts visitors, contributes to giving life to an area and is a major employer. With the introduction of the Licensing Act 2003 more premises are able to operate later into the evening and early morning.
- 6.2 Wandsworth has a substantial residential population and it is the duty of the Licensing Authority to ensure that business does not detrimentally affect the amenity of an area. In particular, local residents may be affected by increased concentration of late night venues or increasingly noisy venues, particularly where there is residential accommodation adjacent to, close to, or above such premises.
- 6.3 With residential and commercial uses existing side by side, it is important to establish clear guidelines for deciding licence applications and to ensure that the decisions of the Licensing Authority are enforced. In drawing up the policy, the Licensing Authority has had regard to matters such as noise, transport infrastructure, planning policy, littering and other anti-social matters, the health and safety of employees and members of the public and the protection of children. In addition, under Section 17 of the Crime and Disorder Act 1998, the Council has a duty to do all that it reasonably can to prevent crime and disorder in its area.
- 6.4 The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way which is incompatible with a convention right. The Council will have particular regard to the following:
- **Article 1 of the First Protocol: Protection of property**
that everyone is entitled to the peaceful enjoyment of his or her possessions, including for example the possession of a licence.
 - **Article 6: Right to a fair trial**
that in the determination of civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law;
 - **Article 8: Right to respect for private and family life**
that everyone has a right to respect for his or her private life, his home and correspondence

- **Article 10: Freedom of expression**

(1) Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.

(2) The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

- **Article 14: Prohibition of discrimination**

The enjoyment of the rights and freedoms set forth in the Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status

- 6.5 In carrying out its functions, the Authority will have due regard to The Equality Act 2010.
- 6.6 Licensing is about the regulation of licensable activities. Where the responsible authorities and interested parties do not raise any representations about an application it is the duty of the Licensing Authority to grant the licence or certificate subject only to conditions that are consistent with the operating schedule and any mandatory conditions prescribed by the Act.
- 6.7 The Licensing Authority will not, therefore, impose additional conditions unless its discretion has been engaged following the making of relevant representations and it has been satisfied of the appropriateness of imposing additional conditions due to the representations raised. The terms and conditions attached to permissions will be concerned with matters that are within the control of those granted the permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the impact the activity will have on other persons. Conditions will only be imposed on licences and certificates where they are appropriate for the promotion of one of the four licensing objectives. The Authority will maintain a pool of model conditions which may be used by applicants and the Licensing Authority to determine suitable wording for appropriate conditions. This document will be uploaded onto the Council's website.
- 6.8 It is recognised that licensing law is not the principal mechanism for the general control of anti-social behaviour by individuals once they are away from the premises and, therefore, beyond the direct control of those responsible for the individual premises or places. This anti-social behaviour can be addressed by mechanisms including:

- Planning controls;
- Positive measures to create a safe and clean environment in partnership with local businesses, transport operators and other Council departments;
- The provision of CCTV surveillance in town centres;
- Powers of the local authority to designate parts of its area as places where alcohol may not be consumed publicly;
- The confiscation of alcohol from adults and children in designated areas;
- Police enforcement of the law relating to disorder and anti-social behaviour, including the issuing of fixed penalty notices, prosecution of those selling alcohol to people who are drunk, power to close down instantly, for up to 24 hours, any licensed premises or temporary event on the grounds of disorder, likelihood of disorder or excessive noise emanating from the premises;
- Powers introduced by the Violent Crime Reduction Act 2006 including, the ability to attach interim conditions to licences pending full reviews in cases of serious crime and disorder.
- Powers introduced under by the Anti-Social Behaviour Act, Crime and Policing Crime 2014 which gives powers to the police and the council to close down the premises for the purpose of dealing, or preventing public nuisance and disorder.

6.9 Nevertheless, licensing law is a key aspect of such control, including the power of the police, other responsible authorities and any other persons to seek a review of a licence or club certificate and will always be part of a holistic approach to the management of the evening and night-time economy in the Borough.

6.10 The aim of this policy is to secure the four licensing objectives while facilitating a sustainable entertainment and leisure industry. It is intended to provide clarity to applicants, residents and other occupiers of property and investors.

7 Planning

7.1 Planning permission is usually required for the establishment of new premises and the change of use of premises. Planning permission may also be required to extend hours of operation or to alter the structure of an existing business. The Licensing Authority believes that it is good practice to ensure that the necessary planning permissions are in place before a licence application is made. However, it is recognised that planning and licensing legislation have differing objectives and must be decided separately. The consideration by a Licensing Sub-Committee will not be a re-run of the consideration of the planning application. The Borough Planner is a responsible authority under the Licensing Act 2003 and may make representation if he has evidence to do so.

7.2 Where relevant representations have been received an application will be looked at on its merits and the hours of operation granted may vary from those approved under planning procedures. Where the planning hours and licensing hours are different, the applicant must observe the earlier closing time.

8 Other legislation

8.1 Various other statutory requirements relate to premises falling within this policy, including those relating to health and safety, food safety, statutory nuisance, fire safety, building control and disability discrimination.

8.2 The responsibility for compliance with legislation is always that of the licensee. The Authority, in carrying out its licensing function, will avoid duplication with other regulatory regimes as far as possible. However, the Authority will take account of any non-compliance with other statutory requirements in its licensing decisions where they impact upon the licensing objectives.

9 Licensing hours

9.1 The Council recognises that hours of trading are a critical factor in assessing adverse and beneficial impacts in its area.

9.2 The Council introduced policy guidelines for places of public entertainment and night cafés in 1998 arising out of issues associated with the growth of the night-time economy. These guidelines included terminal hours and, together with the statutory terminal hours for premises selling alcohol, provided a balance between the rights of residents to reasonable peace and quiet and enjoyment of their premises and the commercial needs of business over a number of years. In formulating its first Licensing Policy Statement, the Licensing Authority decided to build on those policy guidelines and to retain a policy on licensing hours. In setting this policy, the Council acknowledged that it acted contrary to Government's guidance which stated that councils should not impose set terminal hours.

9.3 In the revisions to the Guidance, Government moved away from the position that a terminal hour policy should not be set by acknowledging that the four licensing objectives should be paramount considerations at all times. The current Guidance makes it clear that the Licensing Act 2003 gives the licensing authority the power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and that licensing authorities are best placed to make such decisions based on their local knowledge and in consultation with other responsible authorities. However, each application must be considered and pre-determined licensed opening hours must not be imposed without consideration being given to the merits of each individual application. Government continues to believe that, shops, stores and supermarkets should be free to provide sales of alcohol off the premises at any times when the retail outlet is open for shopping

unless there are good reasons, based on the licensing objectives, in particular cases for restricting those hours.

9.4 As indicated in Part 1, paragraph 5.1 of this policy, Wandsworth has a high residential population density with residential property situated in close proximity to licensed premises. Over the last decade, Wandsworth saw an increase of purpose-built flats and flat conversions. The borough has a higher proportion of households in flats, maisonettes/apartments compared to London and England (2021 census). Many residential properties are above commercial units or form part of new mixed commercial/residential development. The high density of residents and the lack of areas which can be considered primarily commercial mean that noise is a particular problem within the Borough. Noise surveys carried out across the borough consistently indicate that ambient noise levels fall around midnight during the week and around 2am at the weekend. Residents can tolerate an element of noise disturbance in the earlier part of the night when ambient noise levels are high but find it increasingly intolerable as ambient levels fall. Noise can come from within premises, a potentially controllable source, or from revellers in the street. Shops, stores and supermarkets selling alcohol can act as a magnet for people leaving other licensed premises to 'top up' their consumption. The particular client group seeking to buy alcohol for consumption off the premises in the early hours of the morning, therefore, differs from those seeking to buy other goods. Noise from revellers in the street and from people smoking outside premises on the public highway cannot be controlled by the applicant nor by any other effective means other than by limiting the general hours in which premises can operate.

9.5 The Council believes that, to date, its licensing hour policy has acted in the interest of both businesses and residents of the borough. Therefore, where the Licensing Authority's discretion is applied by the receipt of relevant representations it will not generally grant new or variation applications outside the following guideline hours:

- **For premises selling alcohol by retail for consumption off the premises only:
07.00 hours to 00.00 hours (12 midnight) Sunday to Thursday,
07.00 hours to 02.00 hours Friday and Saturday;**
- **For premises selling or supplying alcohol by retail for consumption on, or on and off, the premises, (whether or not they also provide food or regulated entertainment), for premises providing regulated entertainment only and for qualifying clubs:
10.00 hours to 00.00 hours (12 midnight) Sunday to Thursday,
10.00 hours to 02.00 hours Friday and Saturday;**
- **Save that premises operating as a combined shop/deli and café providing both on and off sales of alcohol the guideline hours shall be:
Off sales: 07.00 hours to 00.00 hours (12 midnight) Sunday to Thursday, 07.00 hours to 02.00 hours Friday and Saturday;**

On sales: 10.00 hours to 00.00 hours (12 midnight) Sunday to Thursday, 10.00 hours to 02.00 hours Friday and Saturday

- **External drinking areas to close:
23.00 hours with the area to be cleared of customers by 23.30 hours Monday to Saturday,
22.30 hours with the area to be cleared of customers by 23.00 hours Sunday;**
- **Premises that co-join residential property live and recorded music to cease:
23.00 hours – Sunday to Thursday
00.00 hours (12 midnight) – Friday and Saturday;**
- **For premises offering late night refreshment (i.e. hot food and hot drink) for consumption off the premises only (take-aways):
23.00 hours to 02.00 hours Sunday to Saturday;**
- **Save that:
no restrictions in hours will be applied in respect of New Year's Eve/New Year's Day if applied for;
no restriction in hours will be applied in respect of the sale of alcohol to hotel residents for consumption in their rooms or within the confines of the hotel building itself:
no restriction in hours shall apply to premises operating solely for internet sales where delivery of alcohol is from an industrial estate or direct from the producer/importer**

9.6 In cases where relevant representations have been received, in considering whether to grant an application as a departure from the guideline terminal hours, whether earlier or later, the authority will consider the following matters (although these are not exclusive):

- i **whether the licensed activity would result in an increase in noise nuisance to residents in the area;**
- ii **whether measures have been put in place to prevent noise breakout from within the premises;**
- iii **any measures put in to place to prevent noise nuisance from refuse disposal, disposal of empty bottles, refuse collection or from deliveries;**
- iv **whether the licensed activity may result in a reduction or an increase in crime and general anti-social behaviour or nuisance in the area;**
- v **whether the licensed activity would be likely to cause any effect on the safety and amenity of local residents or businesses, or, if there is any potential to cause adverse effect, whether any and if so what measures will be put in place to prevent it;**
- vi **whether there will be any cumulative adverse effect from the activity on residents or businesses;**

- vii **whether there is a high level of public transport accessibility to and from the premises for the hours requested or whether other effective methods of dispersal will be put in place which will not themselves add to adverse impact on any person; and**
- viii **the use by the applicants of winding down periods.**

9.7 In attaching conditions on hours, the Authority will generally require that customers should not be allowed to remain on the premises later than half an hour after the sale or supply of alcohol or the provision of regulated entertainment has ceased, except where alcohol is served as an accompaniment to a table meal or where a suitable dispersal policy has been put in place.

9.8 Shorter hours may be appropriate where for example premises are above, below or immediately adjacent to residential accommodation and adequate sound reduction methods cannot be provided. Shorter hours may also be appropriate in respect of the use of outside areas for licensable activities where these are close to residential accommodation. It should not be expected that the specified guideline terminal hour will be acceptable in all circumstances.

9.9 The Authority has no general policy of shortening hours of operation at the time of a variation application. However, if the nature of the business is likely to change to a significant degree such that it could adversely impact upon crime and disorder or give rise to public nuisance, the Authority will consider, on receipt of relevant representations, whether to adjust the hours of operation.

10 **Cumulative impact**

10.1 The Authority does not intend to introduce a cumulative impact policy in any area of the borough at this time **but intend to review this in 2024.**

10.2 Notwithstanding paragraph 10.1 above, the Licensing Authority recognises that the cumulative impact of licensed premises can be experienced by residents in areas even where there is no current cumulative impact policy. A decision will be made on the individual merits of each application and, if the application is likely to significantly add to the cumulative impact, the licence may not be granted. The converse is also true. If the application is unlikely to significantly add to the cumulative impact, then the licence may be granted

10.3 The Secretary of State's Guidance advises that the cumulative impact of a significant number of licensed premises concentrated in one area can be such as to give rise to serious problems of crime, disorder and/or public nuisance and is a proper matter for the Authority to take into account when developing its policy statement.

10.4 The Authority may produce a cumulative impact assessment for a particular area if there is a clear evidential basis to do so. Before publishing a cumulative impact assessment, the Licensing Authority will consult:

- The Chief Officer of Police for the area;
- The London Fire and Emergency Planning Authority;
- Director of Public Health
- Persons/bodies representative of holders of premises licences in the proposed area;
- Persons/bodies representative of local holders of club premises certificates in the proposed area;
- Persons/bodies representative of local holders of personal licences in the proposed area;
- Persons/bodies representing performers, businesses and residents within the proposed area
- Wandsworth alcohol advisory group;
- Other Council departments.

10.5 The licensing authority and Director of Public Health, as a responsible authorities, would have regard to any published cumulative impact assessment when deciding whether to make representations to the Licensing Committee.

10.6 This Statement of Licensing Policy is open to review if evidence suggests that the introduction of such a policy is needed to meet the objectives of the licensing policy and protect the well being of the local population in that area

10.7 The Authority has noted the statement in the Guidance that in the absence of a cumulative impact policy, responsible authorities or other persons may still make representations on new or variation of premises licence applications on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.

10.8 Representations referencing cumulative impact need to be evidence based i.e. show how the present number of licensed premises are impacting on the objectives and demonstrate how a specific licensed premises in a particular area will add to those problems.

11 Public Health

11.1 Evidence suggests that people addicted to alcohol and their families are significantly at risk of developing health and social problems that include mental illnesses, misuse of drugs, criminal activity, breakdown of familial and other social relationships and negative financial implications. Whilst public health is not a licensing objective and cannot be taken strictly into account when deciding on applications, the Director of Public Health's team is a Responsible Authority under 13(4)(bb) of the Licensing Act 2003 and is able to make representations by its own right or through supporting other representations. Prevention of crime and disorder and protecting of children from harm are two objectives where licensing impacts can be linked to health..

11.2 The Council's Licensing Authority liaises with the Public Health team regarding new or variation applications in order to collectively monitor increase in alcohol access to at-risk groups, ensure that robust measures are in place to minimise risk for those groups, and to support those seeking help. For more information on the role of Public Health and the Licensing Act 2003, see <https://www.local.gov.uk/publications/public-health-and-licensing-act-2003>.

11.3 The Wandsworth Director of Public Health has access to data and evidence that is useful and informative for the development of licensing policy, the consideration of applications and the conduct of reviews. This includes:

- evidence on the impact of alcohol on the physical and mental health of residents, particularly children;
- data on hospital admissions for alcohol related illness and injury;
- data from London Ambulance Service on alcohol related ambulance attendances; and,
- data and evidence from local alcohol services, such as outreach and treatment services.

11.4 When such evidence and data is presented, it will be considered and where links are made to any of the four licensing objectives it will be taken into account by the Licensing Sub Committee in reaching its decision.

11.5 Applicants should also consider proximity to substance misuse treatment services and primary care centres. If substance misuse treatment services are in proximity it may be valuable to consider the knowledge and experience of service users using alcohol premises in a specific area as evidence towards new licensing applications.

12 Early Morning Restriction Orders (EMRO)

12.1 Licensing Authorities may make Early Morning Alcohol Restriction Orders (EMRO's) to prohibit the supply of alcohol from premises for a specified period between the hours of midnight and 6am in the whole or part of its area, if there is evidence that the order is appropriate for the promotion of the licensing objectives. EMRO's are designed to address recurring problems such as high levels of alcohol-related crime and disorder in specific areas at specific times or serious public nuisance and other instances of alcohol related anti-social behaviour which is not directly attributable to specific premises. The procedure for the introduction of an EMRO is set by statute and includes the requirement to advertise the proposal to make an Order and the right of all those likely to be affected to make representations.

13 Violence Against Women and Girls

- 13.1 Wandsworth is a signatory to the Women's Safety Charter and is committed to sharing in the Mayor of London's vision that all Londoners are able to travel, work and go out safely and confidently at night without fear of being victims of criminal offence.
- 13.2 Wandsworth has published its new three-year strategy to help prevent violence against women and girls. For more information visit our website: <https://www.wandsworth.gov.uk/news/2022-news/news-march-2022/new-strategy-to-end-violence-against-women-and-girls/>
- 13.3 We commit to sharing GLA and MOPAC women's safety campaigns, promoting them within Wandsworth and across our social media channels. We encourage licensed premises across the borough to participate in and promote locally any London-wide campaigns to keep women safe at night that discourage harassment and encourage reporting.
- 13.4 We expect all licensed premises to build an atmosphere of transparency and safety for women who work at night.
- 13.5 We expect all licensed premises to have appropriately trained staff, who are proactive and vigilant around women's safety at night. This includes a duty to capture information and report to the police where appropriate.

14 Policies supporting each of the licensing objectives

- 14.1 This policy covers a wide range of premises including cinemas, theatres, concert halls, nightclubs, public houses, cafés/restaurants, shops and fast food outlets/take-aways. Each of these premises present a mixture of hazards and controls must be introduced to ensure that risks to public safety are minimised.
- 14.2 It is expected that prior to making any application under the Act, applicants will have undertaken a full risk assessment of the impact of their activities on the promotion of the licensing objectives. Thereafter, applicants are expected to submit a detailed operating schedule as part of the application, setting out the steps they intend to take to promote the licensing objectives with conditions to mitigate their activities. National guidance places an expectation upon applicants to give thorough consideration to the local area when making applications.
- 14.3 Not all the criteria or considerations within the policy apply, or apply to the same degree, to all premises. However, applicants should have regard to the criteria when drawing up their operating schedules as these are the matters which responsible authorities and any other person are likely to consider when deciding whether to make representations on an application or whether to call for a review. It also draws the attention of applicants to matters that are likely to be the subject of proposed conditions designed to promote the licensing objectives. In the case of variation applications,

applicants need only address any additional steps required in relation to that variation.

14.4 Where relevant representations have been made and the Licensing Sub-Committee deem it appropriate to attach conditions beyond those contained in the applicant's operating schedule they will be tailored to reflect the individual circumstances of the application and will only be imposed where they are appropriate for the promotion of one or more of the licensing objectives.

14.5 The statutory licensing functions are primarily concerned with the regulation of persons, premises and temporary events having regard to the licensing objectives. Where appropriate, any conditions will focus on:

- matters within the control of the individual licensee or those granted relevant permissions; and
- the direct impact the activity will have on members of the public living, working or engaged in normal activity in the area concerned and on those visiting the premises.

14.6 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can fully operate. Whether licence conditions are drawn from the applicant's operating schedule or imposed by the Licensing Sub-Committee they:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the Act or other legislation;
- should be proportionate, justifiable and be capable of being met;
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises as they enter and leave; and
- should be written in a prescriptive format.

14.7 Conditions drawn from the applicant's operating schedule will, therefore, be interpreted in accordance with the intention of the applicant and will not simply replicate the wording in the operating schedule.

14.8 Before refusing an application in full, the Licensing Sub Committee shall consider whether the imposition of conditions could address the concerns expressed by Responsible Authorities or other persons.

14.9 Applicants for new premises licences/ club operating schedules and those seeking variations to existing premises licences are advised to consult with the following organisations before preparing their schedules or at the earliest possible stage in order to avoid disputes:

- Police and local authority community safety officers in relation to crime and disorder;
- Local community groups;
- Local environmental Health officers – nuisance including noise;
- Fire brigade – fire precautions and public safety; and
- Any other organisation or groups interested in the promotion of the licensing objectives in the area concern

15 Delivery Services

15.1 Since the last Statement of Licensing Policy was reviewed, we have seen an increase there number of applications for licences offering delivery services business models. These tend to fall into three groups:

- Premium specialist product mail order-type services;
- Food delivery services (both meal and grocery) that include alcohol delivery but are primarily food lead; and
- Convenience-type alcohol delivery services that are targeted at convenience for those drinking at home.

15.2 Although these types of services are not provided for in the Licensing Act 2003 in any way differently from other licensed premises they do provide their own unique circumstances that need to be addressed. In particular, the Authority has concerns with the potential for the following:

- Age verification at both purchase point and delivery point;
- The safety of delivery drivers at point of delivery;
- Safety of the premises from which orders are taken and sent out for delivery; and

15.3 Possible public nuisance caused by delivery drivers collecting deliveries from the licensed premises. This can be prevented for example by using courier services that encourage drivers to use vehicles that are less likely to cause noise or air quality nuisances for example, use of electric bikes or pedal bikes for late night deliveries.

16 Environmental Best Practice in Licensed Venues

16.1 The Mayor of London's Environment Strategy was published in May 2018 and sets out a number of key aims for London, including making London a zero carbon city by 2050, with energy efficient buildings, clean transport and clean energy. Key actions and approaches within the strategy include

improving energy efficiency in all buildings, increasing communal heating networks using local energy sources, increase solar power energy generation, recommendation that all new developments are zero carbon and trialling low carbon technologies like heat pumps and batteries.

16.2 Wandsworth Council is now building on its ambition to achieve the biggest environmental challenge to become a carbon neutral Council by 2030 and a zero emission Council by 2050. Wandsworth vision's is to be a community living within our environmental limits in an attractive, high quality local environment and to be the greenest Council in inner London by 2030. A summary of Wandsworth Environment and Sustainability Strategy 2019 – 2030 is produced at **appendix 3**.

16.3 Wandsworth will continue to lead the way on reducing greenhouse gas emissions and creating a better environment now and for future generations. The Council remain more committed than ever in tackling the climate emergency and improving air quality and creating a better, healthier living environment. Our borough will maintain the highest standards in street cleanliness and excellent open spaces that our communities can remain proud of.

16.4 The Council's Licensing Authority has a duty to promote the four licensing objectives under the Licensing Act 2003. One of the four licensing objectives is the prevention of public nuisance, which is most relevant to creating a healthier living environment. Whilst public nuisance is not narrowly defined in the 2003 Act and retains its broad common law meaning, it may also include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to other persons health.

16.5 **Promoting Environmental Best Practice in Licensed Venues**

Our expectations

16.5.1 The Council recognises that a high density of licensed premise in the borough means that it is important for us to consider the current and future impact on our environment and the ways in which the environmental impact can be minimised.

16.5.2 Licensed premises in Wandsworth make up a significant part of the local economy, and they can make just as much of a contribution to creating a cleaner and greener borough as any other part, by not only meeting their regulatory duties, but by following best practice including:

- Minimising waste and following the waste hierarchy of reduce, reuse, recycle.^{19.1}
- Improving energy efficiency in heating, cooling and use of power.
- Reducing the traffic on our roads as a result of business use e.g., freight and servicing.

16.6 Minimising waste

Minimising waste, especially of single use, non-recyclable materials, is an important step to reducing the environmental impact of licensed premises. It can also help a business to become more efficient as well as demonstrating its commitment to its customers that it is a sustainable business. In October 2020 it became illegal, with some exceptions, to sell or supply single use plastics such as straws or drink stirrers. You can still supply and sell single-use straws and drink stirrers made from other materials or reusable alternatives.

16.7 There are other ways that licensed premises can minimise waste, such as:

- Using online menus instead of printed versions, or where menus and promotional materials are printed, ensuring they are on recycled materials and are not single use
- Allowing members of the public to refill water bottles to reduce plastic bottle waste.
- Improving recycling rates across all aspects of your business, forward facing and back office.
- Training staff on sustainability best practice.
- Reviewing options for reused and upcycled furnishings and fittings.

16.8 Improving energy efficiency

Wandsworth Council is committed to increasing energy efficiency across the borough as a key to achieving carbon neutrality by 2030. Many venues will also benefit financially from improving energy efficiency (e.g. 15–20% of a pub's operating costs lies in heating, and converting to LED lighting can save £2,000 per year) There are a number of ways that licensed venues can improve energy efficiency and tackle the climate emergency, including:

- Procuring energy efficient equipment including in kitchens or bar areas.
- Ensuring lighting is turned off when not in use and is as efficient as possible where used.
- Minimising the use of outdoor heaters and using energy efficient ones where necessary; this also helps to avoid fume emissions which cause a nuisance and contribute to air pollution.
- Closing doors during the colder months to keep heat in.

16.9 Reducing the Road Traffic

We know that road transport causes 60% of NOx pollution in Wandsworth and tackling poor air quality caused by road traffic is a priority for Wandsworth Council.

16.10 Licensed venues increase traffic on Wandsworth roads through deliveries from suppliers and providing takeaways. Both of these activities can also cause considerable noise nuisance to residents and are often reasons that new premises licenses/club premises certificates are objected to. Licensed venues can help address the environmental impact of road traffic by:

- Developing and implementing bespoke delivery and servicing plans that minimise traffic.
- Consolidating suppliers and procuring locally.
- Minimising waste and waste collections.
- Avoiding personal deliveries to venues.
- Shifting to low emission vehicles and using courier services that encourage drivers to use vehicles that are less likely to cause noise or air quality nuisances for example use of electric bikes or pedal bikes for late night deliveries.

16.11 Engines used during events such as generators and telehandlers

Engines used during events such as generators and telehandlers can be a source of pollution, in London we are starting to limit the use of the dirtiest equipment through euro standards. The site equipment used at events can be conditioned to ensure that it's as clean as possible and protects event attendees and local residents from air pollution.

It is therefore recommended that applicants and existing licence holders apply the following conditions for outdoor events:

NRMM (Non Road Mobile Machinery) is a significant contributor to poor Air Quality and CO_{2e} emissions. Licensed events often utilise NRMM during their set up, operation and demobilisation, particularly generators, telehandlers and mobile working platforms. It is vital for us to minimise emissions from these sources.

Similar to road vehicles, NRMM is manufactured to meet various euro emission standards, called "Stages". On licensed events, we will require that:

- Where generators are needed to power the event, genuine efforts must be made to ensure the use of Stage V generators. Licensed event must also consider sizing generators in a way that minimises fuel consumption and emissions, considering technologies such as chaining, battery and/or flywheel energy storage.

- Until 1st January 2025, any diesel or petrol machinery with a rated engine power between 37-560kW used in the setup, operation and demobilisation of licensed events must meet EU Stage IIIB as a minimum.
- From 1st January 2025, any diesel or petrol machinery with a rated engine power between 37-560kW used in the set up, operation and demobilisation of licensed events must meet EU Stage IV as a minimum.
- From 1st January 2030, any diesel or petrol machinery with a rated engine power between 37-560kW used in the set up, operation and demobilisation of licensed events must meet EU Stage V as a minimum.
- We have set a target for all licensed events to be zero emission by 2050

Where supply of compliant equipment is limited the event organisers must highlight this to the Local Authority and agree a suitable course of action to minimise emission levels as far as is reasonably practicable.

Best practice and best available technology are always moving forward, therefore the 37-560kW scope of these requirements is subject to review. Authorised Officers of the Council will carry out spot-check visits to assess the emission standards of deployed machinery.

6.12 **Our Commitment to Promoting Environmental Best Practice in Licensed Venues**

The Council encourages and will continue to support licensed premises operators/registered clubs to promote environmental best practice. The council will:

- Over the duration of this Statement of Licensing Policy the Council will ensure that any strategy or policy affecting the licensed industry is always underpinned by the promotion of environmental best practice.

17 **Mandatory conditions**

17.1 The Licensing Act 2003 provides for mandatory conditions to be included on licences and club premises certificates. These conditions are set out in an Annex that accompanies this Policy.

18. **Community Premises**

18.1 A community premises that wishes to sell alcohol and which is run by properly constituted management committee may apply to dispense with the

requirement to have a designated premises supervisor named on the licence. If such an application is successful, the effect will be that the management committee will be responsible for the supervision and authorisation of alcohol sales made pursuant to the licence. The Licensing Authority generally welcomes such an approach by community premises and would encourage applicants to discuss their proposals with licensing officers prior to submitting their application.

19 Crime and disorder

19.1 The Authority wishes to ensure that the risk of crime and disorder has been reduced to the maximum degree possible. **In deciding all licence applications where relevant representations have been made, it will be the policy of the Authority to consider the adequacy of measures proposed to deal with the potential for crime and disorder having regard to all the circumstances of the case. In particular the Authority may consider the following:**

- i. The levels of crime and disorder in and around the venue;**
- ii. The measures to be put in place to prevent underage drinking e.g. challenge 25;**
- iii. Whether CCTV is installed;**
- iv. The measures proposed to prevent the consumption or supply of illegal drugs, including search procedures, design of premises, monitoring of toilets, surrender and seizure procedures;**
- v. The measures proposed to discourage binge drinking and drunkenness and to promote sensible drinking;**
- vi. The measures proposed to prevent violence on the premises, including the threat of violence to staff;**
- vii. Whether door supervisors are to be provided and, if so, how many and the hours of employment, particularly where premises wish to stay open beyond midnight;**
- viii. Measures to be put in place to react to any situations of disorder should they occur, including radio links or other instant alert communication systems;**
- ix. In the case of premises selling alcohol on the premises, any measures to be put in place to prevent glass or bottles (intended for immediate consumption on the premises) from being taken into the street;**

- x. Whether there are any proposals to use plastic or toughened glass drinking vessels;
 - xi. Any steps that are to be taken to reduce thefts from patrons using the premises;
 - xii. Any steps that are taken by the new applicant, premises licence holder/designated premises supervisor to check employees right to work in the UK.
 - xiii. For new applications, the extent to which the layout has been designed to minimise crime and disorder;
 - xiv. Whether a last entry time is proposed;
 - xv. In the case of premises selling alcohol on the premises, whether opening hours have been specified and, if not, what measures are to be put in place to ensure that patrons do not pre-purchase drinks for consumption after the terminal hour for sales.
 - xvi. In the case of premises selling alcohol for consumption off the premises, where the hours for the sale of alcohol do not match the trading hours of the business, what measures are to be put in place to ensure that alcohol is not displayed for sale e.g. provision of lockable shutters.
 - xvii. Where significant music events are to be held in nightclubs or large public houses, whether a comprehensive risk assessment will be carried out to ensure that crime and disorder and public safety matters are identified and addressed,
 - xviii. Whether customers can easily access safe transport, including steps to minimise the scope for minicabs to tout for business outside the premises or for patrons to be approached by unlicensed taxis/minicabs.
- b. The Authority will expect the operating schedules to address these issues but the Licensing Sub-Committee will consider attaching additional conditions to licences and permissions to address crime and disorder matters where it is appropriate to do so. The conditions will, so far as possible, reflect local crime prevention strategies.

20 Public safety

- a. In deciding all licence applications where relevant representations have been made, it will be the policy of the Authority to consider the adequacy of measures proposed to protect public safety having regard to all the circumstances of

the case. In particular the Authority may consider the following:

- i. Whether the premises already have a licence specifying the maximum capacity for the premises and if not whether the applicant has assessed the maximum safe capacity having regard to means of escape in case of emergency, toilet provision and overcrowding;**
- ii. The steps that are to be taken to maintain and check fire doors and escape routes before admission of the public and during performance and the recording of such checks;**
- iii. Whether procedures are proposed to ensure that hangings, curtains and temporary decorations are flame retardant and are maintained in this condition and that upholstered seating pass the appropriate testing criteria;**
- iv. Whether measures are in place to ensure that temporary electrical installations are safely installed and checked;**
- v. Whether specific measures have been identified to ensure the safety of indoor sports events and boxing/wrestling events;**
- vi. Where different events are to take place on a site, whether it is proposed that event specific management documents outlining the proposed management structure, responsibilities and contact details for each individual event, together with details of the organisation, control, monitoring and review mechanisms be produced and submitted to the appropriate responsible authorities in advance of the event;**
- vii. What measures are to be implemented to ensure that special effects are safe;**
- viii. Proposals relating specifically to theatres, cinemas and concert halls regarding number of attendants required, standing and sitting in gangways, consumption of drinks, safety of scenery and ceilings, provision of safety curtains, fixing of seating, minimum lighting levels and safety of flammable film;**
- ix. Whether provisions are in place to ensure that premises users safely leave the premises, including providing information on local taxi companies and ensuring adequate lighting levels outside the premises; and**

x. **The steps the applicant has taken or proposes to take to comply with the matters laid down in the following publications as they relate to the particular licensable activity:**

- 1. Model National Standard Conditions for Places of Public Entertainment and Associated Guidance (ABTT publication) ISBN 1 904031 11 0;**
- 2. The London District Surveyors Association's 'Technical Standards for Places of Public Entertainment' ISBN 9781904031536;**
- 3. The Purple Guide to Health, Safety and Welfare at Music and other events- published by the Events Industry Forum, accessible (for a fee) via the website
<https://www.thepurpleguide.co.uk/index.php>**
- 4. Managing Crowds Safely, second edition (HSE 2014) ISBN 978 0 7176 1834 7;**
- 5. The Guide to the Safety at Sports Grounds 6th Edition ISBN 978 1 9164583 0 7and**
- 6. Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances published by Outdoor Arts UK**

b. The Authority will expect the operating schedules to address these issues but the Licensing Sub Committee will consider attaching additional conditions to licences and permissions to address public safety matters where it is appropriate to do so.

21 Public nuisance

- a. In deciding all licence applications where relevant representations have been made, it will be the policy of the Authority to consider the adequacy of measures proposed to deal with the potential for nuisance affecting people living, working or sleeping in the vicinity having regard to all the circumstances of the case. In particular the Authority may consider the following:**
 - i. The proposed operating hours of the premises, including those of the external areas;**
 - ii. The steps the applicant has taken or proposes to take to prevent noise and vibration escaping from the premises, including from music, human voices, ventilation equipment, disposal/collection of empty bottles, loading and unloading of equipment, e.g. sound systems, scenery, lighting, etc., as applicable. This could include proposals to keep doors and windows closed, provision of noise limiter on amplification equipment used at the premises or the provision of acoustic lobbies;**

- iii. **Whether the operation is subject to a statutory notice served under Section 80 of the Environmental Protection Act 1990;**
- iv. **The steps the applicant has taken or proposes to take to prevent disturbance by patrons arriving at or leaving the premises;**
- v. **The steps the applicant has taken or proposes to take to prevent disturbance by patrons using gardens, patios, external balconies or associated open spaces, whether for licensable activities or for ancillary purposes such as smoking or consuming alcohol;**
- vi. **The steps the applicant will take to prevent patrons congregating around off licences/supermarkets from congregating immediately outside to consume their purchases**
- vii. **The steps the applicant has taken or proposes to take to prevent queuing, or if some queuing is inevitable, to divert queues away from neighbouring premises, or otherwise to manage the queue to prevent disturbance or obstruction;**
- viii. **The steps the applicant has taken or proposes to take to prevent light pollution and noxious smells, including smell from cigarette smoke;**
- ix. **Whether suitable and sufficient toilet provision has been made for customer use;**
- x. **Whether there is sufficient provision for public transport for patrons;**
- xi. **Whether there is provision to provide private transport such as taxis and/or licensed minicabs and that such transport is not likely to disturb local residents;**
- xii. **Whether other measures to prevent nuisance have been taken, such as the use of CCTV or the employment of registered door supervisors;**
- xiii. **The measures proposed to prevent littering/glass dispersal in the immediate vicinity or to clear up any litter that does occur;**
- xiv. **Whether there is likely to be congestion of the pavement or roadway;**

- xv. **The measures proposed to prevent noise from the disposal of bottles and other refuse, glass and refuse collection particularly between 23.00 hours and 07.00 hours, including the provision of bottle crushers within the premises or other suitable method to prevent noise from the emptying of bottles from the premises' refuse container into the refuse collector's container ;**
 - xvi. **The measures proposed to prevent noise from deliveries, particularly between 23.00 hours and 07.00 hours**
 - xvii. **Whether there is facility for refuse to be stored within the curtilage of the premises or within a properly constructed refuse store to ensure that it is not left on the pavement pending collection; and**
 - xviii. **Whether there is a contact telephone number prominently displayed so that complaints can be received and dealt with immediately and a log book kept of all such complaints.**
- b. The Authority will expect the operating schedules to address these issues but the Licensing Sub Committee will consider attaching additional conditions to licences and permissions to address public nuisance matters should the Authority receive a relevant representation and it is appropriate to do so. In general, it is likely that stricter controls will be applied in areas of denser residential accommodation.

22 Prevention of harm to children

- a. The wide range of premises that require licensing means that children can be expected to visit many of these, often on their own, for food and/or entertainment.

Limiting access to children

- b. The Licensing Act 2003 makes it an offence to permit children under the age of 16, who are not accompanied by an adult, to be present on premises being used exclusively or primarily for the supply of alcohol for consumption on those premises. It is also an offence to permit children under 16, who are not accompanied by an adult, to be present at premises supplying alcohol (where the consumption of alcohol is not the exclusive or primary activity at the venue) between the hours of 12 midnight and 5.00am. Thus the Act does not prohibit children from having free access to any licensed premises, including those selling alcohol for consumption on those premises. However, the Authority recognises that limitations may have to be considered where it appears appropriate to protect children from physical, moral or psychological harm.

- c. The Authority will recognise the Wandsworth Safeguarding Children Board (or its successor) as the 'responsible authority' for advising on matters relating to the protection of children from harm and consult them on applications.
- d. **In deciding an application where relevant representations have been made the Authority will consider the adequacy of the measures proposed to ensure the prevention of harm to children having regard to all the circumstances of the case. In particular the Authority will consider:**
 - i. **Whether it is intended to provide entertainment of an adult nature, the type of such entertainment, the hours when such entertainment is to take place and the proximity to schools, youth clubs, places of religious worship or other premises where significant numbers of children are likely to attend;**
 - ii. **Whether the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises;**
 - iii. **Whether there have been convictions of the current management for serving alcohol to minors or where there is a reputation of allowing underage drinking;**
 - iv. **Whether or not children are to be admitted to the premises and, if so, whether restrictions are to be applied regarding age or times that children will be allowed access or the parts of the premises they may access;**
 - v. **Whether there is a requirement for accompanying adults (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult);**
 - vi. **In the case of regulated entertainment specially presented to children, the arrangements that will be put in place to ensure the safety of children during access and egress and during the duration of the entertainment;**
 - vii. **Where children are taking part in the entertainment, the arrangements that will be put in place to assure their safety;**
 - viii. **The arrangements that are to be put in place to prevent the sale, supply or delivery of alcohol to those underage including a requirement for the production of proof of**

age identification such as passports, driving licences, or Government approved PASS cards;

- ix. **Measures to be put in place to prevent access to children where restrictions are to be applied due to the adult nature of entertainment or due to the hours of operation of the premises;**
 - x. **In the case of film exhibitions, the arrangements that are to be put in place to ensure that persons are aware of the film classification and the arrangements to be put in place to ensure that the age restrictions are applied; and**
 - xi. **Whether regard is paid to industry codes of good practice on the labelling and display of alcoholic drinks such as the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks.**
- e. It will be for the individual licensee or club to decide whether they wish to admit children to their premises and the Authority will not require them to do so if they chose not to.

Children and films

- f. Films cover a wide range of subjects, some of which deal with adult themes and/or contain scenes of horror or violence that may be considered unsuitable for children within certain groups or which require parental approval.
- g. The Authority has, therefore, approved the following policy – **No film will be shown unless it has obtained a film classification from the British Board of Film Classification (BBFC) and access of children will be in accordance with the classification of the film to be shown.**
- h. **If an applicant wishes to show a film which has not been classified by the BBFC then it will be for the applicant to present special circumstances justifying a departure from this policy. The Authority may agree to the showing of the film having first established its suitability for children and the applicant must adhere to any age restrictions imposed. In all such cases at least 2 months' notice must be given in order for the Authority to address the application and advise of the age restriction that will apply in that instance.**
- i. The Licensing Sub Committee will consider attaching conditions to licences to prevent harm to children where representations have been received and it is appropriate to do so.

23 Events

- a. One off events, ranging from local fairs lasting a few days to major music festivals or large scale sporting events, present particular challenges. **To this end, the Council will expect to receive notification of such events at least 3 months in advance of the event taking place** to ensure that operating schedules cover all relevant matters.
- b. In considering any application where relevant representations have been made, the Authority will have particular regard to the steps the applicant has taken or proposes to take to comply with the matters laid down in the following publications as they relate to the particular licensable activity, as well as to the matters outlined in Paragraphs 10 - 13 above:
 1. The Purple Guide to Health, Safety and Welfare at Music and other events- published by the Events Industry Forum, accessible (for a fee) via the website <https://www.thepurpleguide.co.uk/index.php>
 2. Managing Crowds Safely, second edition (HSE 2014) ISBN 978 0 7176 1834 7;
 3. The Guide to the Safety at Sports Grounds 6th Edition ISBN 978 1 9164583 0 7and
 4. Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances published by Outdoor Arts UK

24 Minor Variations

- a. Small variations to premises licences or club premises certificates that do not impact adversely on the licensing objectives are subject to a simplified procedure, (known as a minor variation procedure). Under this process the applicant is not required to advertise the variation in a newspaper or copy it to responsible authorities, although, there is still a requirement to advertise the application on the premises for a 10 day period.
- b. Minor variations will generally fall into four categories:
 - i. Minor changes to the structure or layout of a premises e.g. alteration of size/shape or position of the bar or toilet configuration, re-positioning of till points in supermarkets or raising or lowering of floor areas;
 - ii. Small adjustment to licensing hours or to opening hours;
 - iii. The removal of out of date, irrelevant or unenforceable conditions or addition of volunteered conditions e.g. following discussions with responsible authorities; and
 - iv. The addition of certain licensable activities.
- c. The legislation specifically exempts from the definition of minor variation any application to:

- i. Extend the period for which a licence/certificate has effect (where an existing licence is time limited);
 - ii. Specify, in a premises licence, any individual as a premises supervisor;
 - iii. Vary substantially the premises to which it relates;
 - iv. Add the sale by retail of alcohol or supply of alcohol to a licence or club premises certificate;
 - v. Extend the licensing hours for the sale or supply of alcohol for consumption on or off the premises between 23.00 hours and 07.00 hours;
 - vi. Increase the total amount of time on any day during which alcohol may be sold or supplied; and
 - vii. Include the alternative licence condition in respect of the supply of alcohol from community premises.
- d. The Licensing Authority must grant only where the proposed application could not have an adverse effect on the promotion of any of the licensing objectives. The Licensing Authority must otherwise reject a minor variation. In making this decision the Authority will consult with the responsible authorities, where appropriate, and will take into account relevant representations. The Licensing Authority will reject a minor variation application where proposed changes to the premises layout could potentially have an adverse impact on the promotion of the licensing objectives, for example by increasing the capacity for drinking on the premises; by impeding or removing emergency exit routes; by impacting adversely on existing noise reduction measures such as acoustic lobbies; by seeking to remove or amend conditions that are appropriate to uphold the licensing objectives such as the provision of door supervisors or adequate staffing levels.

25 Temporary Event Notices

- a. The system of permitted temporary activities is intended as a light touch process and, as such, the carrying on of licensable activities does not have to be authorised by the licensing authority by way of an application. Instead, a person wishing to hold such an event must give notice to the licensing authority of the event (a temporary event notice (TEN)). A number of limitations apply to temporary event notices, and these are laid out in more detail on our website (www.wandsworth.gov.uk).
- b. If the Licensing Authority receives a standard or late Temporary Event Notice ("TEN") and there are no representations made against it by the Police or Environmental Health services, then the Licensing Authority is obliged to issue the TEN subject to the statutory limits being complied with. Only the Police and Environmental Health team can object to a TEN and can do so in relation to any or all of the licensing objectives.

- c. A **standard** TEN must be given to the licensing authority no later than 10 working days before the day on which the event period begins and must be accompanied by the prescribed fee. An objection to a standard TEN must be made up to 3 working days following receipt by the Police or Environmental Health services. If an objection is made to a standard TEN then the objection will be considered at a hearing and the licensing sub-committee will consider whether to issue a counter-notice that does not permit the event occurring.
- d. A **late** TEN must be given to the licensing authority no later than 5 working days, but no earlier than 9 working days, before the day on which the event period begins, and must be accompanied by the prescribed fee. If the Police or Environmental Health services object to a late TEN, then the event will not be able to go ahead and a counter notice will be issued without a hearing taking place. This notice must be issued at least 24 hours before the event is due to take place.
- e. The working days run from the day after the notice is received by the Licensing Authority, as the day the notice is received is deemed to be day zero. Public holidays and weekends are not counted, as they are not working days. For example, if a TEN was served on Tuesday, 13 November, the working days would begin to run from Wednesday, 14 November to Tuesday, 27 November and the event could be no earlier than Wednesday, 28 November.
- f. When considering an objection to a TEN the Licensing Authority may attach conditions to a standard TEN, where it is appropriate for the promotion of the licensing objectives, but only if the conditions to be applied are already on a Premises Licence or Club Premises Certificate relating to the premises where the event will take place.
- g. In any event, the person submitting the TEN is responsible for ensuring that the event complies with all relevant legislation, including the avoidance of a statutory nuisance, and that the event complies with all health and safety requirements.
- h. Although the statutory procedure requires only ten working days' notice of a temporary event (or 5 in the case of a late TEN) the Council would urge applicants to apply at least 2 calendar months before the event is due to take place. This will allow time for the Police and Council to investigate whether there are any issues relating to any of the licensing objectives in plenty of time for the organiser to advertise the event with confidence.

26 Live music, dance and theatre

- a. The Authority recognises the need to encourage and promote all types of entertainment including live music, dance and theatre for the wider cultural benefit of communities, particularly for children.

- b. When considering applications for such events and the imposition of conditions on licences or certificates, where relevant representations have been made, the Council will carefully balance the community benefit while promoting the licensing objectives and will, as far as possible, avoid measures that deter live music, dancing and theatre for example by imposing indirect costs of a disproportionate nature.
- c. In the case of limited duration events such as fairs, community events and festivals the views of vocal minorities will not be allowed to predominate over the general interests of the community.
- d. Many venues in the Borough have the ability to provide live music as part of their offering. This Authority continues to promote live music venues within its area and monitors the impact of the licensing policy on regulated entertainment in the Borough, particularly on live music. If there is any evidence that licensing requirements deter such activities then consideration will be given on how to prevent this from happening, including, if necessary, changes to this policy. However, this Authority will consider removing the live music exemption introduced under the Live Music Act 2012 where there is evidence introduced through the review procedure that the music is impacting adversely on any of the licensing objectives.

27 Personal Licences

- a. Under the Licensing Act 2003 applications for personal licences will be granted so long as the applicant is 18 years or over, is entitled to work in the UK, has possession of the qualification determined by the Secretary of State, has not had a personal licence forfeited within 5 years of the date of application and has not been convicted of a relevant offence or foreign offence.
- b. The Metropolitan Police or Home Office may make representations where the applicant has been convicted of a relevant offence or foreign offence. In such cases the Licensing Sub-Committee will consider the seriousness and relevance of the conviction(s), the period that has elapsed since the offence(s) were committed and any mitigating circumstances. The application will be refused if the Committee decides that refusal is in the interest of the promotion of the prevention of crime objective. In all other cases the application will be granted.

28 Enforcement

- a. It is essential that the requirements of the Licensing Act 2003 are enforced to ensure that the licensing objectives are met within the Borough. To this end, the Council will work closely with the

Metropolitan Police and other agencies and will establish protocols to ensure an efficient deployment of resources.

- b. Enforcement visits will be targeted as follows:
 - 1. To agreed problem areas/premises;
 - 2. To high risk premises/events;
 - 3. To premises where it is believed that trading is taking place without the necessary licence/club premises certificate or licensing conditions are not being observed; and
 - 4. To premises where complaints have been received.
- c. In addition, ad hoc compliance visits will be carried out to ensure that licence conditions are being met and that statutory requirements are not being breached. In particular, test purchases will be carried out to ensure that alcohol is not being sold to children. All such test purchasing will be carried out in accordance with The Code of Practice for Regulatory Delivery published by the Department for Business Innovation and Skills.
- d. Enforcement action will be taken having regard to the Council's Environmental Services Enforcement Policy and the Code for Crown Prosecutors.

29 Community engagement

- a. It is the policy of the Council that all those affected by a new or major variation application should be made aware of it and of the opportunity to make representations.
- b. The Council will ensure that the applicant complies with the consultation and advertising requirements of the Act and Regulations made under it. The applicant is required to advertise an application by means of a notice, clearly visible from outside the premises, for a specified period and by advertising in a local newspaper or other suitable borough wide publication. In addition a copy of the application must be provided to each of the responsible authorities, including the police and the fire authority. A copy of the application is posted on the Council's web-site for the duration of the consultation period and Ward Councillors and other interested parties receive a weekly e-mail notification of new and variation applications. Residents and resident groups are encouraged to sign up to receive this weekly e-mail notification.
- c. The Council provides A3 notices for public display and applicants are encouraged to use these to advertise applications. In the case of applications for larger premises, such as open air venues applicants are encouraged to ensure that an adequate number of notices are displayed around the area, especially adjacent to

entrances. Licensing Officers carry out checks to ensure notices are displayed.

30 Representations

- a. Responsible Authorities and any other person have the right to make representations where applications for new licences or variations are being sought and to receive appropriate consideration of their representations. Representations can be made in opposition to, or in support of, an application. Irrelevant, frivolous or vexatious representations will be disregarded. A representation may be considered to be irrelevant if:
 1. It does not relate to one of the four licensing objectives;
 2. It does not directly relate to the premises in question;
 3. It relates to commercial considerations alone;
 4. It relates to matters already considered by the Council's Planning Applications Committee (or during a subsequent Appeal) or, should more properly have been considered by that Committee.

A representation may be considered frivolous or vexatious if:

5. It arises from a dispute between rival business; or
 6. It relates to matters already considered, and dismissed, by a Court.
- b. Where relevant representations are received to an application, a copy of the representation must be forwarded to the applicant. However, it is recognised that in exceptional cases those making representations may have a genuine and well founded fear of intimidation if they raise objection to an application. In such cases, the Licensing Authority may decide to remove some personal details from the representation, but leaving minimal details such as street name or general location within a street, before forwarding it to the applicant. Such action will only be taken rarely and only where the interested party can satisfy the Authority that their concerns are well founded.

31 Reviews

- a. A Responsible Authority, the Licensing Authority itself or any other person may, at any stage, following the grant of a premises licence, ask the Licensing Authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives. In every case the representation must relate to a particular premises and must be relevant to the promotion of the four licensing objectives. A request for a review will be disregarded if it is considered irrelevant, vexatious, frivolous or repetitious, as briefly defined in paragraph 27.1 above.. A representation will be considered repetitious if it is identical or substantially the same as a

ground for review specified in an earlier application for review made in relation to the same premises licence which has already been determined; a representation considered by the Licensing Authority when the premises licence was first granted; a representation which would have been made when the application for the premises licence was first made and which was excluded then by reason of the prior issue of a provisional statement; and, in addition to these grounds, a reasonable time has not elapsed since that earlier review or the grant of the licence. A reasonable time will be considered to be 12 months save in compelling circumstances.

32 Late Night Levy

- a. A licensing authority can introduce a Late Night Levy in its area if it considers it desirable to raise revenue in relation to the costs of policing crime and disorder connected to the supply of alcohol in that area between midnight and 6.00am. If such a Levy is introduced, it can apply at any time between midnight and 6.00am, and is payable by holders of Licences which authorise the supply of alcohol at times beginning at or after midnight and ending at or before 6am (the licensing authority may determine the time but these must be the same each night). The Levy must apply to the whole of the Authority's Area. It does not apply to Temporary Event Notices and it does not apply to entertainment or late night refreshment providers. The administration of the levy is carried out by the Licensing Authority, who may deduct administration, collection and enforcement costs. At least 70% of the net levy revenue must be provided to the Metropolitan Police. The Licensing Authority can retain 30% of the net levy to fund other activities arising out of the late night economy including the cleaning of public highways or public land, measures to reduce or prevent crime and disorder, measures to promote public safety and measures to reduce or prevent public nuisance. Before introducing a levy the Licensing Authority must consult with all existing holders of late night authorisations in their area.

33 Administration, exercise and delegation of functions

- a. The Council is involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them.
- b. In order to provide a speedy, efficient and cost-effective service to all involved in the licensing process, the Committee has delegated certain decisions and functions to Sub-Committees.
- c. Further, with many of the decisions and functions being purely administrative, the grant of non-contentious applications has been delegated to Council officers.

- d. In view of the tight timescales involved in the processing of minor variation applications, this function has been delegated to Council officers. In all cases officers will assess the minor variation applications they receive and, where they feel that the variation could have an adverse effect on any of the four licensing objectives, they will consult with the relevant Responsible Authority(ies). If the licensing officers, or any of the Responsible Authorities, have concerns about the application it will be refused and a recommendation made to the applicant to submit a major variation application under section 34 of the Licensing Act 2003.
- e. Appendix 2 sets out the agreed delegation of decisions and functions to the Licensing Committee, Sub-Committees and officers.

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Responsible Authorities Contact details

Authority	Contact Details
Licensing Authority	Licensing Manager Regulatory Services Partnership (serving Merton, Richmond and Wandsworth Councils) Merton Civic Centre Morden SM4 5DX Telephone: 020 8545 3969 Email: licensing@merton.gov.uk
Metropolitan Police	Licensing Sergeant Lavender Hill Police Station 176 Lavender Hill London SW11 1JX Telephone: 101 Email: SouthWestSWMailbox-LicensingGeneral@met.police.uk
Responsible Authority for Noise and Environmental Health Pollution	Environmental Health (Pollution) Manager, Regulatory Services Partnership (serving Merton, Richmond and Wandsworth Councils) Merton Civic Centre, London Road, Morden, SM4 5DX E-mail: noiseandnuisance@merton.gov.uk
Health and Safety (Local Authority Enforced Premises)	Environmental Health (Commercial) Manager, Regulatory Services Partnership (serving Merton, Richmond and Wandsworth Councils) Merton Civic Centre, London Road, Morden, SM4 5DX E-mail: foodandsafety@merton.gov.uk
Health and Safety (HSE enforced businesses)	HM Inspector of Health and Safety FOD London Division Health and Safety Executive Rose Court 2 Southwark Bridge London SE1 4LW
London Fire Authority	Fire Safety Regulation: South West Area 4 London Fire Brigade 169 Union Street London SE1 0LL E-mail: fsr-adminsupport@london-fire.gov.uk

The Local Planning Authority	Planning Department Wandsworth Council Environment and Community Services Department Town Hall Wandsworth High Street London SW18 2PU Telephone: 020 8871 7620 Email: planning@wandsworth.gov.uk
Trading Standards	Chief Inspector of Weights and Measures Trading Standards Service Regulatory Services Partnership (serving Merton, Richmond and Wandsworth Councils) Merton Civic Centre London Road Morden SM4 5DX E-mail: Trading.standards@merton.gov.uk
Children Protection Authority	Wandsworth Safeguarding Children Board Town Hall Wandsworth High Street London SW18 2PU Email: wscb@wscb.org.uk
Person Responsible for Public Health	Public Health Lead, alcohol and substance misuse Directorate of Adult Social Care and Public Health The Town Hall Wandsworth High Street SW18 2PU Email: ross.little@richmondandwandsworth.gov.uk
Secretary of State for the Home Office	Home Office Immigration Enforcement Alcohol Licensing Team Lunar House 40 Wellesley Road Croydon CR9 2BY E-mail: Alcohol@homeoffice.gsi.gov.uk

Application in relation to vessels must notify further Responsible Authorities

Port of London Authority (for Tidal Thames)	London River House Royal Pier Road Gravesend Kent DA12 2BG
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<p>The Environment Agency – Recreation and Navigation and Thames Region South</p>	<p>The Environment Agency, Thames Region, Kings Meadow House, Kings Meadow Road, Reading, RG1 8DQ E-mail: enquiries@environment-agency.gov.uk</p>
<p>British Waterways</p>	<p>British Waterways London 1 Sheldon Square Paddington Central London W2 6TT</p>
<p>The Secretary of State, The Surveyor General, Maritime and Coastguard Agency</p>	<p>The Surveyor General, Maritime and Coastguard Agency Central Court 1 Knoll Rise Orpington Kent BR6 0JA</p>

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Appendix 2

Delegation of licensing decisions and functions

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If relevant representations made	If no relevant representations made
Application for provisional statement		If relevant representations made	If no relevant representations made
Application to vary premises licence/club premises certificate		If relevant representations made	If no relevant representations 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 premises licence		If a police objection	All other cases
Application for interim authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		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 on whether to consult other responsible authorities on minor variation application			All cases
determination of a minor variation application			All cases
To raise representations on behalf of the Licensing Authority as a Responsible Authority.			All cases

Wandsworth Strategies

1. The Corporate Business Plan

The Council has three overarching objectives, and the Council is committed to making Wandsworth a fairer, compassionate and more sustainable borough. The Corporate Plan for 2022 to 2026 sets out how these objectives will be met.

For more information visit our website:

<https://www.wandsworth.gov.uk/the-council/how-the-council-works/council-plans-and-policies/corporate-plan/>

2 Community Safety Partnership and Strategies

The Wandsworth Community Safety Partnership (CSP) brings together local authorities and organisations to prevent and reduce crime in our Borough. The main objective of the partnership is to make Wandsworth a safe place to live, work, learn and visit – for all.

The partnership decides on local priorities for tackling crime and antisocial behaviour in Wandsworth and develops plans and strategies in response.

We are working together to achieve our key priorities:

- Creating safer neighbourhoods
- Reducing adult offending and adult re-offending
- Tackling violence against women and girls (VAWG)
- Keeping children and young people safe
- Tackling hate crime, radicalisation and extremism

For more information visit our website:

<https://www.wandsworth.gov.uk/community-safety/community-safety-partnership/about-the-community-safety-partnership/>

3 Planning Policies

Wandsworth's planning policies aim to protect and enhance the quality of life and improve economic and social opportunities. They are the basis for promoting and controlling development in the Borough. The development plan for the borough comprises the Council's Local Plan, together with the London Plan. The Local Plan is made up of a set of three development plan documents (DPDs). The most important of these is the Core Strategy, which sets out the vision and guiding principles for planning in Wandsworth. It is supported by the Development Management Policies and Site Specific Allocations Document which support the strategic objectives set out in the Core Strategy. The Council also publishes Supplementary Planning

Documents and Guidance on policies set out in the adopted Development Plan Documents For more information visit our website:

<https://www.wandsworth.gov.uk/planning-and-building-control/planning-policy/>

4 **Wandsworth Arts and Culture Strategy 2021-2031**

Arts and culture play a vital role in making Wandsworth a prosperous, healthy and attractive place to live. Arts and culture brings people together and provides a sense of vitality and belonging. This Arts and Culture Strategy is Wandsworth Council's commitment to a long-term creative vision for the borough.

For more information visit our website:

<https://www.wandsworth.gov.uk/leisure-and-culture/arts/arts-and-culture-strategy/>

5. **Wandsworth Health and Wellbeing Strategy**

The Joint Health and Wellbeing Strategy sets out the priorities and actions which the Wandsworth Health and Wellbeing Board are implementing to improve the health and wellbeing of people living, working, and visiting Wandsworth. The strategy is part of the Board's statutory function in facilitating partnership working across local councillors, Director of Public Health, local Clinical Commissioning Group (CCG), Director of Adult Social Services, Director for Children's Services and a representative from HealthWatch. The updated strategy (2015) lays out three key priorities:

- Healthy Places
- Targeted Interventions
- Mental Health

and an overarching principle of Needs Based Commissioning.

To effectively achieve outcomes of the strategy along the three key priorities, it is important that an adequate environment and culture is in place to reduce problem drinking and harms resulting from alcohol misuse. Therefore, promotion and regulation of the licensing objectives impact the strategy's aims by preventing alcohol-related crime and anti-social behaviour and protecting public safety. These contribute to building strong communities, healthy places and individuals feeling physically and mentally safe and healthy.

Wandsworth Environment and Sustainability Strategy 2019 – 2030

Wandsworth's vision is to be a community living within our environmental limits in an attractive, high quality local environment and to be the greenest Council in inner London by 2030.

This strategy sets out how the Council intend to put Wandsworth at the heart of the capital's response to the net zero challenge. The strategy itself

addresses specific areas of action that Wandsworth Council need to pursue, including:

- To make Wandsworth the greenest Inner London borough by committing to urban greening, planting trees, encouraging biodiversity, protecting and enhancing existing parks and open and green spaces.
- Ensuring that the Council's planning and development approach is robust on requirements around climate change and environmental issues so that development in the borough is low carbon, sustainable and does not negatively impact on the environment.
- Drastically reducing the amount of waste we produce as an organisation and enhance our community leadership role to help and support residents and businesses to reduce, reuse and recycle in their everyday lives.
- Improving our Council fleet of vehicles by first making sure they are ULEZ compliant and then move to electric and other renewable fuel sources for our fleet. To support residents to make a shift in their transport choices and to encourage micro-mobility, such as car sharing, electric scooters and cargo bikes and to fulfil our commitment to improve our electric vehicle infrastructure and make Wandsworth the easiest place in the country to run an electric car.
- To improve our air quality, with our actions on transport, planning and development all contributing to improving air quality, including tackling pollution and emissions from engine-idling.
- To reduce the amount of energy that we use as an organisation, improve the energy efficiency of our housing stock and help our residents to become more energy efficient. The refurbishment of Wandsworth Town Hall will be a flagship building for energy efficiency, whilst respecting its listed status and highlight our eco-credentials.
- Reducing pollution entering the Thames, especially plastics, and ensure the shore of the Thames is clean.
- To reduce the environmental impact of the purchasing and consumption of the Council, staff and contractors. We will build the principles of sustainability into the way we procure goods and services and encourage our suppliers to improve their own environmental performance.

For more information visit our website:

[Climate change strategy and action plan - Wandsworth Borough Council](#)